

ACTS AND RESOLUTIONS

PASSED AT THE EXTRA SESSION

OF THE

EIGHTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA,

WHICH CONVENEED AT THE CAPITOL IN DES MOINES, ON WEDNESDAY, THE 1  
DAY OF MAY, 1861.

BY AUTHORITY.

DES MOINES:

F. W. PALMER, STATE PRINTER.  
1861.

**ERRATUM.**

For date of approval, of Chapter 16, on page 20, read "1861," instead of "1860."

**L 4514**

**DEC 22 1937**

# TABLE OF CONTENTS.

## L A W S .

CHAP.		PAGE.
1	An Act to provide for the compensation of certain officers, and legalizing certain acts relating thereto.....	1
2	An Act in relation to the custody and control of the Court Houses of the Counties.....	2
3	An Act to legalize the acts of certain Boards of Supervisors and Municipal Corporations in certain cases..	3
4	An Act requiring and authorizing the Governor to purchase arms, powder, clothing, &c., and providing the means of payment.....	3
5	An Act to amend Section 5176 of the Revision of 1860.	5
6	An Act to amend section 2729 of Chapter 115 of the Revision of 1860, relating Grand to Juries.....	5
7	An Act for the relief of the Volunteer Soldiers of this State.....	6
8	An Act giving control of the Swamp Lands in the several Counties of the State to the Board of Supervisors.....	7
9	An Act making appropriations for the per diem and mileage of members and officers of the Extra Session of the Eighth General Assembly and for other purposes.....	7
10	An Act providing for auditing all accounts and disbursements arising under the call for volunteers from Iowa, and also for all men organized as the State Militia of Iowa.....	9
11	An Act for the relief of volunteers who have been or may be mustered into the service of the United States Government.....	11
12	An Act to authorize the Board of Supervisors to rebate taxes.....	12
13	An Act to provide for the payment of certain Commissioners and others.....	13
14	An Act to provide for the publication and distribution of the Journals of the Senate and House of Representatives.....	14
15	An Act to provide for the publication and distribution of the Laws enacted at the Special Session of 1861..	15

CHAP.		PAGE.
16	An Act to provide for the issue and sale of State Bonds, to procure a loan of money for the State of Iowa, to enable it to repel invasion and to defend itself in war.	16
17	An Act to amend the Militia Law of the State of Iowa.	30
18	An Act to appropriate money to pay expenses now or hereafter incurred by the State in calling out, organizing, uniforming, subsisting and equipping the Militia of the State, and purchasing arms and munitions of war for the State, and in complying with the present, or any future requisitions of the President of the United States, for volunteers from this State.....	25
19	An Act relating to the publication of the Laws of the Extra Session, 1861.....	26
20	An Act making appropriations for the payment of a Private Secretary to the Governor and for extraordinary expenses in the Executive Department.....	26
21	An Act for the organization, equipment and subsistence of the Militia men of the State of Iowa.....	27
22	An Act further to regulate the staff of the Commander-in-Chief, .....	30
23	An Act empowering the Board of Supervisors to make appropriations for the support of the families of volunteers, .....	31
24	An Act to amend an Act entitled "An Act in relation to revenue," being Chapter 45 of the Revision of 1860	31

### JOINT RESOLUTIONS AND MEMORIALS.

No.		PAGE.
1	Joint Resolution instructing our Senators and requesting our Representatives to procure an Arsenal and Armory at Rock Island, .....	35
2	Joint Resolution instructing the Governor to provide additional clothing for the First Regiment of Iowa Volunteers, .....	35
3	Memorial to the President of the United States, asking for authority to constitute a Brigade out of the Iowa Regiments called into the National service, or out of the Iowa and Nebraska Regiments, and for the appointment of a General for the Brigade, .....	36
4	Joint Resolution requesting the President of the United States to accept and muster into service a Regiment of Volunteer Cavalry from the State of Iowa, .	36
5	A Joint Resolution for the publication of a Legislative Manual, .....	37

## CHAPTER 1.

1. Curative—reviving old Fee Bill.
2. Fees received legalized.
3. Clerks tax costs in certain cases.
4. Additional fees Clerk District Court.
5. Additional fees Justice of the Peace.

### FEE BILL.

AN ACT to provide for the compensation of certain officers, and legalizing certain acts relating thereto.

SECTION. 1. *Be it enacted by the General Assembly of the State of Iowa,* That chapter one hundred and sixty-two (162) as the same is printed in the Revision of 1860, of the Laws of Iowa, be, and the same is hereby revived and declared to be in full force and effect, except sections 4,136, 4137, 4,140, 4,141, as printed in said revision.

SEC. 2. The action of all Officers named in said chapter 162, who have received fees agreeably thereto at any time since the first day of September, A. D., 1860, and all judgments rendered for costs agreeably thereto, since the date last above mentioned, are hereby legalized, and said judgments declared to be as binding and valid as if said Chapter 162, had not been repealed.

SEC. 3. In all actions pending and judgments rendered, but not yet satisfied except in those cases when there were judgments by agreement, and in which no costs are claimed, and in those cases which were settled without costs, the Clerk of the District Court, in the several Counties in this State, may tax up and collect fees for services rendered between the 1st day of September, 1860, and the time of the taking effect of this act, where they have not previously been taxed or collected; which fees shall be taxed up and collected; agreeably to the provisions of those portions of Chapter 162 hereby revived, and Chapter 29 of the Revision of 1860. Said fees shall be collected for the benefit of the county or officers or person entitled thereto,

SEC. 4. Chapter 29 of the Revision of 1860, is not affected by the passage of this act. In addition to the fees allowed the Clerk of the District Court by said Chapter 29, he is authorized and required to receive the following fees, to wit:

Entering any final judgment,.....	\$0.75
Filing and docketing transcript of judgment, from another county.....	.50
Filing and docketing judgment of Justice of Peace....	.50

Entering any rule or interlocutory order.....	.25
Issuing writ of error—for each 100 words.....	.10
Issuing commission to take deposition.....	.50
Entering Sheriff's sale of real estate.....	.50
Entering satisfaction of any judgment.....	.25
Entering judgment by confession.....	1.00
Issuing certificate of redemption of land for tax sale....	.25

SEC. 5. Section 4152 of the Revision of 1860, shall be amended as follows:—

In any preliminary examination or trial of criminal case, the Justice of the Peace shall also be allowed for each day of six hours actually employed, the sum of one dollar, and in all such cases where the State fails, or where the fees cannot be made on execution against the defendant, the same shall be paid by the county; except in cases where the costs are taxed to the private prosecutor.

SEC. 6. This act being deemed by the General Assembly of immediate importance to take effect and be in force from and after its publication in the "Daily Iowa State Register," and "Daily Iowa State Journal," anything in the laws of this State to the contrary notwithstanding.

Approved May 27th, 1861.

I hereby certify that the foregoing Act was published in the Daily Iowa State Register of May 29, 1861, and in the Daily Iowa State Journal of June 4, 1861.  
 ELIJAH SELLS, Sec'y of State.

## CHAPTER 2.

### COURT HOUSE.

AN ACT in relation to the custody and control of the Court Houses of the Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Clerks of the District Courts of their respective counties shall under the direction of the Board of Supervisors of the proper county, have the custody and control of the Court House therein, and the sheriff may have and keep an office in the Court House, provided there is a room therein unoccupied by such officers as are now entitled thereto by law.

SEC. 2. This act being deemed by the Legislative Assembly to be of immediate importance, shall take effect and be in force from

and after its publication in the Iowa State Journal and Iowa State Register, published at Des Moines.

Approved May 27th, 1861.

I hereby certify that the foregoing Act was published in the Iowa State Journal of May 31, 1861, and in the Iowa State Register of June 5, 1861.

ELIJAH SELLS, Sec'y of State.

---

## CHAPTER 3.

### SUPPORT OF FAMILIES OF VOLUNTEER SOLDIERS.

AN ACT to legalize the acts of certain Boards of Supervisors and Municipal Corporations in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all and any appropriations heretofore made by any Board of Supervisors in any counties, or by any Municipal Corporation of this State, for the purposes either of procuring equipments, munitions of war or for maintaining the families of persons enlisting into the service of the United States Government, or to defray expenses of such soldiers prior to their being mustered into service by the United States, are hereby legalized and confirmed, and all such appropriations or applications of the funds of such counties and Municipal Corporations shall be as valid and effectual as if said Boards of Supervisors or Municipal Corporations had had full power and authority to make such appropriations and applications.

SECTION 2. This act shall take effect and be in force after its publication in the Iowa State Register and Iowa State Journal, anything in the laws of this State to the contrary notwithstanding.

Approved May 27th, 1861.

I hereby certify that the foregoing Act was published in the Iowa State Journal of May 31, 1861, and in the Iowa State Register of June 5, 1861.

ELIJAH SELLS, Sec'y of State.

---

## CHAPTER 4.

1 to 5. Governor purchase Munitions of War, Clothing, &c.  
 6. Agent give bond.  
 7. Payment out of War and Defense Fund.

### CLOTHING, MUNITIONS OF WAR, &C.

AN ACT requiring and authorizing the Governor to purchase arms, powder, clothing, &c., and providing the means of payment.

SECTION 1. *Be it enacted by the General Assembly of the State*

of Iowa, That the Governor of the State of Iowa is hereby directed to procure for the use of the State, as soon as possible, twenty-five hundred approved arms and their proper accoutrements and equipments for military purposes, and he is further hereby invested with authority to purchase twenty-five hundred arms, with their proper accoutrements and equipments in addition to the twenty-five hundred first mentioned.

SEC. 2. The Governor of the State is hereby empowered to employ an agent or agents, to make the purchase or purchases aforesaid, and he is hereby authorized, directly or through said agent or agents, in the name of the State of Iowa to make any contract with persons having arms for disposal, or manufacturing establishments in order to execute the power herein conferred on him.

SEC. 3. The Governor of the State is hereby authorized to purchase such quantities of powder and other munitions of war, as he may deem necessary to make effective the arms aforesaid.

SEC. 4. The Governor of the State is hereby authorized to purchase such clothing, tents, arms and camp equipage, for the use of, and all articles necessary for the subsistence of Iowa Regiments now organized and accepted or that may hereafter be organized and accepted into the service of the United States Government as he may deem necessary for military effectiveness and the comfort of the troops; *Provided*, That the furnishing of said subsistence shall only extend to the time of mustering said regiments into the United States service.

SEC. 5. The Governor of the State is hereby authorized to purchase tents and camp equipage for the use of, and all articles necessary for the subsistence of Iowa Regiments, battalions or companies now organized and accepted or hereafter organized and accepted for encampment and drill and discipline duty, as he may deem necessary for military effectiveness and for the comfort of the troops.

SEC. 6. All agents appointed by the Governor for the purpose of purchasing the foregoing materials of war, shall give bond, to be approved by the Governor, for the faithful performance of such duty, and they shall also take an oath for the faithful performance of their duties for the best interests of this State, according to the provisions of this act.

SEC. 7. To carry into force the provisions of this Statute, the Governor of the State is hereby authorized to use so much of the fund known as the "War and Defense fund," created by an act of the Legislature passed at the present session, as he may deem necessary, he being required to have and file vouchers for the expenditure of all sums of money as therein provided.

SEC. 8. This act being deemed by the Legislative Assembly to be of immediate importance, shall take effect and be in force from



and after its publication in the Iowa State Journal and State Register, published in Des Moines.

Approved May 28th, 1861.

I hereby certify that the foregoing Act was published in the Iowa State Register of June 5, 1861, and in the Iowa State Journal of June 7, 1861.

ELIJAH SELLS, Sec'y of State.

---

## CHAPTER 5.

### PENITENTIARY.

AN ACT to amend Section 5176 of Revision of 1860.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section 5176 be so amended as to read as follows, viz: The Warden thus elected and qualified shall take charge of the Penitentiary, all the interests of the State therewith connected, and shall appoint some suitable person as Clerk, (who shall also act as Commissary under the direction of the Warden) and one Deputy and as many guards as may be necessary to the safe-keeping and government of the convicts, not exceeding one for every ten convicts under his charge, provided that at no time there shall be less than thirteen guards.

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 Iowa State Journal and Commonwealth, or any two of them.

Approved May 28th, 1861.

I hereby certify that the foregoing act was published in the Iowa State Register of June 5, 1861, and in the Iowa State Journal of June 7, 1861.

ELIJAH SELLS, Sec'y of State.

---

## CHAPTER 6.

### GRAND JURORS.

AN ACT to amend Section 2729 of Chapter 115 of the Revision of 1860, relating to Grand Juries.

SECTION 1. *Be it enacted by the General Assembly of the State*

*of Iowa*, That Section 2729 of Chapter 115 of the Revision of 1860 be so amended that the word "July" in the third line of said section shall read January.

SEC. 2. Grand Jurors already drawn and selected shall serve until the first day of January 1862, and the time and manner of drawing and selecting such Grand Jurors be and the same are hereby legalized.

SEC. 3. All acts and parts of acts conflicting with this act are hereby repealed.

SEC. 4. This act the passage being deemed of immediate importance, shall take effect from and after its publication in the Daily Iowa State Register and Daily Iowa State Journal any law to the contrary notwithstanding.

Approved, May 28th 1861.

I hereby certify that the foregoing Act was published in the Daily Iowa State Register of May 31, 1861, and in the Daily Iowa State Journal of June 4, 1861.

ELIJAH SELLS, Sec'y of State.

---

## CHAPTER 7.

### VOLUNTEER SOLDIERS.

AN ACT for the relief of the Volunteer Soldiers of this State.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That in all actions now pending, or hereafter pending in any of the Courts of this State or before any Justice of the Peace, it shall be a sufficient cause for a continuance, on motion of the defendant, his agent or attorney, if it shall be shown to the satisfaction of the Court or Justice of the Peace, that the defendant is absent from home in the actual military service of the United States or of this State, and that the defendant's presence is in any degree necessary for a full and fair defense of the suit. And in such case the costs of the continuance shall abide the event of the suit.

SEC. 2. This act shall take effect and be in force from and after its publication.

Approved May 28th, 1861.

I hereby certify that the foregoing Act was published in Iowa State Journal of June 7th, 1861, and in Iowa State Register of June 5th, 1861.

ELIJAH SELLS, Sec'y of State.

## CHAPTER 8.

## SWAMP LANDS.

AN ACT giving control of the Swamp Lands in the several Counties of the State to the Board of Supervisors.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* The Swamp Lands in the several Counties in the State be and the same are hereby placed under the control of the Boards of Supervisors of said counties respectively.

SEC. 2. The acts of all Boards of Supervisors in any County of this State in relation to Swamp Lands heretofore done and performed are hereby legalized and ratified.

SEC. 3. This act being deemed of immediate importance shall be in force upon its publication in the Iowa State Register, Iowa State Journal and the Commonwealth or either two of said newspapers any law to the contrary notwithstanding.

Approved May 28th, 1861.

I hereby certify that the foregoing Act was published in Iowa State Journal of June 7th, 1861, and in Iowa State Register of June 12th, 1861.

ELIJAH SELLS, Sec'y of State.

## CHAPTER 9.

- |   |   |
|---|---|
| 2, 3. Mileage and per diem of members and officers of the General Assembly. | 9. Miscellaneous.   |
| 4. Board of Education.  | 10. Chaplains.  |
| 5. Referees State vs. James D. Eads.  | 11, 12. Newspapers.   |
| 6. Night watch.   | 13. Interest on State Bonds.                                    |
| 7, 8. Postage House and Senate.   | 14, 15, 16. Repairing Capitol—F. Michael—Distributing Journals. |

## GENERAL APPROPRIATION.

AN ACT making appropriations for the per diem and mileage of members and officers of the Extra Session of the Eighth General Assembly and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the following sums of money or so much thereof as may be necessary be and the same are hereby appropriated out of any moneys in the Treasury not otherwise appropriated.

SEC. 2. For the payment of the per diem and mileage of the members and officers of the Senate, including Lieutenant Governor, the

sum of five thousand dollars or so much thereof as their certificates may entitle them to.

SEC. 3. For the payment of the per diem and mileage of the members and officers of the House of Representatives the sum of ten thousand dollars or so much thereof as their certificates may entitle them to.

SEC. 4. For the payment of the per diem and mileage of the members and officers and the necessary expense of the Board of Education for their session of 1861 the sum of three thousand dollars or so much thereof as may be necessary.

SEC. 5. For the payment of the per diem and expenses of the Referees in the case of the State vs. James D. Eads and sureties the sum of four hundred and thirty dollars to be divided as per bill on file in the Auditor's office.

SEC. 6. For the payment of a night watch at the Capitol, the sum of four hundred dollars to be expended by the direction of the Census Board.

SEC. 7. For the payment of the postage of the members of the Senate the sum of two hundred and thirty dollars or so much thereof as shall be necessary.

SEC. 8. For the payment of the postage of the members of the House of Representatives the sum of five hundred and thirty-two dollars the account to be audited and allowed by the State Auditor.

SEC. 9. For the payment of the miscellaneous expenses of the extra session of the Eighth General Assembly the sum of three hundred dollars or so much thereof as may be necessary to be audited as per report of the committee on claims of the respective Houses or bills in the auditor's office.

SEC. 10. For the payment of the chaplains the sum of sixty dollars to be divided among themselves.

SEC. 11. For the payment of the subscription for newspapers taken by the members of the House of Representatives the following sums: Register, Des Moines, Iowa, \$702,32; Journal, Des Moines, \$546,00; Hawkeye, Burlington, \$22,00; Commonwealth, Des Moines, \$76,60; Clarion, Bloomfield, \$7,50; Times, Dubuque, \$0,80; Herald, Dubuque, \$1,20; Journal, Keokuk, \$2,00; Iowa Post, Des Moines, \$1,80; Democrat and News, Davenport, \$0,80; Gazette, Davenport, \$10,40; Chieftain, Centreville, \$15,75; North Western Farmer, \$2,00; Democrat, Sigourney, \$11,25; Muscatine Journal, \$0,80.

SEC. 12. For the payment of the subscription for newspapers taken by members of the Senate the following sums: the Commonwealth, Des Moines, \$61,80; Register, Des Moines, \$168,50; Journal, Des Moines, \$184,85; General E. J. Pleyel, 1000 Iowa Posts, \$30,00.

SEC. 13. For the payment of the first installment of interest on the State Bonds, issued under an Act passed at the extra session

of the Eighth General Assembly the sum of twenty-eight thousand dollars or so much thereof as may be necessary.

SEC. 14. For the purpose of repairing the Capitol building there be and is hereby appropriated out of any moneys not otherwise appropriated the sum of eight hundred dollars to be expended under the direction of the Secretary of State by and with the consent of the Census Board.

SEC. 15. For the payment of F. Michael for services, cleaning, arranging and preparing Senate Chamber and Hall of House for extra session \$11,50.

SEC. 16. For preparing and distributing Journals of extra session, J. H. Saunders, three hundred dollars, William Thompson, Clerk of the House of Representatives three hundred dollars.

SEC. 17. This act being deemed of immediate importance shall be in force from and after its publication in the Iowa State Register, Iowa State Journal and Commonwealth or any two of them.

Approved May 28th, 1861.

I hereby certify that the foregoing Act was published in Iowa State Journal of June 7th, 1861, and in Iowa State Register of June 12th, 1861.

ELIJAH SELLS, Sec'y of State.

## CHAPTER 10.

- |  |                                   |
|--|-----------------------------------|
| 1. Commissioners to audit accounts.  | 8. Governor fills vacancies.      |
| 2. No claim paid unless audited.   | 9. Auditor files claims.          |
| 3. Claims presented within 3 months.   | 10. Adjournment of Commissioners. |
| 4. Commissioner's oath.  | 11. Commissioners keep record.    |
| 5. Proving accounts.   | 12. Payments to be made in coin.  |
| 6. Pay of Comm'rs—place of meeting.  |                                   |
| 7. Commissioners endorse claims—Auditor issue warrants to Paymaster upon estimates approved by the Governor—Paymaster give bond and file oath. |                                   |

### AUDITING COMMISSIONERS.

AN ACT providing for auditing all accounts and disbursements arising under the call for volunteers from Iowa, and also for all men organized as the State Militia of Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That John N. Dewey, Isaac W. Griffith and S. R. Ingham of Des Moines in the county of Polk, be and they are appointed as a Board of Commissioners, whose duty it shall be to audit all accounts and disbursements arising under the laws of this State, having reference to military organizations, arming and subsistence of

the same, and the expenditure of the fund known as the War and Defense Fund, passed at this Extra Session of the General Assembly in regard to the purchasing of arms, uniforms, accoutrements, army supplies and subsistence for any of the companies from the State of Iowa, that have been or may be called into the service of the General Government, or organized and held under the Laws of Iowa.

SEC. 2. That no claim for either arms, uniform, accoutrements, or subsistence, shall be paid out of any appropriation made by this General Assembly, unless the same shall have been submitted to said Commissioners, and examined and allowed by them under the provisions of this act.

SEC. 3. Claims and accounts accruing before the passage of this act, shall be presented within three months from the taking effect of this law, and all other claims and accounts for any of the above articles, are required to be presented within three months from the accruing of the same, or they will be considered as donated to the State, and not thereafter to be allowed by said Board, under any pretense whatever.

SEC. 4. That before the members of said Board shall enter upon their duties, they shall take and subscribe an oath which shall be filed with the Secretary of State, that they will discharge their duties as members of said Board of Commissioners honestly and faithfully and to the best of their abilities.

SEC. 5. That in order to protect the interests of the State, that no account shall be allowed unless the same shall be proved before said Commissioners in the manner and form that accounts are established in Courts of Justice in this State, and recognizing the same rules of evidence that there govern and control causes.

SEC. 6. That said Commissioners shall receive no other or further pay than three dollars per day, and the same mileage as members of the General Assembly, during the time they are actually engaged in auditing accounts. But they may have the privilege of meeting at any place in the State where troops have been quartered for the convenience of the people in that vicinity, having accounts against the State, giving notice of their time of meeting.

SEC. 7. Whenever the Commissioners shall allow any claim under the provisions of this Act, they shall endorse on the back thereof that the same was examined and allowed by them, and sign their names thereto, with the time and place of such allowance; which claim, so examined and allowed, when presented to the Auditor of the State of Iowa, will entitle the holder thereof to a warrant on the War and Defense Fund, and no other, for the amount of such claim, provided, however, that the Auditor of State may draw warrant on the State Treasurer for such sum as paymasters or other disbursing officers under the laws of this session may estimate as necessary for payment of soldiers and others during said month, but such warrant shall not be drawn until said paymaster or disbursing officer shall make oath to the estimate, file a bond to the satisfaction of the Audi-

tor, and said estimate is approved by the Governor. Upon payment of money to said soldiers and others, the said paymaster or disbursing officer shall file the vouchers with the Auditor.

SEC. 8. In case of any vacancy occurring in said Board by death resignation or otherwise, the Governor of this State shall fill such vacancy.

SEC. 9. The Auditor of State shall keep a file in his office of all the claims so allowed by the Commissioners under the provisions of this Act.

SEC. 10. That when the said Board shall have heard all the claims before them, they shall then give notice in such newspapers of the State as they desire, that, on a certain day named, they will adjourn, after which all their proceedings shall be turned over to the Auditor of the State of Iowa.

SEC. 11. That said Board shall keep an accurate copy, in a book kept for that purpose, of all accounts presented to them, a memorandum of the evidence in said case and the reasons for the admission or rejection of the same, which said books shall be turned over to said Auditor at the close of their term.

SEC. 12. The Paymaster General and all other Paymasters, or other disbursing officers of this State under any of the Acts passed at this session, shall make all payments provided for under any and all of the laws passed at this session, in coin of the United States, and any person violating the provisions of this section, shall be immediately removed from office by the Governor, and shall be disqualified from holding any office in this State for the term of five years after said removal from office.

SEC. 13. This act being deemed by the General Assembly of Iowa of immediate importance, shall be in force from and after its publication in the Iowa State Register, Iowa State Journal and the Commonwealth or any two of said newspapers, any law of this State to the contrary notwithstanding.

Approved May 28th, 1861.

I hereby certify that the foregoing Act was published in Iowa State Journal of June 7th, 1861, and in the Iowa State Register of June 12th, 1861.

ELIJAH SELLS, Sec'y of State.

## CHAPTER 11.

1, 2, 3. Pay of volunteers.

4. Deserters and those refusing to take the oath receive no pay.

### PAY OF VOLUNTEER SOLDIERS

AN ACT for the relief of volunteers who have been or may be mustered into service of the United States Government.

SECTION 1. *Be it enacted by the General Assembly of the State*

*of Iowa*, That each commissioned and non-commissioned officer and private who has enlisted, or who may enlist under requisitions made or to be made by the United States Government on the Governor of this State for volunteers, shall be paid out of the "War and Defense Fund" of this State, for the time between the date said volunteers were or may be ordered into quarters by the Governor, to the time they have been or may be mustered into the United States army, at the same rate of compensation that the same ranks are entitled to in the United States Army.

SEC. 2. If said volunteers are ordered into quarters by the Governor for the service referred to in the first section of this act, and subsequently discharged without being mustered into service of the United States Government, they shall be paid in the same way and manner as above provided.

SEC. 3. All volunteers which have been ordered into quarters by the Governor and rejected before mustering into the service of the United States, shall be paid at the same rate as above provided from the date of order to the date of rejection.

SEC. 4. No person shall be entitled to any compensation under the provisions of this Act, who shall have received or be entitled to any compensation for same services rendered under any laws of the United States, or any other laws of this State and no commissioned officer, non-commissioned officer, or private who has deserted from the ranks, or refused to take the oath required, shall receive pay for any service he may have rendered.

SEC. 5. This Act being deemed by the General Assembly to be of immediate importance, to take effect and be in force from and after its publication in the Iowa State Register and Iowa State Journal, anything in the laws of this State to the contrary notwithstanding.

Approved May 28th, 1861.

I hereby certify that the foregoing Act was published in Iowa State Journal of June 7th, 1861, and in Iowa State Register of June 12th, 1861.

ELIJAH BELLS, Sec'y of State.

---

## CHAPTER 12.

### PROPERTY DESTROYED BY TORNADO, TAXES REBATED.

AN ACT to authorize the Boards of Supervisors to rebate taxes.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That in all cases where buildings have been or shall hereafter be destroyed by tornadoes or other unavoidable casualty after



the same have been assessed for taxes, the Board of Supervisors of the proper county may on application of the party in interest, his agent or attorney, rebate from the taxes on the assessed valuation thereof, (as the case may require) an amount equal to the tax on or the valuation of the property actually destroyed, so that no tax shall be collected upon that part of the property so destroyed, provided that the provisions of this act shall only extend to such assessments as have been made for the year in which the loss may occur.

SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Journal and State Register.

Approved May 28th, 1861.

I hereby certify that the foregoing Act was published in Iowa State Journal of June 7th, 1861, and in Iowa State Register of June 12th, 1861.

ELIJAH SELLS, Sec'y of State.

## CHAPTER 13.

### COMMISSIONERS.

AN ACT to provide for the payment of certain Commissioners and others.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the members of any Military Board of Commissioners or of any other commission or agency under the laws passed at this session, shall be paid out of the War and Defense Fund, any thing in any law passed at this session to the contrary notwithstanding; *Provided,* that in cases where the laws of this session do not establish the compensation of the members of said commission or agency, they shall receive such compensation as the Board of Auditors established at this session shall deem just and equitable.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force upon publication in the Iowa State Register, Iowa State Journal and the Commonwealth, or either two of them, any thing in the laws of this State to the contrary notwithstanding.

Approved May 28th, 1861.

I hereby certify that the foregoing Act was published in Iowa State Journal of June 7th, 1861, and in Iowa State Register of June 12th, 1861.

ELIJAH SELLS, Sec'y of State.

## CHAPTER. 14.

- |  |   |
|--|---|
| 1. 1000 copies of Journal of each House to be published.   | 3. Distribution of the Journals.                                    |
| 2. Certified copy of Journal to be filed in the office of the Secretary of State—Secretary and Clerk to superintend printing and indexing. | 4. Compensation to Secretary and Clerk—Penalty for neglect of duty. |

## JOURNALS OF SENATE AND HOUSE OF REPRESENTATIVES.

AN ACT to provide for the publication and distribution of the Journals of Senate and House of Representatives.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That there shall be published one thousand copies of each of the Journals of the two branches of the General Assembly at the extra session of 1861.

SEC. 2. The Secretary of the Senate and the Clerk of the House of Representatives, shall comply with the provisions of section first of an Act of the 8th General Assembly entitled, "An Act relating to the Journals of the Senate and House of Representatives" approved March 29th, 1860 and are required to furnish to the State Printer, immediately upon the adjournment of this Extra Session a copy of their respective Journals, and prepare a full index of each, and it is hereby made the duty of such Secretary and Clerk to superintend the publication and indexing said Journals, and as soon as said Journals are published it shall be the duty of such Secretary and Clerk respectively to distribute the same as herein provided.

SEC. 3. Each member of the Senate and House of Representatives shall be entitled to three copies of the Journal of the House of which he is a member and one copy of the Journal of the other House, and three copies shall also be sent to each organized county in the State, directed to the Clerk of the Board of Supervisors and one copy to each officer and reporter of the General Assembly; and fifteen copies bound in leather to State Librarian, to be preserved by him in the State Library; the remainder to be deposited with the Secretary of State. The Secretary of the Senate and Clerk of the House of Representatives shall make the distribution provided for in this section within thirty days from the time the respective Journals are printed and bound, and the said Secretary and Clerk shall immediately after the Journals are printed and bound, transmit by mail or express to each member one copy of the Journal of the respective Houses, and the remainder in any other manner within the time prescribed in this section.

SEC. 4. As a compensation for the services herein required, the Secretary and Clerk shall each receive three hundred dollars to be paid out of any money in the Treasury not otherwise appropriated,

to be paid by the Treasurer of State, upon warrants issued by the Auditor of State, when said Auditor shall be satisfied by receipts or otherwise that distribution has been made as above directed; provided however that such Secretary and Clerk shall not be entitled to receive more than one half of the respective sums aforesaid until such distribution is fully made. And in case of failure to make such distribution within the time prescribed in section three of this Act, they shall not be entitled to receive the balance of such compensation.

SEC. 5. This act being deemed of immediate importance, it is ordered that it take effect upon its publication in the Iowa State Register, Iowa State Journal and the Commonwealth or any two of them any thing in the laws of this State to the contrary notwithstanding.

Approved May 28th, 1861.

I hereby certify that the foregoing Act was published in Iowa State Journal of June 7th, 1861, and in Iowa State Register of June 12th, 1861.

ELIJAH SELLS, Sec'y of State.

## CHAPTER 15.

1. 10,000 copies published in pamphlet form.
2. Distribution and compensation.

### PUBLICATION AND DISTRIBUTION OF LAWS.

AN ACT to provide for the publication and distribution of the laws enacted at the Special Session of 1861.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Secretary of State shall cause to be published ten thousand copies of the Acts, Joint Resolutions and Memorials, passed at the Special Session of the Eighth General Assembly of 1861, in pamphlet form; said publication to be made as soon as possible after the adjournment of this Session.

SEC. 2. It shall be the duty of said Secretary of State to distribute said Statutes, as follows: To each member and officer of this Legislature he shall distribute two copies; he shall deposit fifteen copies bound in leather with the State Librarian; he shall distribute seven thousand copies to the several counties of this State, in the ratio of the population of said Counties, directed to the Clerk of the Board of Supervisors; and he shall retain the remainder in his custody until disposed of by law, and said Clerks of said Boards of Supervisors shall distribute said laws among the County and Township officers of their respective Counties.

SEC. 3. Said Secretary of State shall receive for his compensation, and for his expenses incurred in such distribution and indexing and superintending the same, the sum of four hundred dollars.

SEC. 4. This Act being deemed of immediate importance it shall take effect upon its publication in the Iowa State Register, Iowa State Journal and the Commonwealth, any thing in any law to the contrary notwithstanding.

Approved May 28th, 1861.

I hereby certify that the foregoing was published in Iowa State Journal of June 7th, 1861, and in Iowa State Register of June 12th, 1861.

ELIJAH SELLS, Sec'y of State.

## CHAPTER 16.

- |  |  |
|--|--|
| 1, 2. Issuing Bonds—payment of Interest, &c.               | 6, 7. Agents to sell—their duties—additional security State Treasurer. |
| 3. Proceeds of sale of Bonds applied to Military purposes. | 8. Bonds to be sold for coin only.                                     |
| 4. The Revenue and faith of the State pledged for payment. | 9. Compensation of agents.   |
| 5. Commissioners and their duties.                         | 10. Coupons receivable for taxes.                                      |
|  | 11. Disposition and sale of Bonds.                                     |

### STATE BONDS.

AN ACT to provide for the issue and sale of State Bonds to procure a loan of money for the State of Iowa, to enable it to repel invasion and defend itself in war.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the State of Iowa for the purpose of borrowing money to enable the State to repel invasion and defend itself in war, hereby authorizes the issue and sale of the bonds of the State to an amount not exceeding, by virtue of this act, the sum of Eight Hundred Thousand Dollars.

The bonds hereby authorized to be issued and sold, shall provide for the reimbursement of the principal, at the expiration of twenty years from the date thereof, and for the payment of interest semi-annually on the first days of January and July of each year, at the rate of seven per cent. per annum, both principal and interest on all bonds over \$100 to be made payable at the Metropolitan Bank in the City of New York. But the Governor may cause such payments to be made at any other place in the said City, by giving thirty days public notice of such place in three newspapers in the said city.

SEC. 2. The Governor, Auditor and Secretary of State are hereby authorized and required to issue the said bonds to an amount

not exceeding the sum named in the preceding section, from time to time as the wants and necessities of the State for the purposes contemplated in this Act, may require, to be determined by the Board of Commissioners provided for in section 5 of this act. Said bonds shall stipulate for reimbursement of the principal and the payment of the interest in the manner directed by the preceding section. If deemed by the Governor, Auditor and Secretary of State advisable, they may, as nearly as practicable, issue the one-fourth of the said Bonds in the sum of \$100 00 each, and another fourth in the sum of \$500 00 each, and the remainder in the sum of \$1,000 00 each; but this direction does not prohibit said officers from issuing all or any part of said bonds in the sums of \$1,000 00 and \$500 00 each, if \$100 00 bonds cannot be sold. Both principal and interest on the \$100 00 bonds, if any are issued, shall be made payable at the Treasury of this State.

The Governor shall cause the said bonds with interest coupons to be lithographed, and the bonds shall refer to this act by its title and the date of its approval, as the authority under which they are issued, and said bonds shall be signed by the Governor, countersigned by the Auditor and Treasurer, and attested by the Great Seal of the State of Iowa, but the Seal of the State may be omitted from the coupons, which coupons shall be signed by the Auditor of State, the necessary expense of which shall be paid out of the War and Defense Fund. No Bonds shall be signed and perfected prior to the time they are actually needed for negotiation and then in such amounts only as may be requisite for the time being, and said bonds shall not be signed and perfected until the agents herein appointed are ready to receive them in person for sale and negotiation as provided in this act.

SEC. 3. No money arising from the sale of the said Bonds, or any part thereof, shall be used or applied in any manner, or for any purposes, except the purposes of purchasing arms and munitions of war for the use of the State, for defraying and paying the expenses already incurred, or which may hereafter be incurred in calling out, troops or organizing, uniforming, equipping, subsisting and paying the militia of the State when called out under the laws of this State or those of the United States, or such other purposes as are or may become necessary or incident to the repelling of an invasion or the defense of the State in war, and except for the necessary expense of procuring Lithograph plates for Bonds and the issuing and execution of said Bonds, as provided for in section 2 of this Act, and except for actual and necessary expenses, and compensation of agents herein appointed for sale or negotiation of said Bonds, as provided in section 9 of this Act. But for the protection of *bona fide* holders of said Bonds, it is hereby declared not to be obligatory on them to look after, or see to the appropriation of the money raised by the sale of the Bonds, and any irregularity in the issuing of said Bonds shall not impair their validity in the hands of *bona fide* holders.

SEC. 4. The State doth hereby irrevocably pledge its faith to provide adequate means to pay the interest on the said Bonds as the same may become due, and the principal at the expiration of twenty years, and for this purpose, all, or so much as is necessary of the revenue arising from the entire taxable property of the State shall be and the same is hereby set apart and pledged for these purposes. And it is hereby made the duty of the Census Board, or other proper officer or officers, (which duty may if necessary, be enforced by mandamus) to levy in each year a tax sufficient for these purposes, after payment of all expenses of collection.

No tax shall ever be levied by the State of Iowa on the stock hereby created, nor on the interest which may be payable thereon; and the value of this stock shall in no wise be impaired by the authority of this State, provided nothing herein contained shall be so construed as to exempt from taxation any part of the capital stock of the Branches of the State Bank of Iowa.

SEC. 5. The Governor of the State, Charles Mason of Des Moines county, William Smyth of Linn county, James Baker of Lucas county, and C. W. Slagle of Jefferson county, are hereby appointed a Board of Commissioners, who, or a majority of whom shall cause to be issued and sold from time to time, only so many of the Bonds hereby authorized as in their judgment, the wants and necessities of the State may require, and all moneys or funds arising from such sale or sales, shall be paid into the Treasury of the State, and shall be there kept as a separate fund, and the same shall not be subject to the ordinary or general warrants of the Auditor of State; but only warrants issued for debts created for objects coming within the meaning and purview of section three (3) of this act. Said fund shall be known as the "War and Defense Fund." The Bonds shall be called the "Iowa State Stocks." Any vacancy in the Board of Commissioners authorized in this section, arising from death, resignation or otherwise, shall be filled by the Governor.

SEC. 6. The Treasurer of State and Maturin L. Fisher of Clayton county, be and they are hereby declared to be agents of this State, with full power to negotiate said loan, to sell and transfer the said Bonds, and to do all things necessary in the premises; and said agents shall fully report under oath all their doings in the premises to the Governor, who shall communicate the same to the Legislature at the next session thereafter, and in the case of a vacancy occurring in said Board of agents, by reason of death, resignation or otherwise, the Governor shall have power to fill the vacancy thus created.

SEC. 7. Before the said agents are entrusted with any of the said Bonds, they shall give bond with sureties in the penal sum of at least twice the amount of Bonds delivered to them, conditioned for the paying over of all moneys received by them from the sales thereof, and for the faithful performance of their duties, which bond shall be approved by the Governor, Auditor and Secretary of State

and filed with the Auditor of State, who is directed to record the same in his office.

In case more than one sale is made, similar Bonds may be required by the Governor.

And the loss of said Bonds or money by robbery or otherwise, shall be no defense to an action on the said Bond. But the bond of the agents shall stand discharged if they obey the directions herein given, and pay into the State Treasury, as prescribed by this act all moneys received by them from the sale or sales of said Bonds, and deposit according to the provisions of this act any Bonds not sold in the Treasury of the State. Any bonds delivered to the agents, and not sold by them as herein directed, shall be delivered by the said agents to the Treasurer of State, who shall keep the same in his office until called for by the Governor for sale and negotiation, and for the proper performance of his duty, the Treasurer and his sureties shall be liable on his official bonds, the amount of which bonds shall be increased, or additional bonds given from time to time, as may be required by the Governor, as now provided by law, and it is enjoined upon the Governor as a special duty that he shall always see that a good and sufficient bond or bonds are taken from the Treasurer to secure in any event the safe keeping of all moneys coming into the hands of the Treasurer.

SEC. 8. All sales of Bonds made in pursuance of this act, shall be for specie, payable in hand on delivery of the Bonds so sold to the purchaser or purchasers.

SEC. 9. As compensation for the risk assumed and services to be performed, the said agents shall be allowed their actual and necessary expenses, and in addition, such an amount, not to exceed, however, one-fourth of one per cent. on the amount sold and paid into the State Treasury, as the Governor, Auditor and Secretary of State may deem proper and right, to be paid after the rendering of said service and the incurring of said expense out of the "War and Defense Fund."

SEC. 10. Matured coupons on all Bonds, of the denomination of One Hundred Dollars, shall be receivable in payment of all State taxes.

SEC. 11. If such a course is deemed advisable by the Commissioners appointed in Section 5 of this act the agents may on the written direction of the said Commissioners or a majority of them sell at private sale the said Bonds or any part thereof, in this State at their nominal par value, but in no instance for less, except as hereinafter provided. Any sale of the said Bonds made in the City of New York, must be made in the following manner, to wit: The said agents shall give at least twenty days notice by advertising in the New York Daily Times, Daily New York Tribune, Daily New York Journal of Commerce, or at least two of them, and Daily Boston Atlas and Daily Boston Post, or at least one of them, and the Daily Chicago Tribune, or other Daily newspaper in Chicago, fixing

a time and inviting sealed proposals for said loan, which shall be received and opened by them at the Metropolitan Bank in said City, where it shall be their duty to keep or have kept at all times before opening any bids a copy of this Act for public inspection with such other documents relating thereto as may be necessary and copies of said advertisements and all proposals received by them shall be filed and preserved in the office of the Auditor of State and the said agents shall not accept any but the best and highest proposals, and shall not sell bonds at less than par, unless by the written direction of the Board of Commissioners provided for in this Act or a majority of the same, but after a sale or sales of said Bonds have been made in the City of New York as authorized in this section the commissioners or a majority of them may if they deem it advisable authorize the agents to make sales of said Bonds at the then current rate in New York, but in no instance for less than the rate obtained at the last preceding sale in that city.—Sales of Bonds may be made in New York City from time to time as may in the judgment of the Commissioners be necessary upon giving the notice prescribed in this section and complying with all the conditions and restrictions of this Act.

SEC. 12. This Act being deemed of immediate importance by the General Assembly shall take effect and be in force from and after its publication in the Iowa State Register, Iowa State Journal and Commonwealth or any two of them, anything in Section 24 of the Revision of 1860 to the contrary notwithstanding.

Approved May 28th 1860.

I hereby certify that the foregoing was published in the Iowa State Register of June, 12th, and Iowa State Journal of June 7th, 1861.

ELIJAH SELLS Sec'y of State.

## CHAPTER 17.

- |  |  |
|--|--|
| 1. Assessor list person subject to military duty.                    | 10, 11. Election—Commissioners, &c.                                    |
| 2. Clerk of District Court to return list to Adjutant General.       | 12, 13, 14, 15. Gov., Maj. Gen., Brigadier Gen., Col.—staff.           |
| 3. Adjutant General reports annually to President or War Department. | 16. Surgeon's appointment.   |
| 4. Militia to be divided into two classes.                           | 17. Staff officers give bond.  |
| 5. Organization of Volunteer Militia.                                | 18, 19, 20, 21. Pay of Troops, Adj. Gen., Quartermaster and Paymaster. |
| 6. " of Reserve Militia.   | 22. Companies organized by the authority of the Gov.                   |
| 7. Election of Officers.   | 23, 24, 25. Adj. Gen. duties.  |
| 8. Organization and formation of Regiments.                          | 26, 27. Volunteer Militia—term of service—exemption.                   |
| 9. Organization of Brigades and Divisions.                           | 28. Assessor and Clerk District Court—Penalty for neglect of duty.     |



29. Governor and his staff may make rules and regulations.      30. Old Commissions annulled.  
 31. Musicians—Chaplains—pay of—  
 fines &c.

## MILITIA.

## AN ACT to amend the Militia Law of the State of Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That it shall be the duty of the Assessors in each County to make annually, at the time of making the general assessment, lists of the persons in their respective Townships subject to military duty under the laws of this State, and file the same duly certified in the office of the Clerk of the District Court in their proper county.

SEC. 2. It shall be the duty of the Clerk of the District Court in each county, on receipt of said lists, to make an abstract showing the number of persons subject to military duty in each Township, and the total number in his County, and forward a certified copy of the same, forthwith to the Adjutant General of the State, who shall cause the same to be filed in his office.

SEC. 3. It shall be the duty of the Adjutant General of this State, annually, on or before the first Monday in August, in each year, after the year 1861, to report to the President or War Department of the United States, the aggregate military force of this State.

SEC. 4. The said military force shall be divided into two classes, the first to be called the *Volunteer*, and the second the *Reserve Militia*.

SEC. 5. The Volunteer Militia shall consist only of those who voluntarily organize themselves into companies of not less than forty privates and non-commissioned officers, nor more than one hundred privates and non-commissioned officers, and who shall be uniformed, and shall elect officers, and assemble themselves for drill, and purposes of military discipline, not less than five nor more than ten days in each year, and who shall be furnished with arms and equipments by the State, and the first subject to call or draft into service at the requisition of the Governor. *Provided,* That upon the order of the Governor, the number of days for such drill and discipline may be extended to twenty days. *Provided,* further, no Company shall be called out or be assembled for the election of officers or for drill on the day of holding any general or special election.

SEC. 6. The Reserve Militia shall consist of those who do not organize themselves into companies as aforesaid, but shall be subject to draft, or to be called into service.

SEC. 7. Each Company shall elect by ballot, one Captain, one First Lieutenant, and one Second Lieutenant, four Sergeants and

four Corporals—and may by vote select their place for drill, and make regulations for special meetings, drill or parade.

SEC. 8. Whenever in the opinion of the Governor of this State, the public good requires, he shall, by order, direct the said volunteer companies so organized, to form into regiments of not less than five nor more than ten companies each, and to that end shall designate in such order the several companies which shall form the respective regiments, and the time and place when and where the said companies shall convene for the purpose of electing regimental officers, at which time and place the said companies shall proceed to elect by ballot one Colonel, one Lieutenant Colonel, and one Major for each Regiment.

SEC. 9. In like manner the Governor may order the organization of Regiments into Brigades and Brigades into Divisions, and the election of Brigadier and Major Generals.

SEC. 10. All elections under this Act shall be made in accordance with provisions of the Constitution of this State.

SEC. 11. All commissioned officers shall receive their commissions from the Governor. All non-commissioned officers in organized Regiments shall receive warrants of rank from the Colonel or commanding officer of their Regiment. In Companies not organized into Regiments, the Captains shall give their non-commissioned officers certificates of rank.

SEC. 12. The Governor as Commander-in-Chief may appoint as his staff one Adjutant General, who shall also perform the duties of Inspector General, with the rank of Colonel of Cavalry, one Quartermaster General, (who shall also perform the duties of Commissary General,) with the rank of Lieutenant Colonel of Cavalry, one Paymaster General with the rank of Lieutenant Colonel of Cavalry, and one Surgeon General with the rank of Major of Cavalry, and he may also appoint four aids-de-camp with the rank of Lieutenant Colonel of Cavalry, and one Military Secretary with the rank of Lieutenant of Infantry.

SEC. 13. Each Major General commanding a Division may appoint as his staff one Assistant Adjutant General and one Assistant Inspector General, each with the rank of Major of Cavalry, and two aids-de-camp having the ranks of Captain of Cavalry.

SEC. 14. Each Brigadier General commanding a Brigade may appoint as his staff, one Assistant Adjutant General, and one Assistant Inspector General, each with the rank of Captain of Cavalry and one Aid-de-camp having the rank of Lieutenant of Cavalry.

SEC. 15. The Colonel or commanding officer of each Regiment shall appoint as his staff, one Adjutant, one Quartermaster, one Paymaster, and one Commissary to said regiment, and he shall appoint all his non-commissioned staff; all of which officers shall have the same rank as the same grade of officers in the United States Army.

SEC. 16. The Governor shall appoint on the regimental staff, one Surgeon and one Assistant Surgeon, to be selected from persons previously examined and approved by a Board of Medical Examiners, consisting of three persons selected for that purpose by the Governor, one of whom shall be Professor of Surgery of the Medical Department of the Iowa State University. The sum of five dollars per day, with one half the mileage allowed by law to members of the General Assembly, shall be allowed to each of said medical examiners. The time and mileage for which compensation is hereby allowed shall be certified by the president or chairman of said Board, and upon presentation of said certificate to the Auditor, he shall draw his warrant on the Treasurer for the amount so certified as due each member of said Board of Medical Examiners, to be paid by the State Treasurer out of the War and Defense Fund.

SEC. 17. The Quartermaster General, Paymaster General, and Assistant Quartermaster Generals, and the Quartermasters, and Paymasters of Regiments shall file with the Governor satisfactory bonds for the faithful discharge of the duties of their respective offices, and upon approval by the Governor, said bonds shall be filed with the Adjutant General.

SEC. 18. The pay and allowances for all Troops (except for the staff of the Commander-in-Chief,) when called into the actual service of the State shall be the same as that of corresponding grades in the United States army.

SEC. 19. During the time employed in calling out and organizing troops for the United States service and during the time such troops remain in the actual service of this State, the Adjutant General shall be entitled to the full pay and allowances of a Colonel of Cavalry in the United States army; and at other times his salary shall be at the rate of \$300 per annum.

SEC. 20. During the time employed in calling out and organizing troops for the United States service and during the time such troops remain in the actual service of this State, the Quartermaster General shall be entitled to the full pay and allowances of a Lieutenant Colonel of Cavalry in the United States Army and at other times his salary shall be at the rate of \$200 per annum.

SEC. 21. During the time the Paymaster General shall be employed in paying troops while they remain in the actual service of the State, he shall be entitled to the full pay and allowances of a Lieutenant Colonel of Cavalry.

SEC. 22. Companies other than of the Infantry arm, to be organized under the provisions of this Act must first be authorized by special orders of the Commander-in-chief.

SEC. 23. There shall be filed and kept in the Adjutant General's office of this State, a complete roll of each of the companies organized under the provisions of this Act, and a record of the date of the organization of each company, and of the enlistment of each member thereof.

SEC. 24. Said roll shall be made annually by the Captain or commanding officer of each company on or before the first Monday in July, and a copy of the same forwarded to the Adjutant General's office of this State.

SEC. 25. A record of the date of all commissions granted under this Act shall be kept in the Adjutant General's office, and commissioned officers of the same grade shall have rank according to the date of their several commissions.

SEC. 26. The Volunteer Militia shall serve for the term of six years, unless discharged for legal disability, and shall ever afterward be free from duty in the reserve Militia except in case of war, insurrection or invasion, and shall during said service, be free and exempt from personal highway tax and from serving as jurors.

SEC. 27. Officers and members of the Volunteer Militia elected under the provisions of this Act, shall not be subject to the orders of officers of the reserve Militia.

SEC. 28. If any Assessor or Clerk of the District Court shall willfully refuse or neglect to perform the duties imposed on him or them, by this Act, he shall, on conviction, be fined in any sum, not exceeding five hundred dollars and be removed from office, and shall not thereafter hold any office of honor or profit in this State; for four years after such conviction.

SEC. 29. The Governor may make through his proper staff officers, all rules and regulations not inconsistent with the laws of this State for carrying into effect this Act, or he may appoint a Military Board, to consist of not more than five members, to adopt and report such regulations; which, after being approved by the Governor, and promulgated in orders, shall govern all concerned.

SEC. 30. All military commissions heretofore issued by any Governor of this State above the rank of Captain except commissions issued to the officers of the three Regiments organized and being organized for the service of the United States are hereby annulled.

SEC. 31. When Battalions or Regiments are placed in encampment or ordered into actual service in accordance with the provisions of this bill, there shall be allowed to each Battalion or Regiment four musicians who shall receive pay the same as musicians in the United States army and also one Chaplain to be appointed by the Colonel with the consent of the Lieutenant Colonel and Major, and said Chaplain shall receive pay at the rate of fifty dollars per month while in actual service.

*Provided*, that when troops are assembled only for parade and drill, punishments for the violation of the rules and regulations shall only extend to fines to be collected by the proper civil officers or imprisonment during the term for which the troops are thus assembled or to expulsion from the service.

SEC. 32. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

**Sec. 33.** This Act being deemed by the General Assembly of immediate importance shall be in force and take effect from and after publication in the Iowa State Register and Iowa State Journal, any law of this State to the contrary notwithstanding.

Approved May 28th, 1861.

I hereby certify that the foregoing Act was published in the Iowa State Register of June 12th, and in the Iowa State Journal of June 7th, 1861.

ELIJAH SELLS Sec'y of State.

## CHAPTER 18.

1. Appropriation for expenses that have been or may be incurred.
2. Payment made out of the "War and Defense Fund."
3. Warrants to issue upon certificate of the Governor.

### APPROPRIATIONS FOR VOLUNTEER MILITIA.

**AN ACT** to appropriate money to pay expenses now or hereafter incurred by the State in calling out, organizing, uniforming, subsisting and equipping the Militia of the State, and purchasing arms and munitions of war for the State, and in complying with the present or any future requisitions of the President of the United States, for Volunteers from this State.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Iowa,* That for the purpose of defraying the expenses that have been incurred by the State in calling out, organizing, uniforming, subsisting and equipping the militia of this State, and in complying with the requisition of the President of the United States, for volunteers from this State, there be and is hereby appropriated the sum of Two Hundred Thousand Dollars or so much thereof as may be necessary for the purposes aforesaid.

**Sec. 2.** Any expenses which have been or may be incurred by this State under the laws thereof, including those passed at this session for the purposes set forth in the title of this Act, shall be paid out of the "War and Defense Fund," created, and arising from the sale of Bonds the issue and sale of which is authorized by an Act entitled "An act to provide for the issue and sale of State Bonds to procure a loan of money for the State of Iowa to enable it to repel invasion and defend itself in war." And the said "War and defense fund" or so much thereof as is or may be necessary for these purposes, be and the same is hereby appropriated and set apart for said purposes.

Any portion of the sum of Two Hundred Thousand Dollars appropriated by the first section of this Act, not expended under the provisions of said section may be applied to the purposes named in this section.

**Sec. 3.** All payments under this Act shall be made out of the

War and Defense Fund by the Treasurer, upon warrants drawn by the Auditor of State upon vouchers, the correctness of which is certified to by the Governor.

SEC. 4. This Act being deemed by the General Assembly to be of immediate importance, shall be in force from and after its publication in the Iowa State Register and Iowa State Journal, anything in section twenty-four (24) of the Revision of 1860 to the contrary notwithstanding.

Approved May 28th, 1861.

I hereby certify that the foregoing Act was published in the Iowa State Register of June 12th, and in the Iowa State Journal of June 7th, 1861.

ELIJAH SELLS Sec'y of State.

---

## CHAPTER 19.

### PUBLICATION OF LAWS.

AN ACT relating to the publication of the Laws of the Extra Session, 1861.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all laws passed at this session (being deemed of immediate importance) be in full force and effect upon publication in the Iowa State Register, Iowa State Journal and the Commonwealth, or either two of said newspapers, notwithstanding anything in said Acts or either of them.

SEC. 2. This Act being deemed of immediate importance shall be in force from and after its publication in the Iowa State Register, Iowa State Journal and the Commonwealth, or either two of said newspapers.

Approved May 28th, 1861.

I hereby certify that the foregoing Act was published in the Iowa State Register of June 12th, and in the Iowa State Journal of June 7th, 1861.

ELIJAH SELLS Sec'y of State.

---

## CHAPTER 20.

### APPROPRIATION—EXECUTIVE DEPARTMENT—PAY PRIVATE SECRETARY AND CONTINGENCIES.

AN ACT making appropriations for the payment of a Private Secretary to the Governor and for extraordinary expenses in the Executive Department.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the following sums of money be and they are hereby appropriated for the purposes hereinafter designated.

SEC. 2. For the pay of a Private Secretary to the Governor, for the term ending December 31st, A. D. 1861, the sum of Five Hundred Dollars or so much thereof as may be necessary.

SEC. 3. For the payment of extraordinary expenses of the Executive Department, for the term ending December 31st, 1861, or so much thereof as may be necessary, the sum of Ten Thousand Dollars.

SEC. 4. The Governor shall report to the next session of the General Assembly a statement of the amount expended by him under the last section of this Act, and the purposes for which the same was expended.

SEC. 5. This Act being deemed by the General Assembly of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Iowa State Journal, any thing in the Revision of 1860 to the contrary notwithstanding.

Approved May 28th, 1861.

I hereby certify that the foregoing Act was published in Iowa State Journal of June 7th, 1861, and in Iowa State Register of June 13th, 1861.

ELLJAH SELLS, Sec'y of State.

## CHAPTER 21.

- |   |   |
|---|---|
| 1. Organization of Infantry, Artillery, Cavalry and Mounted Riflemen.                       | 9. Gov. may call Troops into active actual service.                               |
| 2. Volunteers to be accepted by the Governor.   | 10. Volunteers sworn into service—Mounted Riflemen may be discharged.             |
| 3, 4. Plan of Regiment and Company organization.  | 11. Gov. Muster Volunteers into service, upon requisition from the United States. |
| 5. Uniforms and horses to be furnished by volunteers.                                       | 12. Officers elected and appointed in conformity with the Gen. Militia Law.       |
| 6. Supplied with approved arms—one Regiment ordered into camp.                              | 13. Payment to troops made monthly.   |
| 7. Troops receive pay while in camp or on active duty by order of the Governor.             | 14. Arms and Munitions surrendered upon demand by the Gov.                        |
| 8. Gov. and his Staff shall adopt regulations—Distribution and care of arms and equipments. |   |

### MILITIA.

AN ACT for the organization, equipment, and subsistence of the Militia-men of the State of Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That for the better protection of the exposed borders of this State, to resist marauding parties of Indians and other hostile per-

sons, to repel invasion, and to render prompt and efficient assistance to the United States, the Governor be, and is hereby authorized and empowered to organize two Regiments of Infantry, one Battalion of not less than three Companies of Artillery, and one Squadron of not less than five Companies of Cavalry, and one Regiment of Mounted Riflemen for the service of the State, as herein provided.

SEC. 2. Said Regiments, Battalion and Squadron, shall be formed of such Companies of Volunteers as may tender their services for the purposes specified, and those Companies shall be accepted which the Governor shall deem best suited to the service required, due regard being had to location and efficiency.

SEC. 3. Each Regiment of Infantry shall consist of ten Companies; each Company of Infantry, Artillery and Cavalry, shall contain not less than 40 nor more than 64 men, and shall be provided with such commissioned and non-commissioned officers as the general regulations direct for similar troops in the Army of the United States.

SEC. 4. Said Regiment of Mounted Riflemen shall consist of not less than six nor more than ten Companies. Each Company shall consist of not less than forty nor more than one hundred men, and shall be officered according to the regulations for similar troops in the Army of the United States. They shall be selected from voluntary enrollment of persons in counties of the State most exposed to the inroads of bands of lawless persons, and shall be organized into Companies according to convenience of locality, under the orders of the Governor, and shall not be ordered into service outside of the border counties, except on the order of the Governor of the State or the President of the United States.

SEC. 5. The clothing of said Volunteers shall be uniform, according to such general regulations as shall be hereafter provided, and shall be furnished by themselves. Each mounted man shall also furnish a horse suitable for such service, with equipments proper for the same, to be inspected and valued under the orders of the Governor.

SEC. 6. Each Company accepted under this Act shall be supplied with the most effective arms that can be procured. As soon as practicable one of said Regiments of Infantry shall be placed in encampment at such place as the Governor may direct, and shall be duly instructed and trained for such time as he may direct not exceeding thirty days, unless he shall be of opinion that the exigencies of the State or the General Government demand their continuance in encampment for longer time. And the Governor is authorized to call out any Company or Companies of either arm provided for herein, if in his opinion the exigencies of this State or of the General Government demand the same.

SEC. 7. For and during said times of encampment duty, and for all active service under the orders of the Governor, said troops



shall receive pay and subsistence at the rates allowed by the laws and regulations of the United States to the same character of arms. For the use of each horse furnished as provided in section five (5) the sum of 30 cents per day shall be allowed.

SEC. 8. The Governor is hereby authorized and required to make, by his proper Staff Officers, all necessary regulations for enrolling, preparing, training and instructing said troops, providing for their subsistence while in camp, or in active service, distributing arms and ammunition, and otherwise perfecting their organization and efficiency. Also to provide for the safe keeping, at all times, of such arms and equipments as shall be furnished by the State, and for their restoration to the proper depositories, when said troops shall be disbanded.

SEC. 9. The Governor is hereby authorized and required to use for the public defense any or all of the troops hereby provided, when such action shall be necessary, under the Constitution and laws of this State.

SEC. 10. All persons enrolled under the provisions of this Act shall, before being accepted, be severally sworn to obey all lawful orders of their superior officers, to maintain the Constitution and laws of the United States, and of the State of Iowa, and to tender their services to the United States if demanded by the proper authority, and with the consent of the Governor of this State, according to their organization by Companies and Regiments; *Provided* that any member of the Mounted Riflemen Companies may upon the demand of the Governor or President of the United States through the Governor of this State for the tender of services, decline such services upon delivery up of all arms, ammunition and equipments in his possession, belonging to the State, and said member of said company shall thereupon be honorably discharged.

SEC. 11. It shall be the duty of the Governor to fill all requisitions made by the United States upon this State from the Infantry herein provided, as far as practicable; and should the number of Regiments or Companies above mentioned, be, from any cause, reduced, or should they be mustered into the service of the United States, the Governor is hereby authorized and empowered to raise and equip such additional number of troops as he may deem expedient and necessary, in manner and form as prescribed in this Act, until the number shall be equal to the whole number of troops in this act above provided.

SEC. 12. The officers of said Companies and Regiments shall be elected and appointed in the manner prescribed for the appointment and election of officers of the same grade in an Act entitled an Act to amend the Militia Law of the State of Iowa, passed at the present session of the General Assembly.

SEC. 13. The payment of the forces raised under this Act shall be monthly by the Paymasters of the Regiments, through the Pay-

master General, out of what is known as the War and Defense Fund, provided by an Act of the General Assembly passed at the present session.

SEC. 14. Upon demand of the Governor upon the officers and men of any company now organized and having arms in their possession belonging to the State, or of any company organized under the laws of this session of the General Assembly who shall receive arms, equipments and munitions of war from the State, they shall deliver up all such arms, equipments and munitions of war, and thereupon the bond given for such arms, equipments and munitions of war shall be canceled.

SEC. 15. This Act the General Assembly deeming it of immediate importance, shall take effect and be in force from and after its publication in the Daily Iowa State Register and Daily Iowa State Journal, published in Des Moines.

Approved May 29th, 1861.

I hereby certify that the foregoing Act was published in the Daily Iowa State Register of June 12th, and Daily Iowa State Journal of June 7th, 1861.

ELLJAH SELLS, Sec'y of State.

## CHAPTER 22.

1. Gov. additional aids.

2. Pay and Rank of Adj't. Gen. and Quartermaster Gen.

### GOVERNOR'S STAFF.

AN ACT further to regulate the staff of the Commander-in-Chief.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That until the next meeting of the General Assembly, the Governor may in his discretion appoint on his staff, four special aids-de-camp, with the rank of Lieutenant Colonel of Cavalry.

SEC. 2. The Adjutant General and Quartermaster General shall be entitled to the full pay of their respective rank, during the time any troops may be in the actual service of this State, to be paid during the time said officers are in actual service only.

SEC. 3. This Act being deemed by the General Assembly of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register, Iowa State Journal and Commonwealth, or any two of them.

Approved May 29th, 1861.

I hereby certify that the foregoing Act was published in Iowa State Journal of June 7th, 1861, in Iowa State Register of June 12th, 1861, and Commonwealth of June 11th, 1861.

## CHAPTER 23.

## SUPPORT OF FAMILIES OF VOLUNTEERS.

AN ACT empowering the Board of Supervisors to make appropriations for the support of the families of volunteers.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Board of Supervisors of any county of this State shall have power to appropriate out of the county funds of their county, such sums as they may decide to be necessary for the support of the families of those persons who have volunteered, and are in the actual military service of either the United States or of the State of Iowa, who are in destitute circumstances, and whose families resided in the county making the appropriation at the time of the enlistment of said volunteers, and whose families still continue to reside in said county.

SEC. 2. This Act being deemed by the General Assembly of immediate importance shall take effect and be in force from and after its publication in the Iowa State Journal, the Iowa State Register, and the Commonwealth, or either two of said newspapers, any law of this State to the contrary notwithstanding.

Approved May 29th, 1861.

I hereby certify that the foregoing Act was published in Iowa State Journal of June 7th, 1861, in Iowa State Register of June 12th, 1861, and Commonwealth of June 11th, 1861.

ELIJAH SELLS, Sec'y of State.

## CHAPTER 24.

- |   |   |
|---|---|
| 1. The rate of levy increased.  | 4. Fee for publishing delinquent tax list reduced—Post notices—description by the largest quantity. |
| 2. Board Supervisors meet in September, to levy taxes, instead of June. | 6. Taxes collected by sale of any property.   |
| 3. Board of Co. Equalization meet annually.                             |   |

## REVENUE.

AN ACT to amend an Act, entitled, "An Act in relation to Revenue," being Chapter 45 of the Revision of 1860.

SECTION. 1. *Be it enacted by the General Assembly of the State of Iowa,* That the word "two" in the last line of the first subdivision of section 710 and the word "two" in the twelfth line of section 743 of Chapter 45 of the Revision of 1860, being "An Act in

relation to Revenue" be and the same are hereby stricken out and the words 'two and one half' inserted in lieu thereof. And the Census Board may direct the levy of a tax for State purposes not exceeding two and one half mills on the dollar, any thing in said act or other laws of this State to the contrary notwithstanding.

SEC. 2. That the Board of Supervisors of each County shall hold a session on the first Monday in September, in the year 1861 and each year thereafter, at which session they shall levy the several taxes as required by sections 710 and 746 of said chapter as numbered in said Revision, and may transact such other business as may legally come before them.

SEC. 3. That the words "and next succeeding the general election" in section 739 be and they are hereby stricken out, and all provisions of said chapter 45 inconsistent with the provisions of this act are hereby repealed.

SEC. 4. That the words "twenty cents" in the 16th line of section 764 of said Chapter 45 as numbered in said Revision be and the same are hereby stricken out and the words "a sum not exceeding ten cents" be inserted in lieu thereof and that all after the word "sale" in the 16th line of said section is hereby stricken out and the following is enacted in lieu thereof, to wit: The County shall pay the cost of publication, but it shall be the duty of the Treasurer to act in good faith, and procure the publication of said delinquent tax list for the lowest sum in his power, and in no case shall the County be liable for more than the amount charged to the delinquent lands for advertising, and if the Treasurer cannot procure the publication of said notice for that sum, or if for any other reason the Treasurer is unable to procure the publication of said notice in his County, it shall be his duty to post up written notices of said sale in four of the most public places in his County four weeks before sale and notice so given shall have the same force and effect as though the same had been published in a newspaper. In giving notice of the sale of lands or town lots for taxes it shall be the duty of the Treasurer in cases where the name of the owner of any delinquent lands or town lots is unknown, to embrace the largest quantity practicable in each description of such lands and it is made the duty of the Auditor of State at the earliest practicable day after the passage of this act, to notify the Clerks of the respective County Boards of Supervisors of the passage of this act and transmit to each of them a copy of this Act, and such instructions as he may deem advisable.

SEC. 5. That the words, "as the same are recorded on the tax list the amount of taxes for each year," in section 764 of Revision of 1860, are hereby repealed and there is hereby enacted in lieu thereof, the words, "for the delinquent taxes of the preceding year and such real property as has not been advertised for the taxes of previous years, and on which the taxes remain due and delinquent, and the amount of taxes."

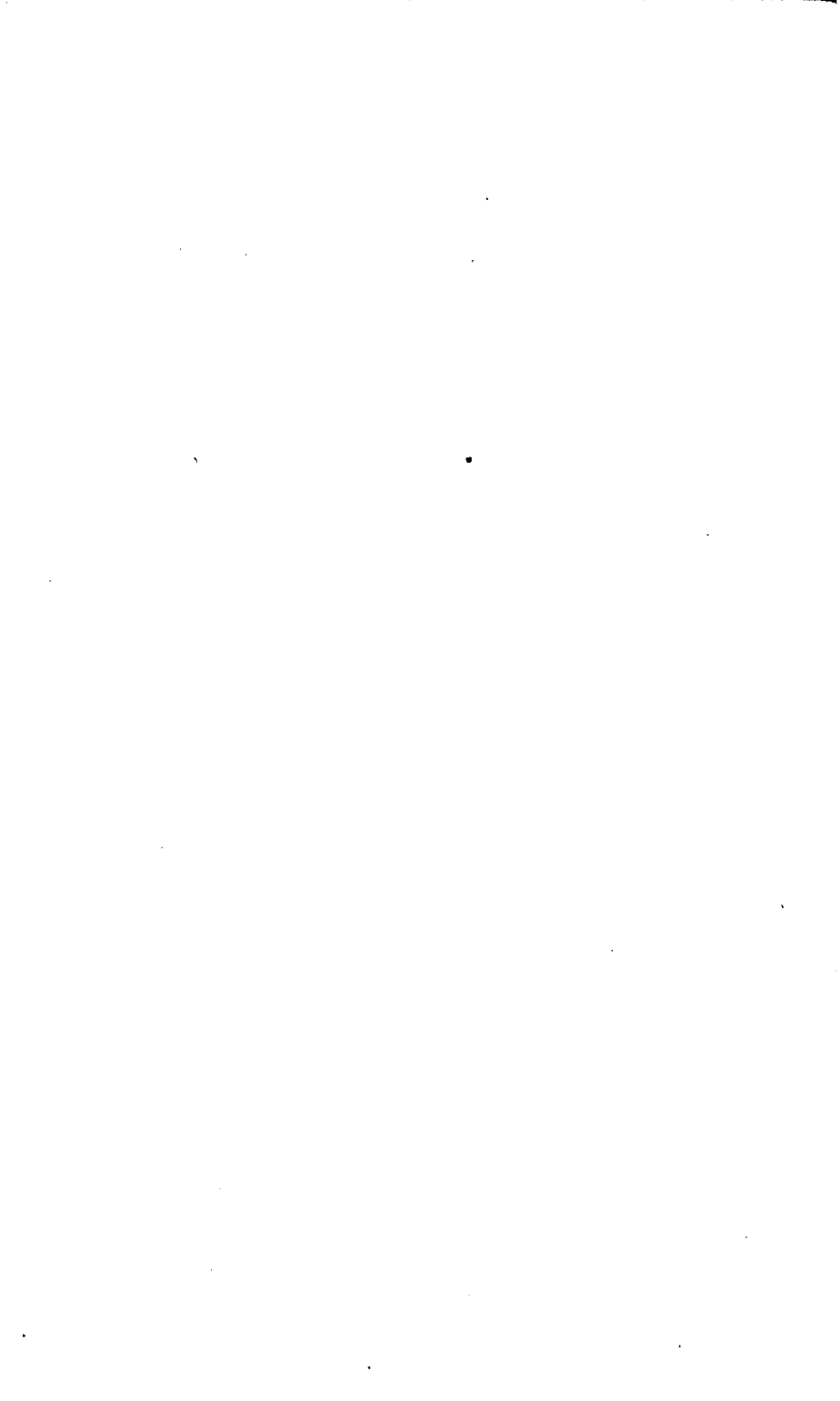
SEC. 6. That all of section 759 of the Revision of 1860 after the word "title," is hereby repealed, and there is enacted in lieu thereof, the words, "the Treasurer is authorized and directed to collect the delinquent taxes by the sale of any property upon which the taxes are levied, or any other personal or real property belonging to the person against whom the taxes are assessed."

SEC. 7. This act being deemed of immediate importance by the General Assembly, shall take effect and be in force from and after its publication in the Iowa State Register and Iowa State Journal.

Approved May 27th, 1861.

I hereby certify that the foregoing Act was published in the Iowa State Register of June 12th, and in the Iowa State Journal of June 7th, 1861.

ELIJAH SELLS, Sec'y. of State.



# JOINT RESOLUTIONS.

---

## NUMBER 1.

### ARSENAL AND ARMORY AT ROCK ISLAND.

JOINT RESOLUTION instructing our Senators and requesting our Representatives to procure an Arsenal and Armory at Rock Island.

*Be it Resolved by the Senate and House of Representatives of the State of Iowa,* That the Senators in Congress from this State be instructed and the Representatives requested to use their utmost exertions to procure the establishment at the earliest possible time by the Government of the United States of an Arsenal and Armory, for the distribution of arms to the North-Western States on the Island of Rock Island in the State of Illinois.

*Resolved,* That the Secretary of State be directed to forward to each of the Senators and Representatives in Congress, a copy of these Resolutions.

Approved May 24th, 1861.

---

## NUMBER 2.

### CLOTHING THE FIRST REGIMENT.

JOINT RESOLUTION instructing the Governor to provide additional clothing for the first Regiment of Iowa Volunteers.

WHEREAS, The First Regiment of Iowa Volunteers was raised in great haste and consequently was not either uniformed or equipped properly, therefore:

*Be it resolved by the Senate and House of Representatives,* That the Governor of the State of Iowa be instructed to furnish said Regiment with a coat, pants and shoes for each non-commissioned officer and private belonging to or connected with said Regiment, at the expense of the State, in uniform and to correspond with the Second and Third Regiments furnished from the State of Iowa.

Approved May 24th, 1861.

## N U M B E R 3 .

## FORMATION OF A BRIGADE.

**MEMORIAL** to the President of the United States asking for authority to constitute a Brigade out of the Iowa Regiments called into the National service, or out of the Iowa and Nebraska Regiments, and for the appointment of a General of the Brigade.

*Resolved by the General Assembly of the State of Iowa,* That the President of the United States be requested to authorize the formation of a Brigade out of the Regiments of troops called from Iowa into the National service, or out of the Regiments called from Iowa and Nebraska, and that he appoint or authorize the appointment or election of a General for the Brigade.

*Resolved,* That the Governor of Iowa be requested, immediately, to forward a certified copy of these Resolutions to the President of the United States and urge a compliance with the request therein contained.

Approved May 28th, 1861.

## N U M B E R 4 .

## CAVALRY COMPANY.

**JOINT RESOLUTION** requesting the President of the United States to accept and muster into service a Regiment of Volunteer Cavalry from the State of Iowa.

**WHEREAS,** Several Volunteer Companies of Cavalry are already organized for the purpose of serving in the present contest, between the revolted States and the General Government, therefore,

*Resolved by the House of Representatives, the Senate concurring,* That the President of the United States be and he is hereby earnestly requested to accept a Regiment of Cavalry in the service of the United States, from this State, for a term of three years or during the war.

*Resolved, further,* That the Governor furnish and forward a copy of these resolutions to the President, with a tender of said Regiment of Cavalry, and request its acceptance.

*Resolved,* That no charge shall be made against the State for said Regiment.

Approved May 28th, 1861.



## NUMBER 5.

## LEGISLATIVE MANUAL.

A JOINT RESOLUTION for the publication of a Legislative Manual.

*Resolved by the General Assembly of the State of Iowa, That* the Clerk and the first Assistant Clerk of the House of Representatives be and they are hereby authorized to prepare a Legislative Manual for the year 1862, to be ready within ten days after the organization of the next General Assembly, and to contain among other things, the Constitution of the United States, the Constitution of the State of Iowa, Jefferson's Manual of Parliamentary Practice, with a list of the Members of both branches of the General Assembly, with Post Office address of each, and the County in which each member resides, Lists of County Officers, Post Offices, and such other general and statistical information as may be deemed of importance, together with a map of the State, showing the Counties, Rivers, Railroads, Coal Fields, &c. The matter for such volume shall be submitted to the Census Board for their approval, and if approved, shall be delivered to the State Printer, who shall cause the same to be printed in a neat and compact volume to be bound in black muslin; provided, that when the Manual is completed, it shall contain not less than 250 pages, and shall not cost the State to exceed one dollar and twenty-five cents per volume.

Two hundred and fifty copies of said volume shall be printed and distributed as follows: Fifteen copies shall be sent to the State Historical Society, fifteen copies shall be deposited in the State Library, and one copy shall be delivered to each member of the present and of the next General Assembly, and the remainder shall be deposited in the office of the Secretary of State, for the purpose of making exchanges with other States. If the Census Board approve such copy when so furnished, they may direct the Auditor to pay to the compilers a sum not exceeding sixty dollars therefor, but if the manuscript is rejected, the State shall not be liable for any expense incurred in its preparation.

Approved May 29th, 1861.

STATE OF IOWA—S. S.

I, ELIJAH SELLS, Secretary of the State of Iowa, hereby certify that the foregoing Acts and Resolutions are truly copied from the original rolls on file in my office.

{ L. S. }

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Iowa. Done at Des Moines, this 5th day of June, A. D. 1861.

ELIJAH SELLS, Sec'y. of State.



# INDEX.

---

	PAGE.
<b>ACCOUNTS—</b>	
Military how allowed.....	9
<b>ACTS—</b>	
Of Extra Session, (See Laws).....	15
<b>ADJUTANT GENERAL—</b>	
Shall file list of State Militia in his office.....	21
Report to President or War Department,.....	21
Is a staff officer,.....	22
File bonds of Military Officers,.....	23
Keep on file a roll of all military companies,.....	23
Keep a record of commissions issued,.....	24
And Quartermaster, pay of,.....	30
<b>ADVERTISING—</b>	
For State Bonds, manner of,.....	19
Delinquent tax list, pay reduced,.....	4
<b>AGENTS—</b>	
To sell State Bonds, appointed,.....	18
<b>AMENDMENT—</b>	
To sec. 5176 of Revision, ( <i>Penitentiary</i> ).....	5
To Section 2729 of Revision, ( <i>Grand Juries</i> ).....	5
To Militia Law,.....	21
To Revenue Law, ( <i>Chapter 45 Revision</i> ).....	31
<b>APPROPRIATION—</b>	
General.....	7
For distributing Journals,.....	14
Laws,.....	15
For military purposes,.....	25
For Executive Department,.....	26
Counties may make to support families of volunteers,..	31
<b>ARMS—</b>	
For the State, Governor to purchase.....	3
<b>ARSENAL AND ARMORY—</b>	
At Rock Island,.....	35
<b>ASSESSOR—</b>	
Make list of persons subject to military duty.....	21

	PAGE.
<b>AUDITOR OF STATE—</b>	
Receive books and papers of Auditing Commissioners, file claims,.....	11
Pay for distributing Journals, when and how,.....	15
A member of Board to issue State Bonds,.....	16
<b>AUDITING COMMISSIONERS—</b>	
For military claims, are Dewey, Ingham and West, ( <i>Griffith declined</i> ),.....	9
Shall take oath.....	10
Their Compensation,.....	10
Vacancy in, Governor may fill,.....	11
Manner of adjourning.....	11
Shall keep a record,.....	11
Fix pay of Commissioners and agents where no provision is made.....	13
<b>BOARD—</b>	
Of "Auditing Commissioners" ( <i>which see</i> ).....	9
Of Commissioners to have supervision of State Bonds.	18
To issue State Bonds,.....	16
Census, to approve of compilation of Legislative Manual,.....	37
<b>BOARD OF SUPERVISORS—</b>	
Clerk District Court is under direction of, relative to custody of Court House,.....	2
Certain acts of legalized,.....	3
Have control of Swamp Lands,.....	7
To rebate taxes in certain cases,.....	13
Make appropriations to support families of volunteers,.	31
Time of meeting,.....	32
<b>BONDS—</b>	
Agents employed to buy arms must give,.....	4
State, ( <i>See State Bonds</i> ).....	16
<b>BRIGADE—</b>	
Of Iowa Regiments prayed for, ( <i>Memorial to President</i> )	36
<b>BUILDINGS—</b>	
Destroyed by tornadoes, &c., rebatement of taxes,....	12
<b>CAMP—</b>	
Equipage, tents, &c., Governor to purchase,.....	4
<b>CAPITOL—</b>	
Appropriation for repairing,.....	9
<b>CAVALRY COMPANY—</b>	
Prayed for, ( <i>Memorial to President</i> ),.....	36
<b>CENSUS BOARD—</b>	
To approve of compilation of Legislative Manual,....	37
<b>CHAPLAINS—</b>	
Of Extra Session, compensation,.....	8
Of Militia, compensation, by whom appointed,.....	24

CLAIMS—	
Military, how allowed,.....	9
Military, paid only in U. S. coin,.....	11
CLERK DISTRICT COURT—	
Fees of,.....	1
Have control of Court House,.....	2
Forward abstracts to Adjutant General,.....	21
CLERK HOUSE REPRESENTATIVES—	
Distribute Journals, pay for,.....	14
Prepare Legislative Manual,.....	87
CLERK OF PENITENTIARY—	
Is the Commissary,.....	5
CLOTHING—	
Munitions of war, &c., Governor to purchase,.....	3
For the First Regiment, Governor purchase,.....	35
COMMISSARY—	
Of the Penitentiary, Clerk is,.....	5
In the militia, who appoints,.....	22
COMMISSIONERS—	
Auditing, ( <i>See Auditing Commissioners</i> ),.....	9
And agents not provided for, pay allowed by the Auditing Commissioners,.....	13
To have supervision of State Bonds, appointed,.....	18
COMPENSATION—	
Of certain officers, ( <i>curative act</i> ),.....	1
Of volunteers,.....	11
Of Commissioners and agents when no provision is made by law,.....	13
Of Secretary Senate and Clerk House Representatives, distributing Journals,.....	14
Of Secretary of State for distributing laws,.....	16
Of Agents to sell State Bonds,.....	19
Of Militia Officers, &c.,.....	23, 24
Of Adjutant and Quartermaster General,.....	30
Of Printer for publishing tax list, reduced,.....	32
COMPANIES—	
Military, ( <i>See Militia</i> ),.....	
CORPORATIONS—	
Municipal, certain acts of, legalized,.....	3
CONTINGENT FUND—	
For Executive Office,.....	26
CONTRACT—	
For arms and munitions of war, Governor to make,....	4
CONTROL—	
Of Court House, Clerk District Court to have,.....	2
Of Swamp Lands, Board of Supervisors have,.....	7

	PAGE.
<b>COURT HOUSE—</b>	
In custody of Clerk District Court,.....	2
<b>DESERTERS—</b>	
Receive no pay for services rendered,.....	12
<b>DISTRIBUTION—</b>	
Of Journals, appropriation for,.....	9
Of Legislative Manual,.....	37
Of Journals,.....	14
Of Laws, Extra Session,.....	15
<b>DRILL—</b>	
Of Militia, term of,.....	21
<b>EXECUTIVE DEPARTMENT—</b>	
Appropriation for,.....	26
<b>FAMILIES—</b>	
Of Volunteers provided for,.....	3
Of Volunteers, Counties support,.....	81
<b>FEES—</b>	
And compensation for certain officers, (curative act,)...	1
Of Printer, for printing Tax List, reduced,.....	81
<b>FIRST REGIMENT—</b>	
Governor to furnish Clothing for,.....	35
<b>GOVERNOR—</b>	
Purchase Clothing, Munitions of War, &c.,.....	3
Appoint Agents to purchase arms,.....	4
Use War and Defense Fund to buy arms,.....	4
May fill vacancy in Board Auditing Commissioners,...	11
May remove Paymasters from office,.....	11
Fix place for payment of Interest on State Bonds,...	16
Duty relative to issue of State Bonds,.....	17
Have State Bonds lithographed,.....	17
Is one of the Commissioners, to have supervision of State Bonds,.....	18
Report to Legislature, matters pertaining to loan,....	18
Fill vacancy of Agent appointed to sell State Bonds,..	18
Approve Agent's Bond,.....	18
May require additional Bond of Agents,.....	19
Direct the forming of Regiments, &c.,.....	22
Commission, Military officers,.....	22
Appoint staff,.....	22
And staff, make Rules and Regulations,.....	24
Private Secretary of, appropriation for,.....	26
Report expenditures contingent fund,.....	27
Organize and call out Militia,.....	28
Make rules to regulate Militia,.....	29
May demand the return of Arms, &c.,.....	30
Appoint staff officers for present year,.....	30
Provide Clothing for First Regiment,.....	35

	PAGE.
<b>GRAND JURORS—</b>	
Selection of,.....	5
<b>GUARDS—</b>	
Of Penitentiary, additional,.....	5
<b>HOUSE JOURNALS—</b>	
Publication and distribution of,.....	14
<b>INTEREST—</b>	
On State Bonds, appropriation for,.....	8
On State Bonds, provisions for payment,.....	16
<b>JOURNALS—</b>	
Of Senate and House Representatives, appropriation for distribution,.....	9
Publication and distribution of,.....	14
<b>JURORS—</b>	
Grand, selection of,.....	5
<b>JUSTICE OF THE PEACE—</b>	
Fees of, (curative act),.....	1
<b>LANDS—</b>	
Swamp, under control of Board of Supervisors,.....	7
<b>LAWS—</b>	
Extra Session, printing and distribution of,.....	15
Militia amended,.....	21
Of this Session all to take effect by publication,.....	26
<b>LEGALIZED—</b>	
Acts certain Board Supervisors and Corporations,....	8
Acts Board Supervisors relative to Swamp Lands,....	7
Drawing and selecting Grand Jurors,.....	6
<b>LEGISLATIVE MANUAL—</b>	
Compilation of, &c.,.....	37
<b>LITHOGRAPHING—</b>	
Of State Bonds,.....	17
<b>LOAN—</b>	
Of Money upon State Bonds for War purposes,.....	16
<b>MANUAL—</b>	
Legislative, compilation of, &c.,.....	37
<b>MEMORIAL—</b>	
To Congress for Armory and Arsenal,.....	35
To President for formation of a Brigade,.....	36
To President, to accept a Cavalry Company,.....	36
<b>MILITIA—</b>	
Of Iowa, provisions for sustaining,.....	4
Volunteers, relief of,.....	6
Claims, how allowed,.....	9
Claims must be paid only in United States coin,.....	11
State Bonds issued for sustaining,.....	16
Classification of,.....	21
Volunteer and reserve, defined,.....	21

	PAGE.
<b>MILITIA—Continued.</b>	
Officers elected and appointed, how and by whom, . . .	21, 23
Formation of Companies into Regiments, &c., . . . . .	22
Officers commissioned by the Governor, . . . . .	22
Pay of, . . . . .	23
Roll kept by Adjutant General, . . . . .	23
Roll made out by Captain, . . . . .	24
Record of Commissioned Officers kept by Adjutant General, . . . . .	24
Volunteer, term of service, . . . . .	24
Volunteer, exempt from Road Tax or serving as Juror,	24
Commissions heretofore issued, annulled, . . . . .	24
Chaplains and Musicians, pay of, . . . . .	24
Penalty for violating rules when on drill, . . . . .	24
Rules and regulations made by Governor and staff, . . .	24
Appropriation for, . . . . .	25
Brigade and Cavalry, (memorials to President,) . . . . .	36
Organization, equipment and subsistence of, . . . . .	27, 30
Uniforms and Horses, Volunteers to furnish, . . . . .	28
Governor to call out, make rules and regulations, . . .	28, 29
Provisions for honorable charge of volunteers, . . . . .	29
Governor may demand arms, accoutrements, &c., . . .	30
Pay of Adjutant General and Quartermaster General, .	30
First Regiment, Governor to furnish clothing, . . . . .	35
<b>MUNITIONS OF WAR—</b>	
Clothing &c., Governor to purchase, . . . . .	3
<b>NEWSPAPERS—</b>	
Appropriation for, . . . . .	8
What shall publish notice of sale of State Bonds, . . . .	19
All laws published in take effect, which, . . . . .	26
Pay reduced for publishing tax list, . . . . .	32
<b>NIGHT WATCHMAN—</b>	
For Capitol, appropriation for, . . . . .	8
<b>NOTICE—</b>	
For sale of State Bonds, how made, . . . . .	19
<b>OFFICERS—</b>	
Fees of certain, (curative act) . . . . .	1
Military election, appointment and pay of, . . . . .	21, 23
<b>PAY—</b>	
<i>(See Compensation).</i>	
<b>PAYMASTERS—</b>	
Make their payments in U. S. Coin only, . . . . .	11
<b>PENITENTIARY—</b>	
Amend section 5176 of Revision, relative to, . . . . .	5
<b>PRINTING—</b>	
Of laws in newspapers to take effect, applies to this session, . . . . .	26



PRINTING—Continued.	
The Journals, .....	14
The pamphlet laws, .....	15
Delinquent tax list, fee reduced, .....	31
Of Legislative Manual, .....	37
PRIVATE SECRETARY—	
Of Governor, appropriation for, .....	27
PROPERTY—	
Destroyed by tornadoes, &c., taxes on rebated, .....	12
PUBLICATION—	
Of Acts present session, in order to take effect, .....	26
Of notice for sale of State Bonds, .....	19
Of tax list, fee for reduced, .....	32
Of journals, .....	14
Of pamphlet laws, .....	15
Of Legislative manual, .....	37
RANK—	
Of military officers, .....	22
REBATEMENT—	
Of taxes, in certain cases, .....	12
REFEREES—	
State vs. Eads, appropriation for, .....	8
REGIMENTS—	
Sustaining, (and see militia), .....	4
RELIEF—	
Of volunteers, action against suspended, .....	6
Of volunteers, pay for services, .....	11
REVENUE—	
Chapter 45 of Revision relative to, amended, .....	31
SALE—	
Of State Bonds in New York, how made, .....	19
SECRETARY OF STATE—	
Have charge of repairing Capitol, .....	9
File oath of Auditing Commissioners, .....	10
Distribute laws present session, .....	15
Is one of the Board to issue State Bonds, .....	16
To exchange Legislative Manual for other publications, .....	37
SECRETARY OF SENATE—	
Distribute journals, pay for, .....	14
SENATE JOURNALS—	
Publication and distribution of, .....	14
SESSION LAWS—	
Printing and distribution of, (see Laws), .....	15
SHERIFF—	
Have office in court house, .....	2
SOLDIERS—	
(See Volunteers, also Militia).	

	PAGE.
<b>STAFF OFFICERS—</b>	
Of the Governor, .....	22
Of Major General, Brigadier General and Colonel, ....	22
Of the Governor for present year, .....	30
<b>STATE BONDS—</b>	
Appropriation to pay interest upon, .....	8
Issue and sale of, .....	16
Who to issue, rate of interest, .....	16
In what amounts issued, .....	17
Lithographing of, .....	17
Tax, to pay principal and interest, .....	18
Commissioners to have supervision of, appointed, ....	18
Agents appointed to sell, .....	18
Loss of by agents, no plea against action, .....	19
Sale of shall be for specie, .....	19
Compensation of agents who sell, .....	19
Matured coupons, taken in payment of State tax, ....	19
The Commissioners may direct the private sale of a portion, .....	19
Sale of in New York, how made, .....	19
Proposals for must be sealed, .....	20
<b>SUPPORT—</b>	
Of the families of volunteers, .....	3
Of the families of volunteers by the counties, .....	31
<b>SWAMP LANDS—</b>	
Board Supervisors have control of, .....	7
<b>TAXES—</b>	
On property destroyed by tornadoes &c., rebated, ....	12
To pay principal and interest on State Bonds, .....	18
State, matured coupons on State Bonds taken in payment, .....	19
Fee for publishing delinquent taxes reduced, .....	32
<b>TENTS—</b>	
Camp equipage &c., Governor may purchase, .....	4
<b>TREASURER—</b>	
State, agent to sell State bonds, .....	18
County, collect delinquent taxes, manner of, .....	33
<b>VOLUNTEERS—</b>	
Support of families of, .....	3
Relief of by suspension of civil action, .....	6
Pay of, .....	11
Deserting, entitled to no pay for past service, .....	12
Appropriation to pay (\$200,000), .....	25
Families of, counties may support, .....	31
Of First Regiment, Governor furnish clothing, .....	35
<b>WAR—</b>	
Munitions, Governor to purchase, (and see Militia,) ...	3

	PAGE.
WAR—Continued.	
Purposes, issue of State Bonds for,.....	16
WAR AND DEFENSE FUND—	
Governor use to furnish arms, &c.,.....	4
Used for payment of claims,.....	10
Payments made from must be in U. S. coin,.....	11
Created, .....	18
WARDEN—	
Of Penitentiary, new duties, .....	5
WATCHMAN—	
Of Capitol, appropriation for,.....	8