

county, Iowa, and an attempt was made to dedicate such addition as an addition to said town of Humboldt, but some of the requirements of law relating to such dedication were not complied with, and,

Property conveyed.

WHEREAS, All of the property in said addition has since been conveyed by descriptions of lots and blocks in accordance with said recorded plat, much of it having been conveyed many times, and all of said property is now owned by parties who are occupying the same in good faith under such conveyances; therefore

Be it enacted by the General Assembly of the State of Iowa:

Plat and dedication legalized.

SECTION. 1. That the plat and dedication of said Johnston's addition be and the same is hereby legalized and declared to be legal and valid to all intents and purposes, the same as though all the requirements of law relating to said platting and dedication had in all respects been strictly and fully complied with.

Approved April 1, 1892.

CHAPTER 138.

LEGALIZES ORGANIZATION OF CLINTON AS A CITY OF THE FIRST CLASS.

S. F. 165.

AN ACT legalizing the organization of the city of Clinton in the county of Clinton and the State of Iowa, as a city of the first class, and chapter 147 of the ordinances of said city, so far as the same authorizes the city auditor to act as city clerk, and the acts of said city auditor and certain ordinances and resolutions of said city.

Census taken.

WHEREAS; by authority of city council of said city of Clinton while yet acting as a city of the second class, a census of its population was duly taken for the purpose of ascertaining whether its population was sufficient to entitle it to become a city of the first class under the statutes in such case made and provided; and

Population more than 15,000.

WHEREAS, it appeared from the returns of said census duly made, that its population was more than fifteen thousand, and said city was thereupon, in the year 1888, organized as a city of the first class and has continued to elect officers and act as such city ever since, and

Population less than 15,000.

WHEREAS, by the subsequent census, taken in the year 1890 by authority of the United States, the population appeared to be less than fifteen thousand; and

Duties of city clerk performed by city auditor.

WHEREAS, by an ordinance of said city, duly passed by the city council of the said city on the 21st of February, 1888, being Chapter 147 of the ordinances of said city, it was provided that all of the duties of City Clerk as provided by Section 522,

of the code, should be performed by a city auditor elected by the voters of said city, as provided by Section 535 of the code; and

WHEREAS, thereafter and ever since the passage of said ordinance, said City Auditor has performed the duties of City Clerk as contemplated by Section 522 and authorized by said ordinance, and

Auditor performed duties under section 522.

WHEREAS, it has sometimes happened that in the passage of ordinances and resolutions, on the passage of which it is by statute required that the yeas and nays be entered of record, that the yeas and nays have not been so entered of record; and

Record defective as to vote.

WHEREAS, by reason of the aforesaid recited facts, doubts have arisen as to the legality of the organization of said city as a city of the first class, by reason of the deficit of population, as shown by said last mentioned census, and of the legality of said ordinance, Chapter 147, and the acts of said City Auditor by reason of his not having been appointed under said Section 522 both in fact and name as City Clerk, and of the validity of said ordinances and resolutions, on the passage of which the yeas and nays were not entered of record because they were not so entered, therefore,

Doubts as to legality.

Reasons.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That said City of Clinton be and the same is hereby declared to be a city of the first class and the organization thereof as aforesaid to be legal and valid, notwithstanding the last named census taken by authority of the United States, and that said ordinance, Chapter 147, so far as the same authorizes said city Auditor to discharge the duties of City Clerk, and the acts of said City Auditor thereunder, are hereby declared to be legal and valid, and that said ordinances and resolutions are hereby declared to have been legally adopted, the same in all respects and with like effect as if said City Auditor had been appointed both by name and in fact City Clerk, and as if the yeas and nays, on the passage of said ordinances and resolutions, had been regularly entered of record and had shown the adoption thereof by the requisite votes.

General legalization.

SEC. 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register, and the Des Moines Leader, newspapers published at Des Moines, Iowa; such publication to be without expense to the State.

Publication clause.

Approved March 16, 1892.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader*, March 18, 1892.

W. M. MCFARLAND, *Secretary of State.*