

ACTS AND RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

TENTH GENERAL ASSEMBLY,

OF THE

STATE OF IOWA.

Published by Authority.

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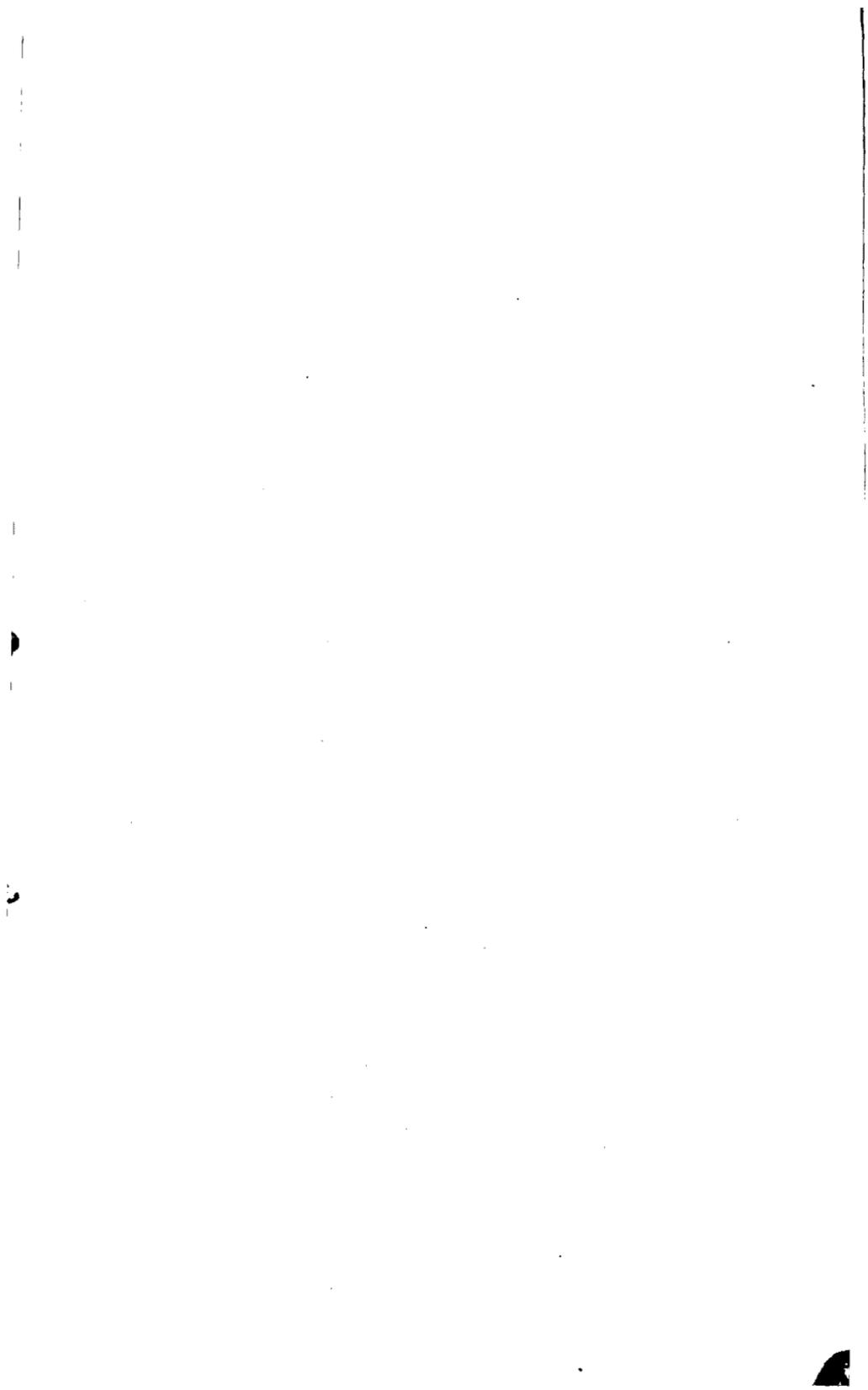
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CHAPTER 1.

CASS COUNTY.

AN ACT detaching the County of Cass from the Third Judicial District and annexing the same to the Fifth Judicial District.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the County of Cass is hereby detached from the Third Judicial District and annexed to the Fifth Judicial District. Attached to Fifth Judicial District.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed. Repealed.

SEC. 3. 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 Daily State Register and the Iowa Homestead, anything in the laws of this State to the contrary notwithstanding. Take effect.

Approved January 21st, A. D. 1863.

I hereby certify that the foregoing act was published in the Daily State Register on the 22d day of January, A. D. 1864, and in the Iowa Homestead on the 27th day of January, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 2.

CASS COUNTY.

AN ACT fixing the time of holding Courts in the County of Cass in the Fifth Judicial District.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the District Court of the County of Cass of the Fifth Judicial District, shall be held at Lewis in said County on the first Thursday after the second Monday after the fourth Monday of March, and the first Monday after the fourth Monday of August, in each year. Time of hold- Courts.

SEC. 2. That all writs, processes and proceedings pending in said District Court and returnable at the terms now fixed by law, shall be deemed pending and Pend'g writs, proc'sses, &c., not affected.

returnable at the terms, as fixed by this act, and no suit, notice, recognizance, indictment or other proceeding shall be quashed or held invalid by reason of this act or by reason of the changes of the terms of Court hereby made.

Repealed.

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 All acts and parts of acts inconsistent with this act are hereby repealed.

Take effect.

SEC. 4. This act being deemed of immediate importance by the General Assembly, shall be in force from and after its publication in the Daily State Register and Iowa Homestead, anything in the laws of the State of Iowa to the contrary notwithstanding.

Approved January 21st, 1864.

I hereby certify that the foregoing act was published in the Daily State Register on the 22d day of January, A. D. 1864, and in the Iowa Homestead on the 27th day of January, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 3.

THIRD JUDICIAL DISTRICT.

AN ACT to define the times of holding Courts in the Third Judicial District.

- SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the District Courts within and for the Third Judicial District of this State, shall be held at the times and places herein designated.
- Time of holding Court. Fremont Co. At Sidney, in Fremont county, on the fourth Monday in February and August of each year.
- Page Co. At Clarinda, in Page county, on the first Thursday in March and September in each year.
- Taylor Co. At Bedford, in Taylor county, on the second Thursday in March and September in each year.
- Ringgold Co. At Mt. Ayr, in Ringgold county, on the first Monday after the second Thursday in March and September in each year.
- Decatur Co. At Leon, in Decatur county, on the third Thursday in March and September in each year.
- Clark Co. At Osceola, in Clark county, on the Monday after the fourth Thursday in March and September in each year.
- Union Co. At Afton, in Union county, on the second Thursday after the fourth Thursday in March and September in each year.

At Quincy, in Adams county, on the Monday following the second Thursday after the fourth Thursday in March and September in each year. Adams Co.

At Frankfort, in Montgomery county, on the third Thursday after the fourth Thursday in March and September in each year. Montgomery Co.

At Glenwood, in Mills county, on the third Monday in April and September in each year. Mills Co.

At Council Bluffs, in Pottawattamie county, on the first Monday in May and October in each year. Pottawattamie Co.

SEC. 2. All suits, pleadings, processes and proceedings pending in any of said courts, and returnable at the terms now fixed by law, shall be deemed pending and returnable at the terms as fixed by this act, and no suit, notice, recognizance, indictment or other proceeding shall be quashed or held to be invalid by reason of this act, or by reason of the change of the terms of Court hereby made. Suits, pleadings, &c., not affected by change.

SEC. 3. The Judge of said District may, if deemed advisable by him, order the jurors summoned to attend at any term of the Court in said District, to appear on the first or some subsequent day of the term. Summoning jurors.

SEC. 4. Should the causes pending in the District Court of any of the counties of said District remain undisposed of for want of time, as provided in this act, the Judge of said District may order and hold an adjourned term for the disposition of such business, as may be so pending, and the announcement thereof by said Judge, in open Court at the term at which such adjourned Court shall be determined upon, and an entry thereof made of record, shall be sufficient notice to all persons interested therein. Adjourned term.

SEC. 5. Chapter 114 of the acts of the Ninth General Assembly, entitled "an act fixing the times of holding courts in the Third Judicial District," and all other acts and parts of acts inconsistent with this act are hereby repealed. Repealed.

SEC. 6. 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 Daily State Register and Iowa Homestead, published at Des Moines; anything in the laws of this State to the contrary notwithstanding. Take effect.

Approved January 25th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register on the 28th day of January, A. D. 1864, and in the Iowa Homestead on the 3d day of February, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 4.

BOARD OF SUPERVISORS JOHNSON COUNTY.

AN ACT to legalize the action of the Board of Supervisors in Johnson County.

Action of
Board legal-
ized.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the action of the Board of Supervisors of Johnson county, had December 15th, 1863, in appropriating six thousand dollars to repair the free bridge across the Iowa River at Iowa City, is hereby declared to be legal and valid.

Take effect.

SEC. 2. This act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and Iowa City Republican, as required by law, anything in the laws of this State to the contrary notwithstanding; *provided*, the same be done at the expense of the said Johnson county.

Approved January 29th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register February 3d, 1864, and in the Iowa City Republican 10th February, 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 5.

SURGEON GENERAL.

AN ACT to abolish the office of Surgeon General of the State.

Office abol-
ished.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the office of Surgeon General is hereby abolished.

SEC. 2. This Act being deemed of immediate importance, shall take effect upon its publication in the Daily State Register and Iowa Homestead, newspapers published at Des Moines.

Approved February 4th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register on the 6th day of February, A. D. 1864, and in the Iowa Homestead on the 17th day of February, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 6.

TAXES IN LEE COUNTY.

AN ACT in relation to the collection of taxes in Lee County.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That hereafter all taxes which may be assessed and levied upon property within the townships of Montrose, Jackson, Des Moines and Van Buren, Lee county, Iowa, shall be collected at the city of Keokuk in said county, by the Recorder and Treasurer, or by the Deputy Recorder holding his office in the said city of Keokuk, and the said Deputy Recorder is hereby authorized and empowered to collect, receive and receipt for said taxes in the name of his principal, and taxes so collected shall be paid into the County Treasury and dealt with in all respects as other taxes under laws now or hereafter in force.

City of Keokuk collects of certain townships.

SEC. 2. The said Recorder or his Deputy at the city of Keokuk, shall procure all necessary books for their use under the provisions of this act, and the same shall be paid for by the county of Lee.

Books.

SEC. 3. The Recorder and Treasurer of Lee county shall forthwith furnish the said Deputy Recorder at Keokuk with a duplicate copy of the assessment and levy of taxes upon all property within the aforesaid townships for the year 1863; and shall also as soon as practicable, furnish similar duplicate copies of all assessment of taxes for all townships which are unpaid.

Recorder furnish duplicate copy of assessment and levy.

SEC. 4. The Treasurer and Recorder of Lee county shall be responsible for the acts of his Deputy occasioned by this Act, and may require of said Deputy such bond and security as he may deem necessary for his protection.

Responsibility.

SEC. 5. This Act shall not be so construed as to change the time, place or manner of selling property within the townships above named for delinquent taxes.

Construction.

SEC. 6. The assessment and tax books hereafter made for the townships aforesaid shall be furnished by the Board of Supervisors, or the Clerk thereof to the Recorder or his Deputy at Keokuk as soon as practicable after the same is completed, and to this end the assessment and levy of taxes for the townships aforesaid, which are hereafter made shall be copied into a tax book separately from the tax books of the balance of Lee county.

Assessment & tax books.

SEC. 7. This Act being deemed by the General As-

Separate tax
book. assembly of immediate importance, shall take effect and be in force from and after its publication in the Daily State Register, Daily Gate City and Fort Madison Plaindealer, which publication shall be at the expense of Lee county.

Approved February 5th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register, 10th day of February, 1864, and in the Daily Gate City 10th February, 1864, and in the Fort Madison Plaindealer 12th of February, 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 7.

IMMIGRATION OF NEGROES.

AN ACT to repeal chapter seventy-two of the acts of the Third General Assembly, entitled "An Act to prohibit the immigration of free negroes into this State."

Preamble. WHEREAS, Doubts exist on the part of some as to whether chapter seventy-two of the Regular Session of the Third General Assembly of the State of Iowa is a part of the law of said State of Iowa, and

WHEREAS, The enforcement of the provisions of said chapter has been attempted contrary to the wishes and intentions of a large majority of the people of this State, therefore, to set all doubts at rest,

Repeal Ch. 72
Third Gen'l
Assembly. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That chapter seventy-two of acts passed at the Regular Session of the Third General Assembly of the State of Iowa, entitled "An Act to prohibit the immigration of free negroes into this State," be, and the same is hereby repealed.

Pending suits
dismissed. SEC. 2. All suits now pending in any court in this State, in pursuance of the provisions of said act, shall be dismissed.

SEC. 3. This act being deemed of immediate importance by the General Assembly, shall take effect by publication in the State Register and Iowa Homestead, newspapers published in Des Moines, Iowa.

Approved February 5th, 1864.

I hereby certify that the foregoing Act was published in the State Register on the 10th day of February, A. D. 1864, and in the Iowa Homestead on the 17th day of February, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 8.

SAFE FOR STATE TREASURER'S OFFICE.

AN ACT to authorize the State Treasurer to procure a Safe for his office.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the State Treasurer be and is hereby authorized and required to procure at his earliest convenience, a good and sufficient Safe for the use of his office. Authority to procure safe.

SEC. 2. There is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum of sixteen hundred dollars to pay for such Safe, and the cost of placing the same in the vault connected with the Treasurer's office; and the Auditor is hereby authorized to draw his warrant upon the Treasury, in favor of the Treasurer, for the amount of the cost of such Safe, together with the expense actually incurred in carrying out the provisions of this Act, not exceeding the sum of sixteen hundred dollars. Appropriat'n

SEC. 3. 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 Homestead, newspapers published in Des Moines, Iowa.

Approved February 8th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register on the 17th day of February, A. D. 1864, and in the Iowa Homestead on the 24th day of February, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 9.

INTEREST ON STATE WARRANTS.

AN ACT changing the interest on warrants upon the State Treasurer.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Section number eighty-six of the Revision of 1860 is hereby repealed, and the following enacted in lieu thereof, to-wit: He shall pay no money from the Treasury, but upon the warrant of Sec. 86 of Revision of 1860 repealed.

Rate of int.
charged.

the Auditor and shall pay such warrants in the order of their issuance, or if there be no money in the Treasury from which such warrants can be paid, he shall, upon the request of the holder, endorse upon the date of its presentation and sign it, from which time the warrant shall bear an interest of six per cent. per annum until the time limited in Section number eighty-seven of the Revision of 1860.

SEC. 2. This Act being deemed of immediate importance, shall be in full force from and after its publication in the Daily State Register and Iowa Homestead, newspapers published at Des Moines.

Approved February 9th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register on the 14th day of February, A. D. 1864, and in the Iowa Homestead on the 24th day of February, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 10.

CHALLENGING THE JURY.

AN ACT to repeal Sections 4779 and 4780 of the Revision of 1860, and to provide a substitute therefor.

Sec. 4779 Re-
vision of 1860
repealed.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section 4779 of the Revision of 1860, be and the same is hereby repealed, and the following is substituted therefor: If the offense charged in the indictment is punishable with death, or imprisonment in the penitentiary for life, or may be so punishable in the discretion of the Court, the State is entitled to ten peremptory challenges and the defendant to twenty; if any other felony, the State is entitled to six and the defendant to twelve; and if a misdemeanor, the State to three and the defendant to six challenges.

Peremptory
challenge.

Order of con-
ducting the
challenge.

SEC. 2. The challenges shall be conducted in the following order: The State shall be entitled to the first challenge and shall challenge one juror; the defendant shall be entitled to the second challenge, and shall challenge two jurors; the State shall be entitled to the third challenge and shall challenge one juror; the defendant shall be entitled to the fourth challenge and challenge two jurors; and so on, alternately, until all the challenges are exhausted.

SEC. 3. That Section 4780 of the Revision of 1860, Sec. 4780 Revision of 1860 be and the same is hereby repealed.

SEC. 4. This Act shall be in force from and after its repealed. publication according to law.

Approved February 9th, 1864.

CHAPTER 11.

ADJUTANT GENERAL'S REPORT—1864.

AN ACT to provide for the printing and distribution of the Adjutant General's Report for the year 1864.

SECTION 1. *Be it enacted by the General Assembly* Printing. of the State of Iowa, That the State Printer be directed to print, immediately, five thousand copies of the Adjutant General's Report for the year 1864, which, when bound in boards, shall be delivered to the Secretary of State.

SEC. 2. The Secretary of State shall distribute said Distribution by Secretary of State. Reports, as follows: One hundred copies to the Governor of the State for exchange with Governors of other States and for his own use; ten copies to the Lieut. Governor; twenty copies to Ex-Governor Kirkwood; ten copies to Ex-Lieutenant Governor Needham; one hundred copies for the State Library, to be used so far as necessary for exchange with other States, and the balance of said hundred to be kept in the State Library; fifty copies to the State Historical Society; one to each County Judge, Clerk of the District Court and Recorder of each organized county in the State, to be kept for their respective offices, and to be delivered over to their successors in office.

SEC. 3. There shall be sent to the County Clerk of Tp. Clerk supplied. each county in this State a sufficient number of copies of said Report to enable him to furnish one copy to each Township Clerk in his county, to be kept in the office of said Clerk and by him delivered to his successor in office.

SEC. 4. The Adjutant General shall be furnished Adj. Gen. to distribute. with twelve hundred copies for distribution among commissioned officers of the 7th, 8th and 9th Cavalry, 4th Iowa Battery and 1st African Regiment of Infantry, and other Regiments, as he may deem expedient for the

Other distribution.

public service, and for exchange with Adjutant Generals of other States and officers of the United States; twenty copies to the Adjutant General; three copies each to Secretary of State, Auditor of State, Treasurer of State, Register of State Land Office, Superintendent of Public Instruction, and the Judges of the Supreme Court; three copies to each member of the General Assembly, and the balance to be kept by the Secretary of State, to be distributed as future legislation may direct.

SEC. 5. This Act being deemed of immediate importance, shall take effect and be in force from and after its publication in the State Register and Iowa Homestead.

Approved February 9th, 1864.

I hereby certify that the foregoing Act was published in the State Register on the 14th day of February, A. D. 1864, and in the Iowa Homestead on the 24th day of February, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 12.

INCORPORATION OF SOCIETIES.

AN ACT to amend Chapter 53 of the Revision of 1860, entitled, "Corporations other than those for pecuniary profit."

Sec. 1195 of Revision amended.

Trustees, directors, or managers—appointm't of.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section No. 1195 of the Revision of 1860, be amended by the addition thereto of the following, to-wit: *Provided*, That when the body corporate consists of the trustees, directors, or managers of any benevolent, charitable, literary, scientific, religious or missionary institution, which is or may be established in the State of Iowa, and which is or may be under the patronage, control, direction or supervision of any synod, conference, association or other ecclesiastical body in the State of Iowa, established agreeable to the Laws of said State, such ecclesiastical body may nominate and appoint said trustees, directors or managers, according to usages of the appointing body; and may fill any vacancy which may occur among such trustees, directors or managers. *And provided further*, That when any such institution may be

under the patronage, control, direction or supervision of any two or more of such synods, conferences, associations or other ecclesiastical bodies, such bodies may severally nominate and appoint such proportion of such trustees, directors or managers, as shall be agreed upon by the ecclesiastical bodies immediately concerned. And any vacancy occurring among such appointees last named, shall be filled by the synod, conference, association, or body having appointed the last incumbent.

Vacancies.

Approved February 11th, 1864.

CHAPTER 13.

ADJUTANT GENERAL'S REPORT, 1863.

AN ACT to amend Chapter 103 of the Acts of the Ninth General Assembly, entitled "An Act to provide for the publication and distribution of the Report of the Adjutant General."

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section 3 of Chapter 103 of the Acts of the Ninth General Assembly entitled "An Act to provide for the publication and distribution of the Report," be so amended that only three copies of said Report shall be furnished to each member of the last General Assembly in addition to the copies heretofore delivered to them, anything in said Chapter 103 to the contrary notwithstanding.

Ch. 103, Acts
9th Session,
amended.

SEC. 2. The Secretary of State shall deliver to each member of the present General Assembly five copies of said Report.

Sec'y State to
distribute.

SEC. 3. The Secretary of State shall deliver to the Adjutant General three hundred copies in addition to those already furnished, for distribution among the commissioned officers of Iowa Regiments in the United States service and to United States officers.

Same.

SEC. 4. The Secretary of State shall deliver to Wm. M. Stone ten copies, and to the Adjutant General of the State fifty copies of said Report.

Same.

SEC. 5. The balance of the copies of said Report shall be retained by the Secretary of State to be disposed of as future General Assemblies may determine.

Copies to be
retained

SEC. 6. All parts of said Chapter 103 inconsistent with the provisions of this Act are hereby repealed.

SEC. 7. This Act being deemed of immediate im-

portance by the General Assembly, shall be in force on its publication in the Daily State Register and in the Iowa Homestead.

Approved February 11th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register on the 13th day of February, A. D. 1864, and in the Iowa Homestead on the 24th day of February, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 14.

ISSUING AND SERVING LEGAL PROCESS ON SUNDAY.

AN ACT to provide for issuing and serving certain legal processes on Sunday.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That in all cases where writs of attachment or replevin may now lawfully issue, the same may be issued and served on Sunday; *Provided,* That the petition asking for the writ shall state, in addition to the facts now by law required to be stated, that the affiant believes he will lose his claim or property unless process issue on that day.

Issue and service.

Statement of petition.

Approved February 12th, 1864.

CHAPTER 15.

APPROPRIATION FOR MILEAGE.

AN ACT making appropriation for the payment of mileage of the members of the Tenth General Assembly.

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, and the same are hereby appropriated for the purpose hereinafter designated:

Mileage of Senate.

SEC. 2. For the payment of the mileage of the members of the Senate, including the Lieutenant Gov-

ernor, the sum of two thousand three hundred and forty-four dollars and fifty cents.

SEC. 3. For the payment of the mileage of the members of the House of Representatives, the sum of four thousand eight hundred and fifty-six dollars and fifty-five cents. Mileage of House Repr.

SEC. 4. The money thus appropriated by this Act shall be paid by the Treasurer of the State, upon warrants drawn by the Auditor of State, who shall issue his warrants to the members of the Senate and House, including the Lieutenant Governor, for the amount due to each, as shown by the report of the committee on mileage of the branch of the General Assembly of which such person is a member; and it is hereby made the duty of the President and Secretary of the Senate, and the Speaker and Clerk of the House to furnish, immediately, to the Auditor of State, copies of the report of the committee on mileage, of their respective Houses, which copies shall be certified to be correct by the officers herein required to furnish them. Warrants.

SEC. 5. This Act being deemed of immediate importance, shall take effect from and after its publication in the Daily State Register and Iowa Homestead, newspapers printed in Des Moines, Iowa.

Approved February 13th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register on the 14th day of February, A. D. 1864, and in the Iowa Homestead on the 24th day of February, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 16.

ALLOTMENT COMMISSIONERS.

AN ACT to repeal Chapter Thirty-Nine of the Laws of the Extra Session of the Ninth General Assembly.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Chapter Thirty-Nine of the Extra Session of the Ninth General Assembly, entitled "An Act to provide compensation for Allotment Commissioners for Iowa," is hereby repealed. Repealed.

Approved February 13, 1864.

CHAPTER 17.

ADJUTANT GENERAL'S SALARY.

AN ACT to fix and provide for the salary of the Adjutant General.

Salary in-
creased.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That from and after February 1st, 1864, the salary of the Adjutant General of this State, shall be at the rate of two thousand dollars per annum, said salary to be paid in the same way and manner as that of the Governor.

SEC. 2. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

SEC. 3. This Act being deemed of immediate importance, shall be in full force after its publication in the Daily State Register and Iowa Homestead, papers published in Des Moines, Iowa.

Approved February 16th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register on the 17th day of February, A. D. 1864, and in the Iowa Homestead on the 24th day of February, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 18.

OFFENSE AGAINST PUBLIC HEALTH.

AN ACT to amend Chapter 173 of the Revision of 1860, concerning offences against Public Health.

Offence.

Penalty.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, If any person throw or cause to be thrown, any dead animal into any river, well, spring, cistern, reservoir, stream or pond, he shall be punished by imprisonment in the County jail not less than ten, nor more than thirty days, or by fine not less than five nor more than one hundred dollars.

Approved February 15th, 1864.

CHAPTER 19.

RELIEF OF VOLUNTEERS.

AN ACT supplemental to an Act entitled an Act to repeal Chapter 7 of the laws of the State of Iowa, passed at the Extra Session of the Eighth General Assembly, entitled an Act for the relief of the volunteer soldiers of this State, approved April 7th, 1862.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the benefit and provisions of the Act to which this is supplemental shall be extended as well to plaintiffs as defendants who are in the military service of the State or United States, and shall also apply to persons in the naval service of the United States from the State of Iowa. To whom extended.

SEC. 2. When any cause shall be continued under the provisions of this Act, and the Act to which this is supplemental, the cost of continuance shall abide the result of the suit. Cost shall abide result.

SEC. 3. The Act hereby amended shall be so construed by all courts as to require the continuance to be granted whenever it shall appear satisfactory in any manner to the court, that the defendant is in said military or naval service, notwithstanding no appearance is entered on behalf of such defendant. Construction.

SEC. 4. 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 Homestead.

Approved February 18th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register on the 24th day of February, A. D. 1864, and in the Iowa Homestead on the 2d day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 20.

RAILROAD CORPORATIONS.

AN ACT supplemental to an Act entitled "An Act for the benefit of Railroad Companies," approved March 20th, 1858. Revision of 1860, Sec. 1339.

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

Issue bonds. *of the State of Iowa*, That any Railroad corporation in this State, heretofore organized, or that may be hereafter organized, under the laws of this State, may whenever a majority of the Board of Directors shall so determine, issue their construction and equipment bonds in sums not less than fifty dollars.

Repealed. SEC. 2. So much of Section 1339 of the Revision of 1860 as is inconsistent herewith is hereby repealed.

SEC. 3. This Act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Iowa Homestead, newspapers published in Des Moines, Iowa.

Approved February 18th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register on the 24th day of February, A. D. 1864, and in the Iowa Homestead on the 2d day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 21.

COMMISSIONERS TO SETTLE WITH EADS' SURETIES.

AN ACT to provide for the appointment of Commissioners to settle with the sureties of James D. Eads, late Superintendent of Public Instruction, and conferring certain other powers upon said Commissioners.

**Commis'rs—
Governor to
appoint.** SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Governor of this State be, and he is, hereby authorized to appoint three Commissioners, (one of whom shall be the District Attorney of the first Judicial District,) which Commissioners shall have power and authority to settle with any or all of the sureties of James D. Eads, late Superintendent of Public Instruction, upon his official bonds, and against whom judgments are rendered in the District Court of Lee County.

**May compro-
mise.** Said Commissioners shall have power to compromise with any of said sureties, and to execute full releases from liability upon said judgments, upon such terms and conditions as in their judgment shall be best for the interests of the State; but the release of a part of the defendants from said judgments shall in no wise affect the liability of the defendants to said judgments not receiving such release or acquittance.

**Execute re-
leases.**

SEC. 2. Said Commissioners shall also have full authority to act in behalf of the State in the collection and settlement of the notes and mortgages now held by the District Attorney of the First Judicial District, as the receiver appointed by the Court in the case of the State of Iowa against said Eads and his sureties, in such manner and upon such terms as to them may seem equitable and just. Collect & settle notes and mortgages.

SEC. 3. Said Commissioners shall also have power to cause executions to issue upon said judgments and levies and sales of property to be made thereon, and also to examine or cause to be examined any records, and to search for property upon which to make a levy; and, also, if they deem best, to institute a suit or suits at law, or in equity against said sureties, or any of them for the purpose of subjecting any property of said sureties, or either of them, to the payment of said judgments. They may also institute proceedings supplemental to execution as provided by law if they deem best. They may also discharge real estate from prior encumbrances with the money coming into their hands for the purpose of subjecting the same to the satisfaction of said judgments. How judgments may be satisfied.

SEC. 4. The said Commissioners shall, before entering upon their duties under this Act, each take and subscribe an oath that they will faithfully and impartially discharge the duties required of them by this Act, according to the best of their ability, and for the best interests of the State; and shall, also, give bonds and security, to be approved by the Governor, conditioned that they will faithfully discharge their duties under this Act, and pay over all moneys collected by them to the proper authorities. Oath.

SEC. 5. Said Commissioners shall each receive in full compensation for their services under this Act the sum of three dollars per day for each day actually employed in the discharge of their duties, and also ten cents per mile for each mile necessarily traveled in the discharge of said duties, to be paid out of the moneys collected. Comp'nsat'n.

SEC. 6. This Act being deemed of immediate importance, shall take effect from and after its publication in the Daily State Register and Iowa Homestead, newspapers published in Des Moines, Iowa.

Approved February 18th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register on the 20th day of February, A. D. 1864, and in the Iowa Homestead on the 2d day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 22.

SUPREME COURT REPORTER.

AN ACT to provide for reporting, publishing and distributing the Decisions of the Supreme Court of this State.

- Qualificat'ns. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Supreme Court shall appoint a person who is not a Judge thereof, of known integrity and learning in the law, reporter of the decisions thereof; and such reporter shall hold his office for the term of four years from and after his appointment, and until his successor is duly appointed and qualified, unless sooner removed by order of the Court for incompetency or misconduct in office.
- Term.
- Bond. SECTION 2. The reporter shall give bond to the State, with at least two sufficient sureties, to be approved by the Governor, in the sum of Ten Thousand Dollars conditioned for the faithful performance of his official duties, and he shall further take and subscribe an oath or affirmation that he will perform his official duties with correctness, impartiality and fidelity, which bond and official oath shall be filed in the office of the Secretary of State.
- Receive opinions and papers. SECTION 3. It shall be lawful for the Reporter to receive at the close of each term the records in all cases decided thereat, with the opinions filed therein, and retain the same for such reasonable time as he may require to prepare a report thereof, when they shall be returned and remain in the office of the Clerk.
- Report with and without syllabus. SECTION 4. The reporter shall, as soon as practicable, after a case is decided by written opinion, prepare an exact syllabus of the opinion, a brief abstract of the facts involved in the decision, and shall state legal propositions made by counsel in the argument; but the argument shall not be reported at length. Cases, the importance of which do not demand a formal report, may be set apart by the Court to be reported briefly without syllabus or argument in an appendix to the volume.
- Attend terms of Court. SECTION 5. It shall be the duty of the reporter to attend the regular terms, and the argument term of the Supreme Court at Davenport, to report briefly such cases of practice and other matters disposed of at the hearing, as the Court shall deem of sufficient importance to be reported, for which he shall receive the same
- Report.

per diem allowed by law to the Clerk for attending said term at Davenport. Per diem.

SEC. 6. As often as the report shall be sufficient to constitute a volume of six hundred pages, exclusive of index and table of cases, it shall be the duty of the reporter to arrange the same with a table of cases, and index, and publish the same in a manner and style as neat and substantial as that of the thirteenth volume of Iowa Reports; but the Supreme Court shall have power when they deem it compatible with the public interest to order the publication of a volume of five hundred and fifty pages, exclusive of index and table of cases, and to increase the size of the volume when the reports cannot be embraced in two volumes per year, more than which shall not in any case be published. Volume.

SEC. 7. It shall be the further duty of the reporter within forty days after the close of each term of the Supreme Court to publish in some newspaper printed at the Capital of the State, the syllabi of the opinions filed at such terms; *provided*, always, that such publication can be made without expense to the State. Publish syllabi in newspapers.

SEC. 8. For the purpose of securing the prompt publication of the reports, it is hereby made the duty of the Secretary of State to subscribe for, and receive for the use of the State, five hundred copies of each volume as soon as published, upon presentation by the reporter of a certificate signed by a majority of the Judges of the Supreme Court, showing that the volume is prepared and published in compliance with the provisions of this Act. Purchase by State.

When the copies thus subscribed for, or any portion thereof, are delivered to the Secretary of State, he shall execute his receipt therefor, and upon presentation of the same to the Auditor of State, he shall draw his warrant upon the Treasurer, payable to the reporter, or such persons as he may order, in payment for the same at the rate of five dollars per volume. It shall not be lawful for the reporter to sell or dispose of any volume of reports before the same has been approved by a majority of the Judges of the Supreme Court in the manner prescribed by law. Receipt for. Pay. Approval of volume.

SEC. 9. The reporter shall be entitled to receive and hold in his own right the copy-right of his reports; but the Supreme Court shall have power to order the publication of a new edition of any one volume, when in their opinion the public interest shall require the same, and to require a compliance with said order within six months from the date of its being entered of record, Copyright. Power of Court.

- Forfeit.** and if the reporter neglects or refuses to publish in accordance with said order, the Court shall have power to declare the copy-right forfeited to the State.
- Dispositi'n of Reports.** SEC. 10. The copies of reports received by the State shall be disposed of by the Secretary of State as follows: Two copies each to the library of Congress and the library of the Supreme Court of the United States; one copy to the Governor of each State and Territory in the United States; one copy to the Governor, Lieutenant Governor, Secretary of State, Register of State Land Office, Auditor and Treasurer of State, and the Superintendent of Public Instruction; one copy to each Judge and officer of the Supreme Court; one copy to the library of the State University; one copy to the library of the State Historical Society, and thirty additional copies to said Society for exchange with similar Societies in other States, but to be appropriated to no other purpose; one copy to each of the District and County Judges in the State; fifty copies to the State Library, to be and remain therein as a part thereof, and the remainder shall be disposed of as shall from time to time be directed by law.
- Officers deliver to successors.** SEC. 11. It is hereby made the express duty of every Executive and Judicial officer who shall receive any copies of reports from the State under the provisions of the preceding section, or who now has in his possession copies of reports received from the State, by virtue of his office, to deliver the same to his successor upon vacating the office of which he is or was an incumbent at the time of receiving the same; and a failure to comply with the requirements of this section shall subject the delinquent to a penalty of ten dollars for each volume received and not thus accounted for, which may be recovered in an action for the use of and in the name of the State.
- Penalty.**
- Stationery.** SEC. 12. The Secretary of State shall deliver to the reporter such stationery as may be needed in reporting and preparing the manuscript for publication.
- Rate per volume.** SEC. 13. Such reports shall not be sold by the reporter or any other person at a rate higher than five dollars a volume; and if any person shall sell any volume of said reports in violation of the provisions of this Act, he shall, on conviction thereof, pay a fine of two hundred dollars.
- Repealed.** SEC. 14. Chapter 10 of the Revision of 1860 and all acts and parts of acts inconsistent with this Act are hereby repealed.
- SEC. 15. This act being deemed of immediate im-

portance, shall take effect from and after its publication in the Iowa State Register and Iowa Homestead, anything in the Revision of 1860 to the contrary notwithstanding.

Approved February 18th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register on the 25th day of February, A. D. 1864, and the Iowa Homestead dated March 2d, 1864, was published and filed in my office on the 27th day of February, 1864, and the Iowa State Register was published and filed in my office on the first day of March, 1864, both of which papers contained a copy of said Act.

JAMES WRIGHT, Secretary of State.

CHAPTER 23.

JUDGES OF SUPREME COURT.

AN ACT to increase the number of Judges of the Supreme Court, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That hereafter the Supreme Court shall consist of four Judges, three of whom shall constitute a quorum to hold Court.

SEC. 2. That the vacancy in the office of Judge of the Supreme Court, created by this Act, shall be filled by appointment by the Governor until the first day of January, 1865, and until his successor is duly elected and qualified.

SEC. 3. The regular term of the additional Judge of the Supreme Court, provided for by this Act, shall commence on the first day of January, 1865, and he shall be chosen at the general election in 1864, and every six years thereafter.

SEC. 4. That Section of 2627 of the Revision of 1860 be, and the same is hereby repealed, and there is hereby enacted instead thereof, as follows, to-wit: Section 2627, "The presence of three Judges is necessary for the transaction of business, but one alone may adjourn from day to day, or to any particular day, or until the next term."

SEC. 5. That Section 2628 of the Revision of 1860 be, and the same is hereby repealed, and there is hereby enacted instead thereof as follows, to-wit: Section 2628, "When the Court is equally divided in opinion,

the judgment of the District Court shall stand affirmed, but the decision is of no further force or authority."

SEC. 6. This Act being deemed of immediate importance by the General Assembly, shall be in force from and after its publication in the Daily State Register and Iowa Homestead, anything contained in Section 24 of the Revision of 1860, to the contrary, notwithstanding.

Approved February 23d, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register on the 24th day of February, A. D. 1864, and a copy of the Iowa Homestead dated the 2d day of March, A. D. 1864, was filed in the Office of Secretary of State on the 27th day of February, 1864, in which the foregoing Act was published, as provided for by law.

JAMES WRIGHT, Secretary of State.

CHAPTER 24.

AUDUBON COUNTY.

AN ACT changing the time of holding the Regular Session of the District Court of the county of Audubon, for the year A. D. 1864.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the time of holding the regular session of the District Court of Audubon County, Fifth Judicial District, for the year A. D. 1864, shall commence on the Thursday next succeeding the third Monday in April, *provided* that nothing herein contained shall be so construed as to prevent the holding of the regular sessions of said Court, in said county, thereafter, as provided for in Chapter 2 of the Acts of the regular session of the Ninth General Assembly.

Term of Court
changed.

SEC. 2 This Act being deemed of immediate importance, shall take effect from and after its publication in the State Register and Iowa Homestead, papers published in Des Moines.

Approved February 25th, 1864.

I hereby certify that the foregoing Act was published in the State Register on the 27th day of February, A. D. 1864, and in the Iowa Homestead on the 2d day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 25.

IN RELATION TO INCORPORATION OF CITIES AND TOWNS.

AN ACT to amend Chapter fifty-one of Revision of 1860, in relation to the incorporation of cities and towns.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section ten hundred and ninety-one (1091) of the Revision of 1860 be, and the same is hereby amended, by striking out of the second and third lines thereof, the following words, viz: "on the first Monday of April," which words are hereby repealed. Election of Mayor.

SEC. 2. That Section eleven hundred and two (1102) of said Revision be, and the same is hereby amended by striking out of the seventh line thereof, the word "exclusive," which is hereby repealed. Jurisdiction of Mayor.

SEC. 3. That Section eleven hundred and twenty-three (1123) of said Revision be and the same is hereby repealed, and there be enacted in lieu thereof the following: The Council or Board of Trustees, as the case may be, of each municipal corporation, is required to cause to be certified to the Clerk of the Board of Supervisors on or before the first Monday of September of each year, the per centage or number of mills on the dollar of tax levied for all city or town purposes by them, on the taxable property within said corporation, for the year then ensuing, as shown by the assessment roll of said city, for said year, and the said Clerk is required to place the same on the tax books of the County, in the same manner as county taxes are placed thereon, which tax for municipal purposes shall be collected and paid over to the proper officer, by the County Treasurer with the same restrictions, powers and liabilities, and under the same regulations as to power, mode and manner of proceeding in every respect as in relation to county taxes, and in all things relating to the sale of real or personal property, he is authorized and required to proceed according to the provisions of the statutes regulating the sale of property for delinquent State and County taxes, and in all sales for such, or any delinquent taxes for municipal purposes, if there be other delinquent taxes due from the same person, or a lien on the same property, the sale shall be for all the delinquent taxes, and such sales, and all sales made under or by virtue of this Act, or the Act to which this Act is amendatory, Levy of tax certified to Clerk.
Clerk to place on tax book.
Co'ty Treasurer collect.
Validity of sale.

shall be of the same validity, and in all respects be deemed and treated as though such sales had been made for delinquent State or County taxes exclusively, and in any city or town incorporated under or by special Charters, which now is or may hereafter be regulated by or subject to the general incorporation laws of Iowa, all delinquent taxes, (except such as were levied to pay indebtedness created to take stock or aid in the building of Railroads) remaining unpaid upon the tax-books of such city or town, shall be certified at the time, collected and paid over as above described. And it shall be the duty of the County Treasurer to include said delinquent taxes so certified with the delinquent State and County taxes then on his books, and to collect the same by sale of real or personal property in the same manner as by statute required for delinquent State and County taxes, and all sales of property for such delinquent municipal taxes shall be as valid, and in all respects be deemed and treated as though such sales had been made for delinquent State and County taxes.

Other taxes included.

Qualification of voter.

SEC. 4. That Section eleven hundred and thirty (1130) of the Revision of 1860 be, and the same is hereby amended by adding thereto the following: *Provided*, That such voter shall have resided for the last sixty days in the county, and the last ten days in the Ward in which he shall offer to vote.

Repealed.

SEC. 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

SEC. 6. This Act being deemed by the General Assembly of immediate importance, shall take effect and be in full force immediately from and after its publication in the Iowa State Register and Iowa Homestead, newspapers published at Des Moines, Iowa.

Approved February 26th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register and Iowa Homestead on the 2d day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 26.

CITY OR TOWN ASSESSORS.

AN ACT to amend Section Two, Chapter One Hundred and Seventy-Three of the Ninth General Assembly, in relation to Assessors.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section two of chapter one hundred and seventy-three of the laws passed at the Regular Session of the Ninth General Assembly, be amended as follows, to-wit :

First—Strike out from the fifth and sixth lines of said Election. section the words, “General Election for State and County Officer,” and insert in place thereof the words, “Municipal Election for City, Village or Town Officers.”

Second—Add to said section, at the end thereof, the Vacancies. following: “*Provided*, That should a vacancy occur in the office of City or Town Assessor, or any city or town become incorporated after the time provided by law for electing the same, the city or town council or trustees, as the case may be, shall appoint a city or town assessor, who shall qualify in all respects like assessors elected, and shall hold his office until his successor is elected and qualified; *Provided*, also, that nothing in this act or in the act of which this is amendatory, shall be construed to forbid the election of a city assessor for city purposes only, by the city council of any city incorporated by special acts of the General Assembly of this State in accordance with the law now governing said cities. Council may elect.”

SEC. 2. This Act being deemed of immediate importance, shall be in force from its publication in the Iowa State Register and Iowa Homestead, without expense to the State, otherwise the same shall take effect on the fourth day of July next.

Approved February 26th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register and Iowa Homestead on the 2d day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 27.

FIFTH JUDICIAL DISTRICT.

AN ACT changing the times of holding Court in the 5th Judicial District.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That so much of Chapter 28 of the Acts of the Extra Session of the Ninth General Assembly of the State of Iowa, approved September 9th, 1862, as fixes the times for holding Courts in the county of Polk, be and the same is hereby repealed, and there is enacted in lieu thereof, the following Section: In the county of Polk the several terms of the District Court shall be held on the second Monday in January and July of each year.

Return. SEC. 2. All writs, processes and proceedings pending in said Court, and returnable at the terms now fixed by law, shall be deemed pending and returnable at the terms as fixed by this Act. And no writ, recognizance, indictment or other proceeding shall be quashed or held invalid by reason of the change of the time of holding Court in said county.

Suits not affected.

SEC. 3. This Act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Iowa Homestead.

Approved February 27th, 1864.

I hereby certify that the foregoing act was published in the Iowa State Register on the 9th day of March, A. D. 1864, and in the Iowa Homestead on the 9th day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 28.

COMMISSIONERS OF ELECTION FOR SOLDIERS.

AN ACT to amend Chapter 29 of the Laws of the Extra Session of the Ninth General Assembly.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section 30, of Chapter 29, of the Acts of the Extra Session of the Ninth General

Governor appoint the commissioners.

Assembly of this State, entitled "An Act to amend title 4 of the Revision of 1860," so as to enable the qualified voters of this State in the military service to vote at certain elections is hereby amended by striking out the first fifteen lines of said Section, and inserting, in lieu thereof, the following: That for the purpose of carrying out the provision of this Act, it is hereby made the duty of the Governor annually to appoint and commission, under the seal of the State of Iowa, so many commissioners having the qualifications of electors in this State, as may be necessary for that purpose, and shall apportion the work among such commissioners; *Provided*, That the number of commissioners shall not exceed the whole number of Iowa Regiments. If any of them refuse or neglect to act, or die, or otherwise become unable to act, the Governor has the power and it is made his duty to supply the places of such.

SEC. 2. That the rights and privileges extended by Section eight and nine of said Chapter 29 to any Regiment, Battalion, Battery or Company of Iowa soldiers, be and the same are hereby extended to any part of a Company or to soldiers in any Hospital. Privileges extended,

Approved February 27th, 1864.

CHAPTER 29.

SENATORIAL AND REPRESENTATIVE DISTRICTS.

AN ACT providing for canvassing the votes for Senators and Representatives in the General Assembly elected by districts composed of more than one county.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That when a Senator or Representative in the General Assembly is elected by a district composed of more than one county, the Board of County Canvassers shall, at the time of canvassing the home vote of the county, make and certify under their hands respectively an abstract of the votes cast in their county for such office similar to the abstract required by Section 506 of the Revision of 1860, and shall seal up, direct and transmit such abstract to the Secretary of State as provided in Sections 517 and 518 of the Revision of 1860. Duty of county canvass'rs.
Send abstract to Secretary of State.

Send abstract to Co. Judge. SEC. 2. Said Board of County Canvassers shall, also, in like manner, transmit a similar abstract to the County Judge of each county in the district, who shall file and preserve the same in his office.

State canvass SEC. 3. The Board of State Canvassers shall open the abstracts transmitted to the Secretary of State as provided by section one of this act, and canvass the votes therein returned, together with and at the time of canvassing the votes of the soldiers of such districts or at such other time as they may fix, and in all cases at least twenty days prior to the time fixed by law for the meeting of the next General Assembly, and in case of a special election within five days after the receipt of such abstracts, and shall immediately make out, certify and transmit by mail to the County Judge of each county in such district to be by him filed and preserved in his office, an abstract of such canvass of such district similar to the abstract required by Section 506 of the Revision of 1860.

Board make certificate of election. SEC. 4. Said Board of State Canvassers shall, also, make and sign a certificate showing who is elected to the office of Senator or Representative in such district, naming it by its number, and similar to the certificate required by Section 525 of the Revision of 1860, and shall deliver such certificate to the Secretary of State, who shall deliver it to the person appearing by it to be elected to such office, on his demanding it.

Secretary deliver certificate.

Repealed.

SEC. 5. Sections 336, 337, 338, 530, 531, 532, 533 and 534 of the Revision of 1860, and all Acts and parts of Acts in conflict with this Act are hereby repealed.

Approved February 29th, 1864.

CHAPTER 30.

PUBLIC LIBRARIES.

AN ACT for the encouragement of Public Libraries.

Pub. Doc's furnished to Pub. Librar's. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That hereafter whenever any public documents are in the possession of any officer of this State for distribution, one copy of each of such public documents shall be delivered to each public li-

brary in this State, which shall comply with the provisions of section three of this Act.

SEC. 2. The Secretary of State shall deliver to each public library in this State which shall within six months from the taking effect of this Act, comply with the provisions of said section three of this Act, one copy of each public document in the possession of the State and not required by law to remain in the State Library, or otherwise disposed of by law, and one such copy to each of the following Institutions, viz: The State University, the Hospital for the Insane, the Deaf and Dumb Asylum, the Blind Asylum, the State Penitentiary and State Agricultural College; also one copy to each of the libraries of the public colleges and incorporated literary institutions of this State.

SEC. 3. No public library shall be entitled to receive any benefit under this Act until it shall have been regularly incorporated under the laws of Iowa, and shall have filed a copy of its articles of incorporation in the office of the Secretary of State, and shall have also filed with said Secretary of State a statement under oath of its President and Secretary stating that it has a public library in actual operation within this State containing more than two hundred volumes.

Approved February 29th, 1864.

CHAPTER 31.

MILL RACES.

AN ACT to extend the provisions of Article four, of Chapter fifty-four of the Revision of 1860, so as to apply to the construction of Mill Races.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Article four of Chapter fifty-four of the Revision of 1860, be extended so as to include and apply to the construction of mill-races as well as to the construction of mill-dams, and that all the proceedings, rights and liabilities therein prescribed to mill-dams, shall also apply to mill-races so as to authorize the building of the same, under provisions of said Article four.

Approved February 29th, 1864.

CHAPTER 32.

APPROPRIATION—GENERAL.

AN ACT making Appropriations for the payment of State and Judicial Officers, Interest on State Bonds and Loans, 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 for the purposes hereinafter designated: *Provided,* that no appropriation herein made shall exceed the amount which may be provided by law as the salary for any officer named in this Act.

Governor. SEC. 2. For the salary of the Governor, for the term of two years, ending December 31st, A. D. 1865, the sum of Four Thousand Dollars; and for the payment of a Private Secretary of the Governor, for the term of two years, ending as aforesaid, the sum of Fifteen Hundred Dollars.

Secretary of State. SEC. 3. For the salary of the Secretary of State, for the term of two years, ending December 31st, A. D. 1865, the sum of Twenty-Three Hundred and Ninety-One Dollars, in addition to the amount already appropriated; and for the payment of a Deputy in the Office of the Secretary of State, for the term of two years, as aforesaid, the sum of Fifteen Hundred Dollars; and for the payment of a deficit, and for extra labor, the sum of Three Hundred Dollars, or so much thereof as may be needed.

Auditor of State. SEC. 4. For the salary of the Auditor of State, for the term of two years, ending December 31st, A. D. 1865, the sum of Twenty-Three Hundred and Eighty-Dollars, in addition to the amount already appropriated; and for the payment of a Deputy and Clerk in the office of the Auditor of State, for the term of two years, as aforesaid, the sum of Twenty-Nine Hundred Dollars, in addition to the amount already appropriated.

Treasurer of State. SEC. 5. For the salary of the Treasurer of State for the term of two years, ending December 31st, A. D. 1865, the sum of Twenty-Three Hundred and Eighty-Six Dollars, in addition to the amount already appropriated; and for the payment of a Deputy in the office of the Treasurer of State, for the term of two years as aforesaid, the sum of Fifteen Hundred Dollars.

SEC. 6. For the salary of the Register of the State

Land Office, for the term of two years, ending December 31st, A. D. 1865, the sum of Twenty-Three Hundred and Eighty-Six Dollars, in addition to the amount already appropriated; and for the payment of a Clerk in the Office of the Register of State Land Office, for the term of two years, ending as aforesaid, the sum of Twelve Hundred and Thirty Dollars, in addition to the amount already appropriated.

SEC. 7. For the salaries of the Judges of the Supreme Court, for the term of two years, ending December 31st, A. D. 1865, the sum of Fifteen Thousand Dollars; and for the expenses of the Supreme Court, for the term of two years, ending as aforesaid, the sum of Three Thousand Dollars, or so much thereof as may be necessary, and all the bills for such expenses shall contain the items thereof, and shall be certified to as correct by one of the Judges of said Court before being audited.

SEC. 8. For the salary of the Attorney General, for the term of two years, ending December 31st, A. D. 1865, the sum of Two Thousand Dollars; and for fees and mileage for the sum of two years, ending as aforesaid, as allowed by Section seven of the Acts of the Seventh General Assembly, the sum of Eight Hundred Dollars, or so much thereof as may be necessary.

SEC. 9. For the salaries of the District Judges, for the term of two years, ending December 31st, A. D. 1865, the sum of Twenty-Five Thousand and Three Hundred Dollars, in addition to the amount already appropriated.

SEC. 10. For the salaries of the District Attorneys, for the term of two years, ending December 31st, A. D. 1865, the sum of Ten Thousand Five Hundred and Fifty-Six Dollars, in addition to the amount already appropriated.

SEC. 11. For the salary of the Adjutant General, for the term of two years, ending December 31st, A. D. 1865, the sum of Three Thousand Four Hundred and Forty-One Dollars, in addition to the amount already appropriated, or so much thereof as may be necessary; and for the payment of Clerks in the office of the Adjutant General, for the term of two years ending as aforesaid, the sum of Two Thousand Dollars, in addition to the amount already appropriated.

SEC. 12. For the salary of the Assistant Adjutant General, for the term of two years, ending December 31st, A. D., 1865, the sum of Eighteen Hundred and

Thirty-Nine Dollars, in addition to the sum already appropriated.

Warden Pen-
itentiary. SEC. 13. For the salary of the Warden of the Penitentiary, for the term of two years, ending December 31st, A. D. 1865, the sum of Two Thousand Dollars.

Dep. Warden. SEC. 14. For the salary of the Deputy Warden of the Penitentiary, for the term of two years, ending December 31st, 1865, the sum of Fifteen Hundred Dollars.

Clerk of Pen-
itentiary. SEC. 15. For the salary of the Clerk of the Penitentiary, for the term of two years, ending December 31st, A. D. 1865, the sum of Fifteen Hundred Dollars.

Chaplain of
Penitentiary. SEC. 16. For the salary of Chaplain of the Penitentiary, for the term of two years, ending December 31st, A. D. 1865, the sum of Six Hundred and Seventy-Five Dollars, in addition to the amount already appropriated, or so much thereof as may be necessary.

Physician of
Penitentiary. SEC. 17. For the salary of the Physician of the Penitentiary, for the term of two years, ending December 31st, A. D. 1865; the sum of Seven Hundred and Thirty Dollars.

Guards. SEC. 18. For the payment of the Guards in the Penitentiary, for the term of two years, ending December 31st, A. D. 1865, the sum of Ten Thousand Two Hundred and Twenty-Four Dollars and Thirty-Seven Cents, in addition to the amount already appropriated.

General sup-
port of Pen-
itentiary. SEC. 19. For the general support of the Penitentiary, for the term of two years, ending December 31st, A. D. 1865, the sum of Ten Thousand Dollars, in addition to the amount already appropriated.

Janitor and
Night Watch. SEC. 20. For the payment of a Janitor and Night-Watch for the Capitol Building, for the term of two years, ending December 31st, A. D. 1865, the sum of Eighteen Hundred and Twenty-Five Dollars, to be expended under the direction of the Census Board.

General con-
tingent fund. SEC. 21. For the payment of postage of State Officers, arrest of fugitives from justice, necessary repairs and improvements upon the State House and grounds, furniture for State House and offices, fuel and lights for State House, and such other necessary expenses as are not specifically provided for, for the term of two years, ending December 31st, A. D., 1865, the sum of Ten thousand Dollars, or so much thereof as may be necessary; *provided*, that all bills properly chargeable to said appropriation, shall be made out by items, and certified to be correct by the officers incurring the expense, and approved by the Census Board before audited.

SEC. 22. All officers having an appropriation for the payment of deputy or clerk hire, or other expenses, shall keep an accurate account of all the items of such expenditure, and report the same to the next General Assembly, and all such items before being audited shall be certified to be correct by the office having control of such appropriation. Officers to report.

SEC. 23. All salaries of State, Judicial or other officers, payable out of the State Treasury, shall be paid monthly, at the end of each month, if called for, and the State Auditor shall, in no case, issue warrants on the State Treasury for the payment of any State or other officer in advance of service actually rendered. Monthly payments.

SEC. 24. For the payment of four semi-annual installments of interest, express charges and exchange to become due on the bonds issued by the State on the \$200,000 loan, authorized to be made by the Seventh General Assembly, the sum of Twenty-Eight Thousand One Hundred and Five Dollars, in addition to the amount already appropriated, or so much thereof as may be necessary, to be drawn from the Treasury only when necessary to pay said interest as it may become due. Interest on bonds.

SEC. 25. For the payment of two annual installments of interest on School Fund Loans, to become due, the sum of Twenty-Four thousand Four Hundred and Fifty-Nine Dollars and Fifteen Cents, to be drawn from the State Treasury only when necessary to pay said interest as it may become due. School fund.

SEC. 26. For the payment of four semi-annual installments of interest, express charges and exchange to become due on the War and Defense Bonds of the State, the sum of Forty-One thousand Five Hundred and Fifty-Five Dollars and Eighty-Eight Cents, in addition to the amount already appropriated, or so much thereof as shall be necessary, to be drawn from the State Treasury only when necessary to pay said interest as it may become due. War and Defense Bonds.

SEC. 27. For the payment of extraordinary expenses of the Executive Department, and for the relief of sick and wounded soldiers in the service of the United States from this State, for the term of two years ending December 31st, A. D. 1865, the sum of Ten Thousand Dollars, which together with Five Thousand Dollars drawn by the present Executive from the unexpended appropriation made by "Chapter fourteen" of the Acts of the Extra Session of the Ninth General Assembly, shall be under the absolute control of the Governor for the purposes aforesaid; and the further sum of Ten Extraordinary expenses.

Governor to control.

Thousand Dollars, which, together with the Fifteen
 Thousand Dollars undrawn of the appropriation made
 by said Chapter fourteen, shall be under the control of
 the Census Board, to be disposed of as follows, viz:
Whenever the Fifteen Thousand dollars herein placed
 under the control of the Governor shall have been ex-
 pended, the Census Board shall make such allowance
 out of the moneys in their control as they deem circum-
 stances require, and the Governor shall report to the
 next regular session of the General Assembly a full
 statement of the disbursements of this appropriation,
 with proper vouchers therefor.

Census Bo'rd
control.

Report.

SEC. 28. This Act being deemed of immediate im-
 portance, shall take effect from and after its publication
 in the Iowa State Register and Iowa Homestead, news-
 papers printed at Des Moines, Iowa.

Approved February 29th, 1864.

I hereby certify that the foregoing Act was published in the Iowa
 State Register and the Iowa Homestead on the 9th day of March,
 A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 33.

SUPREME COURT REPORTER.

AN ACT, supplementary to an Act passed at the present session,
 entitled "an Act to provide for reporting, publishing and distrib-
 uting the Decisions of the Supreme Court of this State."

SECTION 1. *Be it enacted by the General Assembly
 of the State of Iowa,* That section five of the Act
 passed at the present session of this General Assembly,
 entitled "an Act to provide for reporting, publishing
 and distributing the Decisions of the Supreme Court
 of this State," shall be construed as providing compen-
 sation to the Reporter therein mentioned, for the time
 he shall be in attendance during the terms of the Su-
 preme Court at Davenport only, and not at the regular
 terms, anything in said section notwithstanding.

Explanatory

Approved February 29th, 1864.

CHAPTER 34.

CONTESTED ELECTIONS.

AN ACT to amend Chapter 37 of the Revision of 1860, in relation to contested Elections.

SECTION 1. *Be it enacted by the General Assembly* ^{Possession of} *of the State of Iowa,* That in all cases coming before ^{office.} any court for the contesting of county elections under the provisions of Chapter 37 of the Revision of 1860, wherein either the contestant or incumbent shall be in possession of the office, by holding over or otherwise, ^{Co. Judge's} the County Judge shall, if the judgment be against the ^{order.} party so in possession of the office, and in favor of his antagonist, issue an order to carry into effect the judgment of the Court, which order shall be under the seal of the County Court, and shall command the Sheriff of the county to put the successful party into possession of the office without delay, and to deliver to him all books and papers belonging to the same, and the Sheriff shall execute such order as in cases of other writs.

SEC. 2. The party against whom judgment is rendered may appeal to the District Court, but if he be in possession of the office, such appeal shall not supersede the execution of the judgment of the Court, as provided in the preceding section, unless he give a bond with ^{Bond.} security, to be approved by the County Judge, in a sum to be fixed by the Judge, and which shall be at least double the probable compensation of such officer for six months, which bond shall be conditioned that he will prosecute his appeal without delay, and that if the judgment appealed from be affirmed, he will pay over to the successful party all fees, salary, compensation and perquisites, received by him while in possession of said office, and after the judgment appealed from was rendered.

SEC. 3. If upon appeal the judgment of the contesting Court be affirmed, the District Court may render ^{Judgment on} judgment upon the Bond, for the amount of damages ^{bond.} against the contestant and his sureties on the Bond.

SEC. 4. The successful party shall be sworn into ^{Sworn in.} office as soon as judgment is rendered in his favor by the contesting Court, in order to qualify him for taking possession in case an appeal is not perfected.

SEC. 5. In all cases where judgments have heretofore been rendered, under said chapter 37 of the Revision ^{Order shall} ^{issue.}

ion of 1860, by any Court for contesting county elections, the County Judge shall, upon the application of the party in whose favor such judgment was rendered, issue his order for the enforcement of such judgment, as provided in section one, of this act, notwithstanding an appeal may have been taken, and the execution of such order shall be stayed only by giving bond as provided in the last section.

Stay of execution of order.

SEC. 6. 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 Homestead, newspapers published at Des Moines.

Approved March 2d, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Iowa Homestead on the 9th day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 35.

TAXES LEGALIZED.

AN ACT to legalize certain taxes, heretofore levied by County Boards of Supervisors.

Bounties for enlistments, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all taxes heretofore levied by the County Board of Supervisors of any county in this State, to meet appropriations voted by such Board for the payment of Bounties for enlistments, and for the support of the families of persons in the military service of the United States, be and are hereby legalized.

SEC. 2. This Act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Iowa Homestead, newspapers published at Des Moines.

Approved March 2d, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register on the 16th day of March, and in the Iowa Homestead on the 16th day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 36.

TRUSTEES OF BLIND ASYLUM.

AN ACT to amend Chapter 161 of the laws of the 9th General Assembly, approved April 8th, 1862.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Hon. Norman W. Isbell, of Linn county, Hon. Rush Clark, of Johnson county, Hon. James McQuinn, of Benton county, be and are hereby constituted additional members of the Board of Trustees of the Asylum for the Blind, whose term of service shall expire February 1st, 1866, and their successors shall be chosen by the Legislature, for the term of four years. Trustees increased.

SEC. 2. The term of service of the existing Trustees shall expire February 1st, 1868, and their successors shall be chosen by the Legislature for the term of four years. Term.

SEC. 3. Members of the Board of Trustees, residing more than ten miles from the Institution, shall be allowed ten cents per mile to and from their place of meeting, which shall be paid out of the funds of the Institution, for attendance at the quarterly and annual meetings of the Board of Trustees. Mileage.

Approved February 27th, 1864.

CHAPTER 37.

LEAD MINES.

AN ACT to encourage Lead Mining in the State of Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That any person, company, or corporation, who shall by machinery, such as engines or pumps, or by making drains or adit levels or in any other way rid any lead bearing mineral lands or lead mines of water, thereby enabling the miners and the owners of the mineral interest in said lands to make them productive and available for mining purposes, shall be entitled to receive one-tenth of all the lead mineral taken from said lands as compensation for said drainage. Compensation for draining.

- Miners give one-tenth.** SEC. 2. It shall be the duty of the owner or owners of the mineral interest in said lands, and of the person or persons mining upon and taking lead mineral from said lands jointly and severally to set apart and deliver from time to time when demanded the said one-tenth part of said lead mineral taken from said lands to the person, company or corporation entitled thereto as compensation for drainage. And it shall also be the duty of the
- Rights of parties draining.** owner or owners of the mineral interest in said lands and of the person or persons mining or taking lead mineral from said lands, to allow the party entitled to such drainage compensation, and the agents of said party at any and all times, to descend into and examine said mines and to enter any building occupied for mining purposes upon any of said lands and to examine and weigh the mineral taken therefrom.
- May sue and recover.** SEC. 3. Upon the failure or refusal of any owner or owners of the mineral interest in said lands or of any person or persons taking the mineral therefrom to comply with provisions of the second Section of this Act, the person, company or corporation entitled to said compensation for drainage may sue for, and recover the value of said mineral in any court of competent jurisdiction. And upon the hearing of any such case if it shall appear that the defendant or defendants, obstructed the plaintiff in the exercise of the right to examine the said mines, and to weigh said mineral, or concealed or secretly carried away any mineral taken from said lands the Court shall render judgment for double the amount proved to be due from such defendant or defendants.
- Judgment may be for double amt due.**
- Notice to smelters.** SEC. 4. The person, company or corporation entitled to said drainage compensation, may at any time, leave with any smelter or smelters of lead mineral in this State, a written notice stating that said person, company or corporation claim of the person or persons named in said notice the amount to which said person, company or corporation may be entitled under the provisions of this Act, which notice shall have the effect of notices in cases of attachment by garnishment, and also authorize the said smelter or smelters to retain, for the use of the parties entitled thereto, the one-tenth part of the mineral taken from said land and received from the person or persons named in said notice ; *Provided*, That the payment or delivery of the one-tenth part of the mineral taken from any of said lands by any one of the persons or parties whose duty it is made by this Act to pay or deliver the same, shall discharge
- Effect of notice.**
- Proviso.**

the parties liable jointly with him, except their liability to contribute among themselves.

SEC. 5. Any person, company or corporation, engaged, as aforesaid, in draining such mines and lead bearing mineral lands, whenever he or they shall deem it necessary for the prosecution of their work shall have the right of way upon, over or under the surface of such mineral lands, and the contiguous and neighboring lands, for the purpose of conveying the water from said mineral lands by troughs, pipes, ditches, water races or tunnels, and the right to construct and use shafts and air holes in and upon the same, doing as little injury as possible in making said improvements. Right of way.

SEC. 6. If the said person, company or corporation engaged in draining as aforesaid, and the owner or owners of any land upon which said right of way may be deemed necessary cannot agree as to the amount of damages which will be sustained by the owner or owners by reason thereof, the parties may proceed to have the same assessed under the provisions of Article 3 of Chapter 55 of the Laws of Iowa known as the Revision of 1860. Damages.

SEC. 7. This Act shall not be construed to require the owners of the mineral interest in any of said lands to take the mineral therefrom or to authorize any other person to take the mineral from said land without the consent of the said owner or owners. Consent of owners.

SEC. 8. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the State Register and the Iowa Homestead.

Approved March 3d, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register on the 5th day of March, A. D. 1864, and in the Iowa Homestead on the 16th day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 38.

COMPENSATION OF DISTRICT ATTORNEYS.

AN ACT to amend Section 5 of Chapter 19 of the Acts of the Extra Session of the Ninth General Assembly, entitled "An Act fixing the salaries of certain officers."

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

of the State of Iowa, That Section 5 of Chapter 19 of the Acts of the Extra Session of the Ninth General Assembly, be so amended as to read as follows, to-wit :
 Salary. That the salaries of the several District Attorneys shall be six hundred dollars per annum, and in addition the following fees, to be paid in the manner now provided by law. For each conviction, on plea of guilty, five dollars ; for each jury trial, in cases of misdemeanor, five dollars ; and in each jury trial, in cases of felony, ten dollars. For each judgment for costs only, five dollars ; and for all fines and forfeitures actually collected by him, ten per cent. upon all sums of two hundred dollars and less, and one per cent. upon that part of any sum in excess of two hundred dollars to be audited and allowed like other claims against the county.

Fees.

Defendant to pay fees. SEC. 2. In case of conviction as contemplated in the preceding Section, the same fees therein allowed to the District Attorneys, shall be taxed against the defendant which shall be collected by the Clerk and paid into the County Treasury.

Approved March 4th, 1864.

CHAPTER 39.

SOUTHERN BORDER.

AN ACT to repeal Chapter 17 of Acts of Extra Session of the Ninth General Assembly, 1862, entitled an Act to provide for the better protection of the Southern Border.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Chapter 17 of the Acts of the Extra Session of the Ninth General Assembly, 1862, entitled an Act to provide for the better protection of the southern border, be and the same is hereby repealed.

SEC. 2. 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 Daily State Register and Iowa Homestead, newspapers published in the city of Des Moines.

Approved March 4th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register on the 10th day of March, A. D. 1864, and in the Iowa Homestead on the 16th day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 40.

LEGAL SETTLEMENT.

AN ACT to amend Chapter 57 of the Revision of 1860.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the word "white," in the first clause of Section 1376 of the Revision of 1860, be and the same is hereby stricken out.

Approved March 10, 1864.

CHAPTER 41.

SEVENTH JUDICIAL DISTRICT.

AN ACT to amend an Act entitled "an Act to change and fix the time of holding Courts in the Seventh Judicial District.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the third paragraph of chapter 164 of the Acts of the Ninth General Assembly be so amended as to read as follows: In the county of Scott on the first Mondays of February, May and November in each year. Terms in
Scott County.

SEC. 2. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved March 10th, 1864.

CHAPTER 42.

APPROPRIATION FOR STATE LIBRARY.

AN ACT appropriating money for the State Library.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the sum of three thousand ^{\$3,000.00} dollars be and the same is hereby appropriated out of the State Treasury for the purpose of increasing the law part of the State Library. Said sum shall be expended

Judges to ex- under the supervision of the Judges of the Supreme
pend. Court.

Account to Auditor. SEC. 2. *And be it further enacted,* That the said Judges shall render an account of said expenditure to the Auditor of State, within thirty days after making the same, giving a complete list of the books purchased, the amount paid for each, and the expenses attending the same; and he shall have and is hereby given full

Auditing.

power to audit and allow all such necessary expenses.
Approved March 10th, 1864.

CHAPTER 43.

REVENUE.

AN ACT to provide for the payment of Taxes and the Interest and Principal of the School Fund in Treasury Notes, issued as Legal Tender by the authority of the Government of the United States, Notes of National Banks, and Notes of the State Bank of Iowa.

Bank bills & legal tender notes receiv'd by Co. Treasurer. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the County Treasurers of the several counties in this State be, and they are, hereby authorized and required to receive in payment of all taxes by them collected, together with the interest and principal of the School Fund, Treasury Notes now issued or that may be hereafter issued as legal tender by authority of the Government of the United States, and the notes now or that may be hereafter issued by the banks organized or that may hereafter be organized under and in accordance with the conditions of the Act of the Congress of the United States, entitled "an Act to provide a National Currency secured by a pledge of United States Stocks, and to provide for the redemption thereof," approved February 25th, 1863, and the notes now issued or to be hereafter issued by the several branches of the State Bank of Iowa; *provided,* that the Treasurers aforesaid shall not receive the notes of the said branches of the State Bank, or any of them at any time after any one of said branches shall fail to redeem its issues.

Treasurer to keep account. SEC. 2. The Treasurers of the several counties shall each keep an account showing the amount of taxes received by him in specie, and the amount received in

Treasury Notes, and the amount received in notes of National Banks and the amount received in notes of the branches of the State Bank of Iowa, which shall be examined the same as other accounts of said Treasurers.

SEC. 3. Nothing in this Act shall be so construed as in any way to allow the several County Treasurers in this State, or the State Treasurer, to dispose of the specie now on hand or that may hereafter be collected by such Treasurers, for the Treasury Notes above mentioned; and the said County Treasurers are hereby required to pay to the Treasurer of State such specie on hand heretofore, or that may be hereafter collected for State taxes, except what is necessary in making change, and any County Treasurer violating the provisions of this Act shall be liable for all damages sustained by the State in consequence of such exchange; and such Treasurer shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be liable to a fine of not less than five hundred dollars, and imprisonment in the county jail not less than six months.

Specie cannot be exchanged.

Specie paid into State Treasury.

Treasurer liable for violation.

SEC. 4. The Treasurer of State is hereby required to receive of the several County Treasurers the above mentioned notes in payment of any claims the State may now or hereafter have against any county in this State for any part of the permanent School Fund, or for any taxes due the State; and the said State Treasurer shall pay out said notes in redemption of outstanding Auditor's warrants.

State Treasurer receive & pay out notes.

SEC. 5. All Acts and parts of Acts in conflict with this Act are hereby repealed.

SEC. 6. This Act being deemed of immediate importance by the General Assembly, shall take effect from and after its publication in the Daily State Register and Iowa Homestead, papers published in Des Moines.

Approved March 10th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register on the 12th day of March, A. D. 1864, and in the Iowa Homestead on the —th day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 44.

RAILROAD COMPANIES.

AN ACT authorizing Railroad Companies to issue preferred stock, and change the name of such Companies.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That hereafter it shall be lawful for any Railroad Company incorporated within the State of Iowa, with the assent of the stockholders of such Company, to make and issue preferred stock in payment of debts due or to become due from such Company, and such preferred stock shall be entitled to dividends at such rate of interest as the Board of Directors of such Company may prescribe not exceeding eight per cent. per annum, if earned in any one year after payment of all interest on bonds before any dividend is made to the general stock, *provided* said preferred stock shall not operate against any stockholder not consenting to the issuing of said preferred stock.

Gener'l stock. SEC. 2. Such preferred stock and any income or mortgage bond issued or to be issued by any such Railroad Company, shall, at the option of the holders thereof, be convertible into general stock of the Company in such manner and upon such terms as the said Board of Directors with the assent of the holders of the general stock may prescribe, but in no case shall the aggregate amount of the general stock of the said Company, and the said preferred stock, exceed the total amount of stock which such Company may be by law authorized to issue.

Ch'ng'e name. SEC. 3. It shall be lawful for any Railroad Company, now or hereafter organized and incorporated under the Laws of this State with the assent of the stockholders, by a vote of two-thirds in amount thereof to change the corporate name of such Company.

Requir'm'nts. SEC. 5. Whenever any such Company shall change its name under the provisions hereof, it shall be the duty of the President and Secretary of such Company to file with the Secretary of State a statement, under oath, showing the assent of the stockholders as required by the preceding Section to such change, and also a properly certified copy of the record of the change of name as the same appears in the record of the proceedings of such Company, and showing the new name of such Company, and from the time of filing such evidence,

such Company shall become a body corporate and politic under the new name, but such change of name shall in no wise affect any of rights, powers or privileges of such corporation nor any of its liabilities to third parties, but all rights, powers, privileges and franchises of the old corporation, shall be vested in the new corporation and shall be liable upon all contracts entered into by the old to the same extent and in the same manner as the Company or corporation would have been under the original name. Liabilities.

SEC. 5. This Act being deemed of immediate importance, shall take effect upon its publication in the Iowa State Register and Iowa Homestead, newspapers published in Des Moines, Iowa, without expense to the State.

Approved March 12th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register and Iowa Homestead on the 23d day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 45.

EIGHTH JUDICIAL DISTRICT.

AN ACT to amend an Act entitled an Act to change the times of holding Courts in the Eighth Judicial District of the State of Iowa, approved February 4th, 1862.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the clause in said Act to which this is amendatory, appointing the times for holding Courts in Benton county, be so amended as to read as follows: At Vinton, in Benton county, on the first Mondays of March and fourth Mondays of September. Court of Benton county.

SEC. 2. That no business, process or paper issued from, returnable to or triable in said Court in Benton county, at the March term, shall be in anywise invalidated by reason of this amendment, but the same shall be held to be returnable and triable at the time appointed herein. Writs or processes not affected.

SEC. 3. That the Judge of said District, by an order made at the March term of the Court in Linn county in each year or in vacation, may, in his discretion, di- Ord. of Court.

rect that the attendance of the Grand and Petit Jurors, be dispensed with at the July term following.

SEC. 4. This Act shall take effect and be in force from and after its publication in the Iowa State Register and the Iowa Homestead, newspapers published at Des Moines.

Approved March 12th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register on the 23d day of March, A. D. 1864, and in the Iowa Homestead on the 30th day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 46.

SHERIFF'S FEES.

AN ACT to amend Section 4145 and Section 4147 of the Revision of 1860.

Dieting pris-
oners. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the last line of Section 4145 of the Revision of 1860, be and the same is hereby amended so as to read as follows, to-wit: For dieting a prisoner, per day, thirty-five cents.

Serving noti-
ces. SEC. 2. Section 4147 of the Revision of 1860, is hereby repealed, and the following enacted in lieu thereof: "Section 4147. The Sheriff is also entitled for delivering notices, including mileage, and for other services for which no other compensation is allowed by law, to receive such annual salary, not less than twenty
Bo'rd fix pay. nor more than one hundred and twenty dollars, as may be fixed by the County Board of Supervisors."

SEC. 3. This Act being deemed of immediate importance by the General Assembly, shall take effect upon its publication in the Daily State Register and Iowa Homestead.

Approved March 18th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register on the 19th day of March, A. D. 1864, and in the Iowa Homestead on the 30th day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 47.

FOURTH JUDICIAL DISTRICT.

AN ACT fixing the times of holding Court in the Fourth Judicial District, and attaching certain counties in said District to others for Judicial purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the terms of the District Courts in the Fourth Judicial District for each year, shall be as follows :

In Plymouth county on the second Monday in April. Plymouth Co.

In Woodbury county on the third Monday in April Woodbury County. and the first Monday in November.

In Monona county on the second Monday after the Monona Co. third Monday in April, and on the third Monday in November.

In Harrison county on the third Monday after the Harrison Co. third Monday in April and on the fourth Monday in November.

In Shelby county on the fourth Monday after the Shelby Co. third Monday in April.

In Crawford county on the first Thursday after the Crawford Co. Monday fixed for holding Court in Shelby.

In Sac county on the fifth Monday after the third Sac County. Monday in April.

In Calhoun county on the first Thursday after the Calhoun Co. Monday fixed for holding Court in Sac county.

In Humboldt county on the sixth Monday after the Humboldt County. third Monday in April.

In Pocahontas county on the seventh Monday after Pocahontas County. the third Monday in April.

In Palo Alto county on the first Thursday after the Palo Alto Co. Monday fixed for holding Court in Pocahontas county.

In Kossuth county on the eighth Monday after the Kossuth Co. third Monday in April.

In Emmett county on the first Thursday after the Emmett Co. Monday fixed for holding Court in Kossuth county.

In Dickinson county on the ninth Monday after the Dickinson Co. third Monday in April.

In Clay county on the first Thursday after the Mon- Clay Co. day fixed for holding Court in Dickinson county.

SEC. 2. The counties of Buena Vista, Cherokee Attached. and O'Brien are hereby attached to the county of Clay; and the county of Ida to the county of Sac; and the county of Sioux to the county of Woodbury, for judicial purposes.

- Suits in counties attached.** SEC. 3. All suits now pending in any of the counties attached to another county for judicial purposes by this Act, shall be deemed pending in the county to which said counties are attached, and it is hereby made the duty of the Clerks of the District Courts of the several counties attached to another as aforesaid to deliver to the Clerk of the District Court of the county to which said counties are attached, all papers filed in any cause now pending in said counties, together with a transcript of all record entries made in said causes, the costs of making said transcript to be paid by the counties in which the said suits are now pending.
- Clerk's duty.** SEC. 4. No judgment rendered in any county to which another is attached by this Act, shall be a lien upon the real estate in the county so attached until a transcript of the judgment shall have been filed in the office of the Clerk of the District Court of said county, as now provided by law.
- Judgment liens.** SEC. 5. Any process or writ issued in any cause pending, or upon any judgment rendered in any county to which another county is attached for Judicial purposes by this Act, shall be served and returned by the proper officers of the county so attached as now provided by law for serving and returning writs and processes issued in a cause pending or upon a judgment rendered in another county than the one in which they are to be served.
- Service of writ.** SEC. 6. Where counties are attached to another by this Act for Judicial purposes, the Judge of the District Court may at each session thereof held in the county to which said counties are attached, make such order apportioning the expense of holding the Court among the several counties as he may deem just and equitable.
- Expense apportioned.** SEC. 7. The District Judge of said Judicial District may appoint other terms of Court in those counties in which but one term in each year is herein provided for, whenever in his judgment, the business of the county requires it.
- Additional terms.** SEC. 8. All writs, processes and proceedings pending in any of said courts and returnable at the times now fixed by law shall be deemed pending and returnable at the terms as fixed by this Act, and no suit, writ, notice, recognisance, indictment or other proceeding shall be quashed or held invalid, by reason of this Act, or by reason of the change hereby made in the times for holding the Courts in said District.
- Suits pending not affected.** SEC. 9. All Acts and parts of Acts inconsistent with this Act are hereby repealed. This Act being deemed

by the General Assembly of immediate importance, shall take effect and be in force from and after its publication according to law in the Iowa State Register and the Iowa Homestead, papers published at Des Moines, Iowa.

Approved March 18th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Iowa Homestead on the 30th day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State

CHAPTER 48.

RELIEF OF CATHARINE MORRIS.

AN ACT for the relief of Catharine Morris, sister of Edward Morris, deceased.

WHEREAS, One Edward Morris, late of Jones county, died intestate on the 4th day of January, 1857, and, at the time of his decease, was seized of the following described lands, viz: The south half of the south-west quarter, section twenty-two (22,) township eighty-four (84,) north of range one (1), west of the fifth (5) P. M.;

WHEREAS, His only surviving parent at the time of his decease was then, and is now, residing in Ireland, and is of old age and in feeble health, and in such indigent circumstances as to prevent her removing to the United States; and,

WHEREAS, She has relinquished all her interest in said lands to her daughter, Catharine Morris, sister of said deceased, who is the only next of kin of said deceased known to be in the United States, and said Catharine having occupied said lands and paid all delinquent taxes due thereon;

SECTION 1. *Therefore, Be it enacted by the General Assembly of the State of Iowa,* That all claims of the State of Iowa, in and to the South half of the South-west quarter of Section twenty-two (22,) in township eighty-four (84) North, Range one, West of fifth (5th) P. M., by reason of any liability of the same to be escheated to the State in consequence of the alienage of said Edward Morris, deceased, or of the person or persons, who, but for such alienage, would be entitled to

inherit said lands as the heir or heirs of said Edward Morris, deceased, be and the same are hereby relinquished to said Catharine Morris.

SEC. 2. This Act being deemed of immediate importance, shall take effect from and after its publication in the Anamosa Eureka and Iowa State Register, without expense to the State.

Approved March 18th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register on the 23d day of March, A. D. 1864, and in the Anamosa Eureka on the — day of —, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 49.

QUARTERMASTER GENERAL.

AN ACT to amend Chapter 175, Acts of the Regular Session of the Ninth General Assembly.

Make estimate.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Section 16, Chapter 175, of the Acts of the Regular Session of the Ninth General Assembly, be so far amended that the Quartermaster General of the State, or the Adjutant General when acting Quartermaster General of the State, shall make his estimates of the necessary and probable expenses of his department, for six months following; that, upon approval of said estimate by the Governor, the Quartermaster General or the Adjutant General when acting as Quartermaster General of the State, shall file with the Auditor of State a good and sufficient bond, in a sum of not less than double the amount of said estimates, with security to the acceptance and approval of said Auditor of State, and upon said approval by said State Auditor, he shall issue to the Quartermaster General, or the Adjutant General when Acting Quartermaster General, a warrant on the State Treasurer for the amount of said estimates.

Bond.

Warrant.

Accounts.

SEC. 2. As often as once in six months said Quartermaster General or Adjutant General when acting as Quartermaster General, shall render an account of the moneys so received and for what expended, to be accompanied with vouchers for all of said expenditures;

said accounts and vouchers to be approved by said Auditor, whereupon said Quartermaster General, or Adjutant General when acting as Quartermaster General, shall make an estimate for the next six months, as before, giving credit to be taken out of said estimate, for the amount of money on hand, said estimates to be made and said accounts rendered with the vouchers every six months. Estimate.

SEC. 3. At the expiration of the term of office of said Quartermaster General, or Adjutant General when acting as Quartermaster General, or on the closing up of the business of that Department, he shall make a final settlement with said State Auditor, and pay over to the Treasurer all money remaining in his hands, taking his receipt therefor. Settlement.

SEC. 4. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

SEC. 5. This Act being deemed by the General Assembly of immediate importance, shall take effect upon publication in the State Register and Iowa Homestead, papers published in Des Moines, Iowa.

Approved March 18th, 1864.

I hereby certify that the foregoing Act was published in the State Register and Iowa Homestead on the 30th day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 50.

CORPORATE CITIES AND TOWNS.

AN ACT to make valid the proceedings of the corporate authorities of cities and towns, the acts of officers thereof, and the levy of taxes therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That in all cities and towns incorporated prior to the taking effect of an Act passed at the seventh session of the General Assembly of the State of Iowa, entitled "an Act for the incorporation of cities and towns," the proceedings of the corporate authorities, the acts of the officers thereof, and the levy of taxes therein, (except such as were levied for payment of indebtedness created to aid in the building of railroads,) since the taking effect thereof, are hereby made Proceedings made valid.

legal and valid in every respect, and for all purposes; *Provided*, That such proceedings, acts, and levy, were permitted or authorized by any special charters, or other previously existing laws, and were in violation of no other law than the Act above recited.

SEC. 2. This Act being deemed by the General Assembly of the State of Iowa of immediate importance, shall take effect and be in force from and after its publication in the State Register and Iowa Homestead, newspapers published in Des Moines.

Approved March 18th, 1864.

I hereby certify that the foregoing Act was published in the State Register and Iowa Homestead on the 30th day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 51.

APPRAISMENT OF PROPERTY.

AN ACT to amend sections 3362 and 3363 of the Revision of 1860.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 3362 of the Revision of 1860, be so amended as to read as follows:

Selecting appraisers.

Section 3362. For the purpose of ascertaining the value of property to be sold under execution, two disinterested householders of the neighborhood shall be selected as appraisers, one of whom shall be chosen by the execution debtor, his agent or attorney, or in case of the absence from the county of the execution debtor, his agent and attorney, by the officer issuing the writ if he resides in the county where the same is to be executed, or if not there, by the Clerk of the District Court of said county, and the other by the owner of the judgment, his agent or Attorney, or in the absence from the county of such owner, his agent and attorney, by the officer executing the writ, and said appraisers shall forthwith proceed to value such property according to its fair value at the time; and in case of their disagreement as to such value, they shall choose another disinterested householder of the neighborhood, and with his assistance they shall complete such valuation, the valuation to be sworn to by the appraisers.

Valuation.

SEC. 2. Section 3363, of the Revision of 1860, be so amended as follows, to-wit: Section 3363. If the execution debtor, his agent or attorney, or the officer issuing the writ, or the Clerk of the District Court, shall fail to choose an appraiser as provided in the above Section within three days after notice of such levy served on him, his agent or attorney, or the officer issuing the writ, or the Clerk of District Court, as the case may be, by copy or reading, the officer having the writ shall choose an appraiser for him, who shall proceed in all respects as if he had been otherwise chosen according to law.

SEC. 3. This Act being deemed by the General Assembly of immediate importance, shall be in force from and after its publication in the State Register and the Iowa Homestead, newspapers published at Des Moines, Iowa.

Approved March 18th, 1864.

I here by certify that the foregoing act was published in the State Register and Iowa Homestead on the 30th day of March, A. D. 1864.
JAMES WRIGHT, Secretary of State.

CHAPTER 52.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

AN ACT to abolish the Board of Education of the State of Iowa; to provide for the election of a Superintendent of Public Instruction, prescribing his duties, and for other purposes connected therewith.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Board of Education of the State of Iowa is hereby abolished.

SEC. 2. A Superintendent of Public Instruction shall be elected by the present General Assembly, who shall hold his office until the first day of January, 1866. At the General Election in 1865, and every two years thereafter, a Superintendent of Public Instruction shall be elected in the same manner as other State officers, who shall enter upon the duties of his office on the first day of January succeeding his election, and shall hold his office for two years, and until his successor is elected and qualified.

SEC. 3. He shall before entering upon the duties of

Officer to
choose ap-
praiser.

Board Educa-
tion abolish'd.

Sup't. Public
Instruction
created.

Term.

Bond.

Oath. his office give Bond for the use of the State of Iowa, in the penal sum of two thousand dollars, with sufficient sureties to be approved by the Secretary of State, conditioned for the faithful and impartial performance of the duties of his office ; and he shall also, at the time of giving Bond, take and subscribe an oath, or make affirmation that he will support the Constitution of the United States, and of the State of Iowa, and, to the best of his ability, faithfully and impartially perform the duties of his office, which oath shall be endorsed upon the back of said bond, and the bond shall be filed with and preserved by the Secretary of State.

Office. SEC. 4. An office shall be provided for him at the Seat of Government, in which he shall file all papers, reports, and public documents, transmitted to him by the County Superintendents, each year separately, and hold the same in readiness to be exhibited to the Governor, or to a Committee of either House of the General Assembly, at any time when required ; and he shall keep a fair record of all matters pertaining to his office.

Record. SEC. 5. He shall be charged with the general supervision of all the County Superintendents, and all the Common Schools of the State ; and shall render a written opinion to any school officer asking it, touching the exposition or administration of any school law ; and shall determine all cases appealed from the decision of the County Superintendents.

Supervision. SEC. 6. He shall recommend from time to time, to Give opinion. County Superintendents, such books as he may think advisable for text books and for district school libraries.

Recommend text-books. SEC. 7. He may, if he deem it expedient, subscribe for a sufficient number of copies of the "Iowa Instructor and School Journal," or of such other Educational Journal published in the State, as he may select, and furnish each County Superintendent with one copy, and his certificate of having thus subscribed, shall be authority for the Auditor of State to issue his warrant for the amount of said subscriptions : *Provided*, That he shall cause to be inserted in the Journal he may so select, a correct copy of any decision he may deem it necessary to make for the efficient carrying out of the School Law.

Subscribe for Iowa Instructor. SEC. 8. He shall cause as many copies of the School Publish his decisions. Laws in force, with the forms, regulations, and instructions herein contemplated, thereto annexed, to be from time to time printed, and distributed among the County Superintendents as he shall deem expedient, and shall Publish and distribute school law. furnish each County Superintendent with a sufficient

number to supply each school officer in his county with one copy, to be handed to his successor in office. He shall also prepare and cause to be distributed to the several County Superintendents, a form of certificate in blank to be granted to teachers, also all other blank forms necessary to be used in carrying out the School Laws. Distribute blanks.

SEC. 9. He shall annually, on the first day of January, report to the Auditor of State, the number of persons in each county of the State between the ages of five and twenty-one years. Report No. of children to Auditor.

SEC. 10. He shall make a report to the General Assembly, at each regular session thereof, which shall embrace, First, a statement of the condition of the common schools of the State; the number of district townships and sub-districts therein; the number of teachers; the number of schools; the number of school houses, and the value thereof; the number of persons between five and twenty-one years of age; the number of scholars in each county that have attended school the previous year, as returned by the several County Superintendents; the number of books in the district libraries, and the value of all apparatus in the schools, and such other statistical information as he may deem important. Second, Such plans as he may have matured for the management and improvement of the School Fund, and for the more perfect organization and efficiency of common schools. Third, He shall cause one thousand copies of his report to be printed, and shall present it to the General Assembly on the second day of its session. Report to General Assembly.

SEC. 11. Whenever reasonable assurances shall be given by the County Superintendent of any county, to the Superintendent of Public Instruction, that not less than twenty teachers desire to assemble for the purpose of holding a Teachers' Institute in said county, to remain in session not less than six working days, he shall appoint the time and place for said meeting, and give due notice thereof to the County Superintendent; and for the purpose of defraying the expenses of said Institute, there is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, a sum not exceeding fifty dollars annually for one such Institute in each county held as aforesaid, which the said Superintendent shall immediately transmit to the County Superintendent in whose county the Institute shall be held, who shall therewith defray the necessary expenses of the Institute, and if any balance remains he shall Report to be printed.
Teachers' Institute.

pay the same into the county Treasury, and the same shall be credited to the Teachers' Fund.

Salary. SEC. 12. The Superintendent of Public Instruction shall receive annually the sum of thirteen hundred dollars as compensation for the duties required of him by law.

Rec'v'e books, papers, &c. SEC. 13. The Superintendent of Public Instruction, elected by the General Assembly under the provisions of this Act, shall within ten days after his election and qualification, take possession of all books, papers, and effects heretofore belonging or in any wise appertaining to the office of the Secretary of the Board of Education, whose office is hereby abolished.

Secretary's office abolished. Repealed. SEC. 14. An Act to provide for the election and to define the duties of the Secretary of the Board of Education, passed by the Board of Education, December 24th, 1858, also Chapter 66, Laws of the Eighth General Assembly, passed March 28th, 1860, and all other Acts and parts of Acts, inconsistent with this Act, are hereby repealed.

SEC. 15. This Act shall take effect from and after its publication in the Iowa State Register, the Iowa Homestead, and the Iowa Instructor and School Journal, or any two of them.

Approved March 19th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register and Iowa Homestead on the 23d day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 53.

FOREIGN BANK NOTES.

AN ACT to prohibit the circulation of foreign bank notes in this State.

Circulation of foreign notes prohibited. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That whoever shall within this State, after the fourth day of July next, pay out, or offer to pay, or in any manner put in circulation or offer to put in circulation, any bank note, bill or other instrument intended to circulate as money, issued or purporting to be issued by any bank, individual or corporation

in any other State, district or Territory within the United States or in any foreign country, shall be deemed guilty of a misdemeanor, and shall upon conviction before any court having jurisdiction, be fined ^{Penalty.} the sum of five dollars for each note, bill or other instrument as aforesaid, so paid out or offered to be paid out, put in circulation or offered to be put in circulation.

SEC. 2. The provisions of this Act shall not be construed to interfere with the circulation of Treasury Notes, notes of any bank organized under the law of the United States, any other description of currency issued by the authority of Congress, or notes of the branches of the State Bank of Iowa. ^{Construction.}

SEC. 3. Any person acting as agent, servant, teller, ^{Who is liable.} cashier, or in any other capacity for any other person, banker, broker or corporation, shall be equally liable under this Act as he would be if acting for himself.

SEC. 4. In prosecutions under this Act, it shall not be necessary to state in the indictment or information ^{Information and proof.} the name of the bank issuing the notes, nor to prove the existence of the bank or other person purporting to issue the notes; but it shall be sufficient to allege in general terms the fact of paying out or attempting to pay out, as the case may be, of bank notes issued out of this State, and the proof may be made as if the particulars were alleged.

SEC. 5. Any number of offenses under this Act ^{Prosecutions.} may be included in the same prosecution, provided that where the total fines alleged shall not exceed one hundred dollars, the offense shall be cognizable and may be tried before a justice of the peace, and other co-ordinate ^{Jurisdiction.} jurisdictions, and when the total fines alleged exceed one hundred dollars, it shall be within the jurisdiction of the District Court.

Approved March 19th, 1864.

CHAPTER 54.

BLIND AND DEAF AND DUMB.

AN ACT to provide for the education and support of the Blind and Deaf and Dumb, and to repeal Chapter 152 of the Acts of the Ninth General Assembly.

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

- Appropriation.** *of the State of Iowa,* That to meet the ordinary expenses of the Institutions for the education of the Blind, and Deaf and Dumb, including furniture, books, maps, music, musical instruments, and the compensation of the Principals, Matrons, Teachers and employees of such Institutions, there is hereby appropriated the sum of four thousand dollars per annum to each of said Institutions, or so much thereof as may be necessary.
- Salary of principal.** SEC. 2. The Superintendent or Principal of each of the above named Institutions, shall be entitled to receive, out of the above money appropriated, the sum of seven hundred dollars each per annum. The Matron
- Matron.** of each of said Institutions shall receive the sum of two hundred and fifty dollars per annum.
- Teachers.** SEC. 3. The Trustees shall pay such salary as in their judgment is just to the Teachers employed in said Institutions, not in any case to exceed five hundred dollars.
- Steward.** SEC. 4. The Trustees shall appoint some one of the employees Steward, at such compensation as they may deem just, who under their direction shall purchase all supplies for the respective Institutions.
- Current expenses.** SEC. 5. For the purpose of meeting current expenses there is hereby appropriated out of the State Treasury thirty dollars per quarter for each pupil in each of said Institutions.
- Reports.** SEC. 6. The Principal of each of the above named Institutions shall report to the Governor on or before the 15th day of December preceding each regular session of the General Assembly, the number of pupils in attendance, with the name, age, sex, residence, place of nativity, and also the cause of blindness or deafness of each pupil. He shall also make a report of the studies pursued and trades taught in said Institutions, together with a complete statement of the expenditures thereof, and also the number, kind and value of articles manufactured and sold.
- Clothing pupils.** SEC. 7. When the pupils of either of said Institutions are not otherwise supplied with clothing, they shall be furnished by the Principal, who shall make out an account therefor, in each case, against the parent or guardian, if the pupil be a minor, and against the pupil if he or she have no parent or guardian, or has attained the age of majority, which account shall be certified to be correct, and signed by the Principal, and shall be *prima facie* evidence of its correctness in the Courts, and such Principal shall forthwith remit such account

to the Treasurer of the proper county, who shall proceed to collect the same by suit if necessary, in the name of such Institution, and pay the same into the State Treasury with his next regular payment.

SEC. 8. The above appropriation shall be drawn Auditor's quarterly on the order of the Trustees of the Institutions, made on the Auditor of State, who shall draw his warrant in the name of such Institutions, on the Treasurer as ordered by the Trustees.

SEC. 9. That Chapter 152 of the Acts of the Ninth General Assembly be and the same is hereby repealed.

SEC. 10. This Act being deemed of immediate importance, shall be in force from and after its publication in the State Register and Iowa Homestead, newspapers published in Des Moines.

Approved March 19th, 1864.

I hereby certify that the foregoing act was published in the Iowa State Register on the 25th day of March, A. D. 1864, and in the Iowa Homestead on the 30th day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 55.

BLIND ASYLUM—APPROPRIATION.

AN ACT making a further appropriation for the Asylum for the Blind.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That there is hereby appropriated out of any money in the Treasury not otherwise appropriated, five thousand dollars, to be applied to the building of work-shop, store-room, out-houses, area wall, fencing and improving the land belonging to the Asylum, and for further furnishing the Asylum buildings. The money hereby appropriated shall be paid on the order of the Trustees, which order shall be audited and paid as other claims. *Provided*, that said money so appropriated shall be drawn from the Treasury only upon estimates, made monthly, as the work progresses.

SEC. 2. Said money hereby appropriated shall be expended for the purposes herein stated, under and by direction of the Board of Trustees.

SEC. 3. This Act being deemed of immediate im-

portance by the General Assembly, the same shall take effect upon its publication in the Daily State Register and the Iowa Homestead.

Approved March 19th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register on the 25th day of March, A. D. 1864, and in the Iowa Homestead on the 30th day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 56.

WEIGHMASTERS OF PUBLIC SCALES.

AN ACT to prevent fraud by Weighmasters of Public Scales.

- Oath. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That all persons keeping Public Scales before entering upon their duties as Weighmasters, shall be sworn before some person having authority to administer an oath, to keep their Scales correctly balanced ; to make true weights ; and to render a correct account to the person or persons having weighing done.
- Requirement's. SEC. 2. All Weighmasters are required to make true weights, and to keep a correct register of all weighing done by them, giving the amount of each weight, date of weighing, and the name of the person or persons for whom such weighing was done, and to give upon demand, to any person or persons having weighing done, a certificate, showing the weight, date of weighing, and for whom weighed.
- Certificate.
- Violation. SEC. 3. Any keeper of Public Scales violating any of the provisions of this Act, upon complaint made before any Justice of the Peace having jurisdiction of the offense, may upon conviction thereof, be fined in any sum not more than twenty dollars, or not less than five dollars for each offense, and shall be liable to the person or persons injured, for the full amount of damages by them sustained.
- Penalty.
- Approved March 19th, 1864.

CHAPTER 57.

TAX IN INDEPENDENT SCHOOL DISTRICTS.

AN ACT to amend Section 89 of Chapter 172 of the Acts of the Ninth General Assembly, and to authorize Independent School Districts to levy a tax not to exceed ten mills on the dollar, on the taxable property of such Districts.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Section 89 of Chapter 172 of the Acts of the Ninth General Assembly be amended by adding to said Section the following: *Provided* That it shall be lawful for the electors of any Independent School District at the annual meeting of such District to vote a tax not exceeding ten mills on the dollar, in any one year, on the taxable property of such District, as the meeting may deem sufficient for the purchase of grounds and the construction of the necessary school houses for the use of such Independent District, and for the payment of any debts contracted for the erection of such school houses and for procuring library and apparatus for the use of the schools of such Independent District. Amendment.
Tax.

Approved March 19th, 1864.

CHAPTER 58.

SHIP CANAL.

AN ACT to provide for the preliminary survey of a Ship Canal route from the State of Iowa Eastward to the Illinois River.

WHEREAS, it has been represented that Congress has in contemplation the passage of an act for the construction of a Ship Canal from Lake Michigan to the Mississippi River; and whereas, should such improvement follow the line of the Illinois River exclusively, the products not only of Iowa, but of a vast region of country North and West thereof, will have to follow a long and circuitous route in order to reach their proper market; and whereas, the combined interests of the States of Iowa and Minnesota wholly, and of Wisconsin and Illinois largely require a direct eastern communication with the lakes, therefore Preamble.

Preliminary
survey.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That a competent engineer be selected by the Governor of Iowa, for the purpose of making a preliminary survey westwardly from LaSalle, Illinois, of the nearest and best Ship Canal route to the Mississippi River, said engineer to report as soon as practicable to the Governor respecting the proper location of said route together with the estimated expense of said Canal, in order that the same may be laid before our Senators and Representatives in Congress at an early day.

Appropriation.

SEC. 2. That the sum of one thousand dollars be and is hereby appropriated to defray the expense of said survey and estimate, or to supply the deficiency of expense occasioned by said survey and estimate, the same to be paid out of any money not otherwise appropriated in the State Treasury upon the warrant of the Auditor of State, who is hereby authorized to issue the same, when the certificate of the Governor is presented, that the service has been performed. *Provided*, That the State of Iowa shall not be held for the payment of the expense of said survey beyond the sum of money appropriated by this Act. *Provided further*, That the

Conditions.

survey contemplated by this Act shall be extended so as to embrace a survey by the nearest and most practicable route to the Mississippi River to a point above as well as below the Upper Rapids of the said River, and *Provided further*, That the improvement by Ship Canal of the Upper and Lower Rapids of the Mississippi River should, as an act of justice to the whole State, be made an indispensable condition in any bill for a Ship Canal from the Lakes to the Mississippi River, which is to receive the support of the Congressional delegation from Iowa, and *Provided further*, That in the event of the above contemplated route for a Ship Canal from La Salle to the Mississippi River being found impracticable, that we urge Congress that an examination shall be made of the Northern route, known and designated as the Wisconsin and Fox River Improvement.

SEC. 3. This Act being deemed of immediate importance, shall take effect and be in force from and after its publication in the State Register and Iowa Homestead, newspapers published at Des Moines, Iowa.

Approved March 19th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register on the 25th day of March, A. D. 1864, and in the Iowa Homestead on the 30th day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 59.

STATE UNIVERSITY.

AN ACT to amend an Act entitled an Act for the government and regulation of the State University of Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the objects of the State University of Iowa, established by the Constitution at Iowa City, shall be to provide the best and most efficient means of imparting to the youth of the State of both sexes upon equal terms a liberal education and a thorough knowledge of the different branches of literature, the arts and sciences, with their various applications. Objects of.

SEC. 2. There shall be attached to the University a Collegiate department, in which, as soon as may be deemed expedient by the Board of Trustees hereinafter provided, regular College classes shall be formed or provided for, and a President and the necessary Professors and Tutors elected. There shall also be a Normal department to the University, in which shall be taught the theory and practice of Teaching, and everything which enters into it as an art, including all the most approved methods and processes now in use in all the varieties of teaching. Collegiate Department.

The Trustees, as soon as the funds of the University will allow, shall make suitable provision for a system of gymnastic exercises and physical training, and shall make such rules for the regulation of the same as they may deem expedient. Normal.

SEC. 3. The University shall be governed and managed by a Board of Trustees, consisting of nine persons. Gymnasium

The Governor of the State shall be President *ex officio*, and the President of the Faculty a member *ex officio* of this Board. The remaining members shall be elected by the General Assembly, and shall be divided into two classes. Board of Trustees.

The four members elected at the last session of the Board of Education shall constitute the first class, and continue in office four years from the first day of January next after their election. The three members elected at the present session of the Legislature shall constitute the second class, and continue in office four years from the first day of January, 1864. President.

In the absence of the Governor the Board may elect its own presiding officer. Classes.

Term.

- Term.** SEC. 4. In all subsequent elections for filling a vacancy caused by the expiration of the official term of either class, the persons elected shall continue in office four years and until their successors are elected and qualified.
- Comp'n'sat'n.** SEC. 5. The compensation of the Trustees shall be governed by the provisions of Sec. 1719 of the Revision of 1860.
- Control.** SEC. 6. The University shall never be under the exclusive control of any religious denomination whatever.
- Specimens.** SEC. 7. In all cases where specimens of natural history, and geological, and mineralogical specimens which are or may be hereafter collected by the State Geologist of Iowa, or by any others appointed by the State to investigate its natural history and physical resources are found they shall belong to, and be the property of the State University, and shall form a part of its cabinet of natural history, which shall be under the charge of the Professor of that department.
- Curator abolished.** SEC. 8. The office of Curator of Cabinet of Natural History is hereby abolished.
- Treasurer.** SEC. 9. The Board of Trustees shall elect a Treasurer who shall hold his office at the pleasure of the Board. It shall be his duty as Treasurer to keep a true and faithful account of all moneys received and paid out by him, and before entering upon the duties of his office, he shall take and subscribe an oath that he will faithfully perform the duties of Treasurer. And he shall also give a bond in the penalty of fifty thousand dollars conditioned for the faithful discharge of his duties as Treasurer, and that he will at all times keep and render a true account of moneys received by him as such Treasurer, and of the disposition he has made of the same, and that he will at all times be ready to discharge himself of the trust and to pay over when required, which bond shall have two or more good sureties, and shall be approved as to its form, and the sufficiency of its sureties by the Board of Trustees, and also the Auditor and Secretary of State, and shall be filed in the office of the latter.
- Departments.** SEC. 10. The University shall consist of such departments as the Board of Trustees shall determine, subject to the provisions of this Act, and the same may be altered or changed as they may prescribe.
- Government.** The immediate government of the several departments shall be entrusted to the Faculty.
- Instruction.** The method and course of instruction in each depart-

ment shall be prescribed by the Board of Trustees, who shall also confer such degrees and grant such diplomas as are usually conferred and granted by other universities, or such other as they may think proper.

SEC. 11. The Board of Trustees shall have power ^{Powers of Board.} and it shall be their duty to enact laws for the government of the University, to appoint a Secretary of the Board, who shall hold his office at the pleasure of the Board, to elect a President and the requisite number of Professors and Tutors, together with such other officers as they may deem expedient, and to determine the amount of their respective salaries, also the compensation of the Treasurer.

They shall have power to remove any officer connected with the Institution, when in their judgment the good of the Institution requires, and to determine the ^{Remove offic.} amount of fees to be paid for tuition. ^{Fix fees.}

SEC. 12. It shall be the duty of the Secretary to ^{Duties of Secretary and Treasurer.} record all the proceedings of the Board of Trustees and carefully to preserve all its books and papers. His books shall exhibit what of the University lands have been sold, when the same were sold, and at what price, and to whom, on what terms, what portion of the purchase money has been paid, and when paid on each sale; how the same has been invested and on what security; how much is due on each sale, by whom and how secured and when payable; what lands remain unsold, where situated and its appraised value, if appraised, or its estimated value if not appraised. His books shall also show how the permanent fund of the University has been invested, the amount of each kind of stocks if any, with the date thereof and when due, and the interest thereon, and when and where payable, the amount of each loan, if any, and when made and payable to whom, and how secured and at what interest and when and where payable. When any further sales of lands or further instruments shall be made, the Secretary shall enter the same upon his books as above set forth. The Secretary shall countersign and register all orders for money on the Treasurer, and the Treasurer shall not pay any order upon him for money unless the same be countersigned by the Secretary. On the first day of February of each year the Treasurer shall report to the Secretary all defaults of payment of either principal or interest, with the names and address of the persons so in default, and thereupon the Secretary shall immediately notify in writing each person so in default, urging payment.

Expend in- **SEC. 13.** The Board of Trustees are authorized to
come. expend such portion of the income of the University
fund as it may deem expedient in the purchase of appa-
ratus, library and cabinet of natural history, in provid-
ing suitable means to keep and preserve the same, and
in the procurement of all other means and facilities for
giving instruction.

First meeti'g. **SEC. 14.** The first meeting of the Board of Trustees
under this Act shall be on the last Tuesday in June,
1864, and at such time thereafter as the Board may
appoint.

Special meet- **SEC. 15.** The President of the Board may call spe-
ings. cial meetings when he deems it expedient. The Board
of Trustees shall have power to fill all vacancies occur-
ring therein, except when the Legislature is in session,
Vacancies. and the person so appointed shall hold his office until
the next session of the General Assembly.

Treasurer. **SEC. 16.** The Treasurer of the University shall
have a set of books in which he shall keep an accurate
account of all transactions relative to the sale and dis-
position of the University lands and the management
of the fund arising therefrom, which books shall exhibit
what parts and portions of lands have been sold, at
what prices and to whom, and how the proceeds have
been invested and in what securities, and what lands
still remain unsold, where situated and what value re-
spectively.

Land sales. **SEC. 17.** No sales of lands belonging to the Univer-
sity shall hereafter take place unless the same shall be
decided upon at a regular meeting of the Board of
Trustees, or at one called for that particular purpose,
and then only in the manner upon the notice and on
the terms which the Board shall prescribe and no mem-
ber of the Board shall be either directly or indirectly
interested in any purchase of such lands upon sale. It
shall be lawful for the Board to invest any portion of
Investments. the permanent endowment fund not otherwise invested,
as well as any surplus income which is not immediately
required for the purpose of investment in United States
Stocks or Stocks of the State of Iowa, and hold the
same for the University, either as a permanent fund or
as an income to defray current expenses as said Board
of Trustees may deem expedient.

Report. **SEC. 18.** The Board of Trustees shall make a report
through the Superintendent of Public Instruction to
the General Assembly at every regular session on the
second day thereof, which shall exhibit the state, con-
dition and progress of the University in its several de-

partments, the different courses of study pursued therein, the branches taught, the means and methods of instruction adopted, the number of Professors with the compensation of each, and the number of students with their names, ages, studies, sex and residence, the situation and condition of the University fund, the income derived therefrom, the amount of expenditures and the items thereof, and such other matters as such other Board of Trustees may deem proper to communicate.

SEC. 19. An Act to amend an Act entitled "an Act for the government and regulation of the State University of Iowa, passed by the Board of Education, December 17th, 1861," together with all other acts and parts of Acts inconsistent with this Act are hereby repealed. Repealed.

SEC. 20. 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 Statesman.

Approved March 21st, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register on the 24th day of March, A. D. 1864, and in the Iowa Statesman on the 23d day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 60.

BOUNTY ON SCALPS.

AN ACT empowering Counties to offer additional bounties on
Scalps of wild animals.

SECTION 1. *Be it enacted by the General Assembly* Board of Supervisors of each County in this State, are hereby authorized and empowered to determine what bounties, in addition to those already provided by law, if any, shall be offered and paid by their County on the scalps of such wild animals taken and killed within their County, as they may deem it expedient to exterminate. *Provided that* no bounty on any animal shall exceed five dollars. *determine amount.*

Approved March 21st, 1864.

CHAPTER 61.

WAR AND DEFENSE AND FIVE PER CENT. FUNDS.

AN ACT to provide for the redemption of War and Defense Fund Warrants, and authorizing the Governor to settle claims against the United States, and fixing his compensation.

No distinctⁿ in State War-rants. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the State Treasurer is hereby authorized to redeem War and Defense Fund Warrants out of moneys in the Treasury not otherwise appropriated, the same as he redeems general fund warrants, and his acts in heretofore redeeming such warrants from such moneys are hereby legalized.

Governor to settle claims. Associate. SEC. 2. The Governor is hereby authorized at as early a day as possible to settle with the authorities of the United States, and collect therefrom all claims made by this State for expenses incurred in raising and equipping troops, and sending them to the field, and for other purposes growing out of the Rebellion; and all claims of the State for expenses incurred in the protection of the frontier after the massacre by Inkpadutah and his band, and if he shall find it necessary, he is hereby authorized to associate with him, in the above settlements, John N. Dewey; and the Governor is also authorized to settle and collect the amount claimed by this State as a deficit in the payment to this State of the proceeds of the five per cent. on the sales of public land in this State; and if he shall find it necessary, he is hereby authorized to arrange by suit or reference in the Court of Claims or otherwise, for a decision upon the said five per cent. fund claim.

Moneys deposited in Treasury. Treasurer to invest. SEC. 3. The moneys collected from the war claims shall be paid into the State Treasury, to the credit of the general fund, to replace, as far as may be, the moneys paid out in redemption of the War and Defense Fund Warrants; and the Treasurer shall invest the same in United States Bonds bearing not less than six per cent. interest, to be held as a sinking fund, and set apart for the payments of the Bonds of this State falling due January 1st, 1868.

Five per cent. fund. SEC. 4. The moneys collected from the five per cent. on said sales, shall be paid into the same Treasury to the credit of the permanent School Fund, to be invested by the Treasurer as other moneys belonging to such Fund are invested.

SEC. 5. The Governor shall receive as a full compensation for the above services, one-half of one per cent. on all sums he shall so collect and pay into the Treasury of the State, and his actual expenses necessarily incurred in performing his said duties, which expenses must be sworn to, and audited as other claims against the State, *provided*, That the compensation shall include and be in full for all services and expenses by both the Governor and his associate. Compensat'n.

SEC. 6. This act being deemed of immediate importance, shall be in force from and after its publication in the Daily State Register and Iowa Homestead newspapers printed in the City of Des Moines.

Approved March 22d, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register on the 3d day of March, A. D. 1864, and in the Iowa Homestead on the 6th day of April, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 62.

AGRICULTURAL COLLEGE.

AN ACT making an appropriation for and directing the erection of an Agricultural College.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That there be and is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of twenty thousand dollars to aid in the erection of a permanent building for an Agricultural College. Appropriation.

SEC. 2. Said building shall be located upon the College Farm and the site of the same shall be definitely fixed by the Board of Trustees of the Agricultural College and Farm, and the entire cost thereof shall in no event exceed the sum of fifty thousand dollars. Location.
Cost.

SEC. 3. The Board of Trustees aforesaid shall as soon as convenient adopt definite plans with specifications for said building, and shall procure careful and full estimates of the entire cost thereof from competent persons, made under oath, which plans and specifications shall be presented to the Governor of the State for approval and no part of the moneys herein appro- Plans, specifications and estimates.

Governor to approve. priated shall be audited until the Governor shall certify that such plans, specifications and estimates have been presented to and approved by him, and that he is fully satisfied that the building can be completed according to the plans and specifications adopted, at a cost not exceeding the sum of fifty thousand dollars.

Supervision of erection. SEC. 4. Said building shall be erected under the supervision of an executive committee of said Board of Trustees of the Agricultural College and Farm, appointed by the Board for that purpose, and each of said committee shall execute bonds with one or more sureties to the State of Iowa in the penal sum of fifteen thousand dollars, for the faithful application of all moneys coming into their hands by virtue of this Act, and for the faithful discharge of their duties, which bonds shall be approved by the Auditor of State and filed in his office.

Powers of Executive Committee. SEC. 5. At any time after a compliance with the provisions of this Act, hereinbefore set out, said executive committee of the Board of Trustees shall have full power and authority to proceed to the erection of the College buildings and shall have power to enter into such contract or contracts as may in their judgment be for the most economical and expeditious prosecution of the work, provided the same shall be of a permanent and durable character and the foundation shall be of good and durable stone and the building of good durable brick.

Auditor's Warrants. SEC. 6. The Auditor of State shall after the compliance with the foregoing provisions be authorized to draw his warrant upon the Treasury from time to time upon the requisition of the executive committee of the Board of Trustees aforesaid, for the moneys hereinbefore appropriated in sums not exceeding five thousand dollars at any one time, and provided that after the first five thousand dollars is drawn, not more than ten thousand dollars shall be drawn for in any period of six months. The Trustees shall proceed with the work on said building and have the same inclosed with roofs, windows and doors by the first of October, 1865.

Time limited for inclosing. SEC. 7. The executive committee aforesaid, shall make a full and detailed report upon their expenditures under the provisions of this Act, to the next General Assembly of the State of Iowa, and shall file their vouchers for all expenditures under the provisions of this Act in the office of the Auditor of State.

File vouchers. Report. SEC. 8. This Act being deemed of immediate importance, shall take effect and be in force from and after

its publication in the Weekly Iowa State Register and the Iowa Homestead, published at Des Moines.

Approved March 22d, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register on the 6th day of April, and in the Iowa Homestead March 30, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 63.

HOSPITAL FOR INSANE.

AN ACT making further appropriation for the Hospital for the Insane.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa, That there is hereby appropriated the sum of twelve thousand dollars to the Hospital for the Insane for the following purposes, to-wit :*

To repair and extend sewers ; for pavement around Hospital ; to finish wards ; to furnish wards ; to construct cisterns ; for planting trees and improving grounds, for omnibus, &c., for patients, and for contingent expenses.

The money hereby appropriated shall be paid on the order of the Trustees, which order shall be audited and paid as other claims :

Provided, That said money so appropriated shall be drawn from the Treasury only upon the estimates made upon and during the progress of the work, and when materials and furniture shall have been purchased for the use of such building, vouchers shall be taken and copies thereof sent to the Auditor of State.

SEC. 2. This Act being deemed of immediate importance by the General Assembly, the same shall take effect upon its publication in the Daily State Register and Iowa Homestead, newspapers published in Des Moines, Iowa.

Approved March 22d, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register April 8d, A. D. 1864, and in the Iowa Homestead April 6th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 64.

STATE UNIVERSITY — EXPLANATORY.

AN ACT explanatory of Section 20 of an Act entitled an Act to amend an Act entitled an Act for the Government and Regulation of the State University of Iowa.

Publication
of Chapter 59
Act present
session.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That in Section 20 of an Act entitled an Act to amend an Act entitled an Act for the Government and Regulation of the State University of Iowa, approved March 21st, 1864, be and the same is hereby explained as follows: Where the words Iowa State Register and Iowa Statesman occur the same are construed to mean the Daily State Register and Daily Iowa Statesman.

SEC. 2. This Act being deemed of immediate importance, shall be in force from and after its publication in the Daily State Register and Daily Iowa Statesman. Approved March 22d, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register March 24th, 1864, and in the Daily Iowa Statesman March 24th, 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 65.

MALE ANIMALS.

AN ACT to prohibit certain male animals from running at large.

Prohibited
from running
at large.

Distraining.

Damages.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That no stallion, jack, bull, boar, or buck, shall hereafter be allowed to run at large, and it shall be lawful for any person aggrieved thereby, forthwith to distrain such animals and give immediate notice thereof to the owner, if known, for which said owner shall pay all damages done by said animal, and the costs of distraining, keeping, advertising, selling, and all the costs not herein specified, resulting from so distraining said animals, to the person aggrieved, and shall be further liable in a fine not exceeding five dollars for every such offense.

SEC. 2. If such animal is not redeemed by the pay-Sale.
 ment of such damages within seven days, the person
 distraining shall advertise such animal for sale by writ-
 ten or printed notice in three of the most public places
 in the township, giving at least seven days' notice of
 the time and place of sale, and shall sell at public auc-
 tion at the time and place designated, to the highest
 bidder, and after deducting the amount of damages
 awarded by the fence-viewers of the township in which Proceeds.
 such damages are done, or the animals so distrained,
 and the remainder of the proceeds of said sale to be
 paid into the County Treasury for the use of the school
 fund.

SEC. 3. That "an act to prohibit certain male stock Repealed.
 from running at large," in article 3, sections 1522, 1523
 and 1524 of the revision of 1860, on page 253, is here-
 by repealed.

SEC. 4. This Act being deemed of immediate im-
 portance by the General Assembly, shall take effect
 from and after its publication in the Daily Des Moines
 Register and the Iowa Homestead, newspapers pub-
 lished in Des Moines.

Approved March 22d, 1864.

I hereby certify that the foregoing Act was published in the Daily
 State Register April 3d, 1864, and in the Iowa Homestead April 6th,
 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 66.

INTEREST ON STATE BONDS.

AN ACT authorizing the transmission of funds to pay interest on
 State Bonds.

SECTION 1. *Be it enacted by the General Assembly* Treas'r. pro-
of the State of Iowa, That whenever interest upon any vide funds.
 bonds of this State becomes due, the State Treasurer
 shall provide sufficient funds on the day such interest
 falls due, at the place where such interest shall be pay-
 able; and persons holding the said bonds are required
 to present the same at such place within ten days from Presentation.
 such day, and in default of doing so, shall only be enti-
 tled to receive pay by making their demands at the
 office of State Treasurer at Des Moines, Iowa.

Return of
funds to
Treasurer.

SEC. 2. At the expiration of the said ten days, the Treasurer shall cause the balance of the funds remaining unexpended, (if any) and vouchers for interest paid, to be returned to his office in Des Moines, Iowa.
Approved March 22d, 1864.

CHAPTER 67.

SALE OF SWAMP LANDS.

AN ACT for the sale of the Swamp Lands in the several counties in this State.

Appoint ap-
praisers.

Appraise
overflowed
lands.

Return ap-
praisement.

Appraise-
ment of
Swamp lands
not overfl'd.

Minimum
price.

Navigable
streams.

Oath.

Compensa-
tion.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the County Boards of Supervisors of the several counties of this State may appoint three citizens of such county whose duty it shall be to make a careful examination of the swamp lands within such county situated and lying in, along or contiguous to navigable streams; such lands being subject to periodical overflow during any of the summer months, which have been or may hereafter be confirmed to such county and remaining unsold, and proceed to appraise the value of the same, and said appraisers shall make a return of the valuation of such swamp lands to the Clerk of the Board of Supervisors within thirty days from the time of receiving notice of their appointment.

SEC. 2. All other swamp lands in the counties of this State, not lying in or along navigable streams, and not subject to such overflow as provided in section one of this Act, may be appraised and sold under the provisions of this Act, but all lands not subject to such overflow, shall not be appraised or sold for a sum less than one dollar per acre; *provided,* that the words "navigable streams" as is used in this Act, shall be construed to mean streams actually navigated by steamboats during the summer months.

SEC. 3. The appraisers provided for in section one of this Act, before entering upon the discharge of the duties therein prescribed, shall take and subscribe an oath to faithfully perform the duties assigned them, and such appraisers shall each receive two dollars per day for each day actually employed in such service, to be

paid out of the funds arising from the sale of swamp lands.

SEC. 4. When the swamp lands have been appraised as provided in this Act, the Board of Supervisors of such county may authorize such swamp lands to be sold at public or private sale; *provided*, said lands shall not be sold for a less sum than their appraised value, and *provided further*, that no lands except such as are provided for in section one of this Act, shall be sold for less than one dollar per acre.

SEC. 5. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved March 22d, 1864.

CHAPTER 68.

CLERK DISTRICT COURT.

AN ACT to amend section 432 chapter 29 of the Revision of 1860.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section 432, Chapter 29, of the Revision of 1860, be and the same is hereby amended so that in each county of this State having two county seats the total compensation of the Clerk of the District Court, including the sum paid to Deputies, shall not exceed the sum of three thousand dollars. His pay where there are two county seats.

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 Daily State Register and Daily Gate City, without expense to the State.

Approved March 23d, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register April 3d, 1864, and in the Daily Gate City, March 30th, 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 69.

RESIGNATION OF TOWNSHIP OFFICERS.

AN ACT to amend sub-division 5 of Section 633 of the Revision of 1860.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That subdivision 5 of Section 663 of the Revision of 1860, be so amended as to read as follows: By all township officers to the Township Clerk and by the Township Clerk to the Township Trustees, or any one of them.

Approved March 23d, 1864.

CHAPTER 70.

ARSENAL.

AN ACT providing for the erection of an Arsenal building.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the sum of five thousand Dollars be and the same is hereby appropriated for the purpose of erecting an Arsenal building at or near the City of Des Moines, in which to store and secure the arms, equipments and munitions of war belonging to the State of Iowa, said Arsenal building to be built under the direction of the Adjutant General of the State.

Supervision of building.

Location and selection of site.

SEC. 2. The said Adjutant General shall locate and select the site for said building within or near the City of Des Moines, Polk County; *provided*, the necessary and proper grounds for said Arsenal can be obtained without expense to the State.

Cost.

SEC. 3. In no case shall the cost of said building exceed the sum of five thousand dollars, exclusive of the land on which said Arsenal building is erected.

Approved March 23d, 1864.

CHAPTER 71.

PENITENTIARY.

AN ACT for the improvement of the State Penitentiary.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That there is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of fourteen thousand and eighty-two dollars for the improvement of the Penitentiary buildings and walls, as hereinafter provided for. Appropriation.

SEC. 2. Of the above named amount the sum of two hundred and eighty-four dollars is appropriated to put a "concrete floor" in the corridors of the Prison building. Concrete floor.

SEC. 3. Of the above named amount the sum of two thousand and two dollars is appropriated for the completion of the third tier of cells in the Prison building. Cells.

SEC. 4. Of the above named fourteen thousand and eighty-two dollars there is hereby appropriated the sum of six thousand seven hundred and ninety-six dollars for the building of the "Prison yard walls," including the wall from the south-east corner of the yard to the corner of the main building. Walls.

SEC. 5. Of the first named amount there is hereby appropriated the sum of five thousand dollars to build a Warden's house and Clerk's office. Warden's house and Clk's office.

SEC. 6. The cells of the third tier provided for in this act, shall be built of the same material and in the same manner as those now completed on the same range. Build'g cells.

SEC. 7. The remaining walls, towers and watch houses shall be built of the same material and in the same style as the walls and towers now completed; *provided*, that the stone now used in the foundation of the octagon, shall be used in the construction of the walls. Building walls, &c.,

SEC. 8. The Warden's house shall be built of brick, covered with a slate roof, and contain a Clerk's office, with a fire-proof vault; said house shall be built in front of the prison building, the office opening into the hall between the cell room and present Warden's dwelling. Warden's house.

SEC. 9. There is also hereby appropriated out of any money in the State Treasury not otherwise appro-

Additional building. appropriated, the further sum of fourteen thousand dollars for the erection of a two story fire-proof brick building, suitable for a kitchen, dining-room, chapel and hospital, to be erected upon the site where the old frame building used for these purposes now stands. Said building shall be erected under the supervision of the Warden of the Penitentiary, upon whose order the money shall be drawn as needed in the erection of said building.

Money—how used. SEC. 10. The money hereby appropriated shall be used only to purchase material and tools, and for the employment of the necessary architect, foreman, and additional guards, and for such labor as cannot be done by the convicts; *provided*, that should there be a surplus left over and above the necessary expenses of any one of the items herein specified, said surplus may be used for the completion of any one or all of the other items herein named.

Surplus. SEC. 11. All of the above named appropriation shall be expended under the direction of the Warden, who shall employ a competent architect, foreman, and such additional guards as may be necessary, and shall cause such number of convicts to be employed on said work, as can be done with advantage to the State, and as will insure the completion of said improvements by the first day of December, A. D. 1866; *provided*, none of the convict labor shall be employed till after the expiration of the present lease thereof.

Ward'n to superintend. Convict labor. SEC. 12. All of the convict labor not employed in the prosecution of the work contemplated in this Act, shall be leased as provided by Chapter 16 of the Laws of the Extra Session of the Ninth General Assembly.

Same. SEC. 13. This Act being deemed of immediate importance by the General Assembly, shall be in force from and after its publication in the Iowa Homestead and Iowa State Register, papers published at Des Moines.

Approved March 23d, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 6th, 1864, and in the Iowa Homestead April 13th, 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 72.

REPORTS OF CLERK BOARD SUPERVISORS.

AN ACT requiring reports from the Clerks of the several Boards of Supervisors in this State concerning School Lands.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That it shall be and is hereby made the duty of the Clerk of the Board of Supervisors in each County of this State, on the first day of May next, or immediately thereafter, to make out and transmit to the Register of the State Land Office a report over his official certificate, giving a description by their numbers, of all school lands of the sixteenth sections and lands taken in lieu thereof, in his county, showing the allotments thereof, so far as the same may have been allotted; and the valuation of each tract, so far as the same may have been appraised, and designating the sold from the unsold tracts, and setting forth the date and terms of sale, and the names of purchasers of each tract sold.

Clerk to report.
Description.

SEC. 2. Each of said Clerks shall also, at the same time and in like manner, as required in the preceding Section relative to sixteenth Sections, report to the Register of the State Land Office concerning all School Land of the 500,000 acre grant in his county.

Report relative to 500,000 acre grant.

SEC. 3. It shall be the duty of the Clerk of the Board of Supervisors of each county on the first day of November, 1864, and every six months thereafter, to make out and transmit to the Register of the State Land Office an additional report for each of said grants, showing the sales, allotments, appraisements made and the forfeitures and foreclosures of contracts declared and had since his last preceding report.

Additional report.

SEC. 4. Said Clerks shall also, at the times of making the reports hereinbefore required, report to said Register the tracts of land, if any, in their counties not belonging to either of said grants, bid off by the State on execution and not previously so reported, setting forth the name of the mortgagor or debtor, the date and amount of the note or mortgage, date and amount of the judgment rendered thereon, date of sale, and the amount then due, and the amount for which the same was bid off.

Land bid off by State.

SEC. 5. The Register of the State Land Office shall furnish each of said Clerks with printed blanks of the

Register furnish blanks.

form proper and necessary to enable him to make his reports as in this Act required.

Duty of B'd. SEC. 6. The Board of Supervisors of each county shall see that this Act is strictly enforced.

SEC. 7. This Act being deemed of immediate importance by the General Assembly, shall take effect and be in full force from and after its publication in the Iowa State Register and Iowa Homestead, newspapers published at Des Moines.

Approved March 24th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 6th, 1864, and in the Iowa Homestead April 13, 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 73.

APPROPRIATION FOR STATE UNIVERSITY.

AN ACT making an appropriation for a new building for the State University.

Appropriation.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That there be and is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of twenty thousand dollars for the purpose of erecting and constructing on the grounds of the State University, an additional building, with a tower, suitable for an astronomical observatory, which building shall contain one large room for a chapel, rooms suitable for a chemical laboratory, and such other rooms as may be deemed necessary by the Board of Trustees of said University.

Building.

Drawing and expending.

SEC. 2. The money hereby appropriated shall be expended under the direction of said Board of Trustees, and may be drawn from the State Treasury on their order, as the same shall be required for the purposes aforesaid.

SEC. 3. 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 Homestead, newspapers published at Des Moines.

Approved March 24th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 6th, 1864, and in the Iowa Homestead April 13th, 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 74.

RECORDING UNITED STATES REVENUE STAMPS.

AN ACT providing for the recording of United States Revenue Stamps, attached to written instruments.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Recorder of each county in this State, shall, at the time of recording any written instrument bearing a United States Revenue Stamp or Stamps, enter upon the Record, the words "U. S. Revenue Stamp," or words equivalent substantially thereto and the denomination thereof, together with the letters, words and figures with which such stamp is cancelled, making a scroll around the same, which entry or a certified copy thereof, shall be *prima facie* evidence that the original instrument was stamped, and the stamp cancelled as therein described. Duty of Recorder.

SEC. 2. In all cases where instruments having stamps attached, have been heretofore recorded, and when the Recorder has noted upon the records the fact that a stamp was affixed to the original, the same shall be deemed legal and sufficient in law, and the record, or a duly authenticated copy thereof, shall be received in evidence in all cases, the same as if recorded strictly in accordance with the law of this State. Rec'ds heretofore made.

SEC. 3. This Act being deemed of immediate importance, shall take effect from and after its publication in the Daily State Register and Iowa Homestead.

Approved March 24th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register April 5th, 1864, and in the Iowa Homestead April 13th, 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 75.

ILLEGITIMATE CHILDREN AND JURISDICTION OF CO. COURT.

AN ACT supplemental and amendatory to Chapter 58 of the Revision of 1860.

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

Jurisdiction and powers of Co. Court. *of the State of Iowa,* That whenever any proceeding shall be hereafter instituted in the County Court under the provisions of Chapter 58 of the Revision of 1860, the said County Court shall hear, try and determine the same, and shall be authorized to render any judgment or make any order which the District Court might render or make in case of an appeal under the provisions of said Chapter 58, and may also issue execution to enforce its judgments and orders.

What law shall govern.

SEC. 2. In hearing, trying and determining any such cause, the County Court shall be governed by the provisions of said Chapter 58, heretofore applicable only to trials on appeal and in the District Court; *provided*, that either party shall have the right to appeal to the District Court.

Appeal.

Repealed.

SEC. 3. Section 1419 is hereby repealed and the following is enacted in lieu thereof: upon the return day of the summons, if the legal service has been made, the Court shall proceed to hear the cause, examining the woman and other witnesses, and permitting the accused to introduce testimony also, but continuances may be granted for good cause and the accused may demand a jury.

Hearing.

Continuance.

Approved March 24th, 1864.

CHAPTER 76.

ROAD SUPERVISOR, LABOR AND POLL TAX.

AN ACT to fix the per diem of Road Supervisors, per diem of labor on roads, and poll tax.

Per diem of Supervisor.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That so much of Section five of Chapter 163, of the laws of the Ninth General Assembly, as amends or repeals any part of Section 888 of the Revision of 1860, be and is hereby repealed, so that each Road Supervisor shall hereafter receive the sum of one dollar and fifty cents for each day spent in the discharge of his official duties.

Liable to labor.

SEC. 2. That Section 885 of Article 3, Chapter 46, Title 7, of the Revision of 1860, be and the same is hereby so amended as to read as follows: Each Supervisor shall require all the able-bodied male residents of

his district, between the ages of twenty-one and fifty, to perform two days' labor upon the public highway, between the first day of April and the first day of July of each year. And that Section 895 be so amended as to read, after the word determination: *Provided*, That not more than the sum of one dollar and fifty cents be allowed for a day's labor, or the sum of three dollars for a man and team per day. Per diem of laborer.

SEC. 3. All Acts and parts of Acts conflicting with the foregoing Sections, be and the same are hereby repealed.

SEC. 4. This Act being deemed of immediate importance, shall take effect and be in force from and after its publication in the "Iowa Homestead" and "State Register," papers published in Des Moines, Iowa.

Approved March 25th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register April 6th, 1864, and in the Iowa Homestead April 13th, 1864.

JAMES WRIGHT, Secretary of State

CHAPTER 77.

GUARDS OF PENITENTIARY.

AN ACT to fix the compensation of Guards of the Iowa Penitentiary.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That each Night Guard of the Iowa Penitentiary shall receive forty-five dollars per month for his services, and each house or shop Guard shall receive forty dollars per month for his services, and each Wall Guard shall receive forty dollars per month for his services, to be audited by the Warden and paid at the end of each month out of funds especially designated for the payment of Guards. Compensat'n
Warden to audit.

SEC. 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed. Repealed.

SEC. 3. This Act being deemed of immediate importance, shall be in force from and after its publication in the Daily State Register and Iowa Homestead.

Approved March 25th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register April 8d, A. D. 1864, and in the Iowa Homestead April 6th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 78.

SALINE LANDS AND FUNDS.

AN ACT authorizing the Trustees of the State University to sell the Saline Lands and for other purposes.

Control. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Saline Lands and funds appropriated to the Iowa State University by an Act of the General Assembly, entitled "An Act appropriating the Saline Lands and Funds to the State University of Iowa," passed April 2d, 1860, be and they are hereby placed under the control and management of the Board of Trustees of said University, as fully as if the same were a part of the grant of lands known as the University Lands.

Provided, That nothing in this Act shall be so construed as to repeal, restrict, or in any manner change or modify the provisions and requirements of Section 1956 of Chapter 84 of the Revision of 1860, which is hereby continued in force.

Sale. SEC. 2. Said lands may be sold by the Board of Trustees of said Institution, under the same restrictions and in the same manner as if the same were a part of the University Lands, and the proceeds thereof may be invested in the manner provided for the investment of the University Funds.

Contract forfeited. SEC. 3. In case of failure to pay according to the terms of the contract, for any tract of Saline Land heretofore or hereafter sold, said Board of Trustees shall have power to declare such contract forfeited, and to resell said land, or they may proceed to enforce such contract, and collect by suit the amount due thereon.

Treasurer keep account. SEC. 4. The Treasurer of the University shall keep an account of all transactions relative to the sale of the Saline Lands, the same as required in Section 1937 of the Revision relative to University Lands.

Funds, &c., paid over. SEC. 5. That it is hereby made the duty of any officer or person having charge or possession of any funds arising from the sale of Saline Lands and any officer or person having charge or possession of any note, contract, or other security given for and on account of the purchase of any tract of Saline Land to hand the same over immediately to the Treasurer of the State University, and if the same be not paid or handed over immediately as herein required, said Treasurer is hereby au-

thorized to recover the same in the proper action, in his own name, for the use of said University. Action to recover.

SEC. 6. The Treasurer of said Board of Trustees shall, on or before the fifteenth day of May next, and every six months thereafter, report to the Register of the State Land Office, all sales of Saline and University Lands, setting forth the tracts sold, date and terms of each sale, name of purchaser, and price sold for per acre. Report of Treasurer.

SEC. 7. That upon the presentation to the Register of the State Land Office of a certificate of the Board of Trustees, setting forth the name of the purchaser, the tract or tracts purchased, the date and terms of sale, and that the whole amount of the purchase money has been paid, and by whom, said purchaser or his assignee shall be entitled to receive a patent from the Governor for the land purchased. Patent.

SEC. 8. All patents heretofore issued for Saline Lands, by the Governor, upon certificates of final payment issued by the Treasurer of said University, and by the Clerk of the District Court of Lucas county, are hereby legalized and declared valid to all intents and purposes, as fully and completely as if said certificates had been issued by an officer expressly authorized by law to issue the same. Patents made legal.

SEC. 9. Nothing in this Act shall be construed to interfere with or render invalid any sales of the Saline Land made under the provisions of Article 4, Chapter 84, of the Revision of 1860, or of Chapter 83, of the Session laws of the Ninth General Assembly. Former sales—construct'n

SEC. 10. The Trustees of said University shall, within sixty days after the taking effect of this Act, appoint a resident agent in each county where there are unpaid notes or contracts for the sale of any of said Saline Lands, whose duty it shall be to receive all or any part of the principal or interest on said notes or contracts, whether the same be due or not, and when all of said purchase money is paid to said agent, the Treasurer shall report the same as provided in Section 6 of this Act. Resident ag't

SEC. 11. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

SEC. 12. This Act being deemed by the General Assembly of immediate importance, shall be in force from and after its publication in the Iowa State Register

and Iowa Homestead, newspapers published at Des Moines.

Approved March 25th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 13th, A. D. 1864, and in the Iowa Homestead April 13th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 79.

BIBLE SOCIETIES.

AN ACT to amend Section 711 of the Revision of 1860, in relation to exemption of property from taxation.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That in addition to the property now exempt from taxation by Section seven hundred and eleven of the Revision of 1860, there shall also be exempt from taxation, all real and personal property, situated in this State, belonging to any Bible Society or auxiliary of such Society, where such property is received, owned or held, solely for benevolent purposes, and is devoted solely to such purposes. *Provided,* that all deeds or other writings by which such real property is passed to and held by any such Society, shall first be duly filed for record in the office of the Recorder of Deeds of the county wherein such real estate is situated, before the property therein described, shall be omitted from the assessment now required by law.

Approved March 25th, 1864.

CHAPTER 80.

RELIEF OF VOLUNTEERS.

AN ACT to repeal Chapter 11 of the Extra Session of the Eighth General Assembly, entitled "An Act for the relief of Volunteers who have been or may be mustered into service of the United States Government."

Repeals Ch.
11, Ex. Sess.
1861.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Chapter 11 of the Acts of

the Extra Session of the Eighth General Assembly, 1861, entitled, "An Act for the relief of Volunteers who have been or may be mustered into the service of the United States Government," be and the same is hereby repealed.

SEC. 2. This Act shall not in any manner affect the validity of rights heretofore acquired under the Act hereby repealed, and all existing claims of officers and privates who have been or are now in the military service of the United States or of this State, shall remain unprejudiced. Rights not affected.

Approved March 25th, 1864.

CHAPTER 81.

CLAIMS OF SOLDIERS.

AN ACT to provide for the payment of the just claims of certain officers and soldiers of Iowa Regiments for military service.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Assistant Adjutant General of this State, acting as Paymaster General, shall pay to officers and soldiers of regiments raised by this State, for the service of the United States, such sums for services rendered, between the dates of going into quarters and muster into the service of the United States, when such services are not paid for by the United States, as the Adjutant General of the State may certify such officers and soldiers are entitled to. Payment. Certificate.

Provided, That said Adjutant General shall in all cases state the circumstances of such service and the commands of such officers. Circumstances.

SEC. 2. This Act being deemed by the General Assembly of immediate importance, shall be in force from and after its publication in the Daily State Register and Iowa Homestead, newspapers published in Des Moines City, Iowa.

Approved March 25th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register April 7th, A. D. 1864, and in the Iowa Homestead April 18th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 82.

RELIEF OF CITIZENS OF KEOKUK CO., AND J. LARDNER.

AN ACT for the relief of certain citizens of Keokuk County, and to provide for the claim of John Lardner.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Auditor of State be directed to audit and allow the claim of Jonathan T. Clark, of Keokuk county, for the sum of two hundred and ninety-five dollars and fifty cents, for subsistence furnished volunteer militia and others engaged in suppressing the insurrection in Keokuk county, under the direction and by the authority of Hon. Samuel J. Kirkwood, Governor of the State of Iowa.

Claim of J. T. Clark. SEC. 2. And that the Auditor of State be directed to audit and allow the claim of Lowe & Smith, of Keokuk county, Iowa, for the sum of two hundred and four dollars, for subsistence, as aforesaid.

Claim of Andrew Gann. SEC. 3. And that the Auditor of State be directed to audit and allow the claim of Andrew Gann, for the sum of twenty dollars and thirty cents, for subsistence, as aforesaid.

Claim of H. Kinzer. SEC. 4. And that the Auditor of State be directed to audit and allow the claim of Henry Kinzer, for the sum of ten dollars, for subsistence, as above stated; and to John Lardner, of Muscatine, the sum of fifty dollars, for drilling the non-commissioned officers of the Thirty Fifth Regiment, by direction of Governor Kirkwood.

Claim of Jno. Lardner. Payment. SEC. 5. The Auditor of State shall draw his warrant on the Treasurer of State, in favor of each of the above named parties, for the above named amounts, and the Treasurer of State shall pay said warrants out of the War and Defense Fund.

SEC. 6. 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 Homestead.

Approved March 26th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 13th, A. D. 1864, and in the Iowa Homestead April 13th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 83.

COMPILATION OF ROAD LAW.

AN ACT to provide for the compilation and publication of the Road Law, and distribution of the same.

SECTION 1. *Be it enacted by the General Assembly* ^{Compilation.}
of the State of Iowa, That the Secretary of State be, and he is hereby required, to carefully compile the "Road Laws" of this State, to which shall be added all necessary forms for notices and receipts, together with blank forms for Supervisors' bonds, and accounts with the road fund, and cause the same to be published in pamphlet form.

SEC. 2. The Secretary of State shall cause at least ^{Printing and} twenty thousand copies of said law and forms to be printed and distributed with the other laws of the Tenth ^{distribution.} General Assembly, giving to each organized county in this State a sufficient number to supply each organized township with ten copies.

SEC. 3. The Clerk of the Board of Supervisors of ^{Board Super-} each county in this State shall deliver to each Township ^{visors furn-} Clerk in his county a sufficient number of said laws and ^{ished.} forms to furnish each Road Supervisor with a copy, who shall carefully preserve the same, and deliver it over to his successor.

SEC. 4. The Secretary of State shall be allowed the ^{Compensat'n} sum of one hundred dollars for the services contemplated in this Act, to be audited and paid out of any money in the Treasury not otherwise appropriated, when the service shall have been performed.

SEC. 4. This Act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Iowa Homestead.

Approved March 26th, 1864.

I hereby certify that the foregoing act was published in the Iowa State Register April 13th, A. D. 1864, and in the Iowa Homestead April 18th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 84.

MILITIA.

AN ACT to organize and discipline the Militia.

- SECTION 1.** *Be it enacted by the General Assembly of the State of Iowa,* That the entire militia of the State are hereby required to organize into companies of Infantry, Cavalry or Artillery.
- Required to organize.**
- Assessors' lists.** **SEC. 2.** Assessors in each civil township are hereby required to take and return to the Clerk of the Board of Supervisors of their respective counties, at the time of taking the annual assessment, a correct list of persons subject to military duty, and also to post up in at least two public places in their respective townships, written or printed lists containing the names of all persons subject to military duty, and returned as aforesaid.
- Board of Supervisors' duty.** **SEC. 3.** The Board of Supervisors of each county are hereby required, at every regular meeting thereof, to act as a Board of Review on said lists, and may order the addition thereto of the names of any persons subject to military duty and not found on the lists, and may also order the name of any person improperly enrolled to be stricken from the lists. The Clerk of said Board shall keep a book in his office to be called the Militia Register, in which he shall record, by townships, in alphabetical order, the name and age of every person subject to military duty, and he shall annually, and within ten days after the June meeting of said Board, certify to the office of the Adjutant General of the State, three copies of said list; and any Clerk neglecting or refusing to make the returns to the office of the Adjutant General, as provided in this Section, shall forfeit and pay a fine of not less than twenty-five nor more than one hundred dollars, to be recovered before any Court having jurisdiction, for the benefit of the school fund.
- Militia Register.**
- Furnish Adj. Gen. copies.**
- Penalty.**
- Gov. to cause organization.** **SEC. 4.** It is hereby made the duty of the Governor to cause the militia of the State to be organized into companies, and he is hereby vested with full power and authority to make all necessary orders, rules and regulations for the first enrollment of the militia, and carrying out the provisions of this Act.
- Companies continued.** **SEC. 5.** The companies organized under the provisions of Chapter 17 of the Acts of the Extra Session of the Ninth General Assembly, approved September

11th, 1862, are hereby continued, and constituted company organizations, and are authorized to retain their arms and accoutrements, subject to such orders as the Governor may from time to time issue: *Provided*, Such Bond. companies shall execute such bond as is required by Section nine of this Act.

SEC. 6. Each company organized as provided in the last Section, and each company to be organized under this Act, shall be composed of not less than forty men. Minimum No of a Co.

SEC. 7. The Governor shall be the Chief of the militia. He may order and direct companies to form into Battalions or Regiments. The order for this purpose shall designate the companies and the number of companies to be formed into any such Battalion or Regiment, and fix the time and place for the election of officers, including, if a Battalion, one Major, one Battalion Quartermaster, and one Battalion Adjutant. The company officers shall be elected by the members of the company. The Regimental officers shall be one Colonel, one Lieutenant Colonel, and one Major, and such staff officers as are necessary, to conform, as near as may be, with the Volunteer Regiments in the United States service. All Regimental officers shall be elected by the members of the companies composing the Regiment. The returns of any election, company or regimental, shall be made to the office of the Adjutant General within ten days after said election. Company and Regimental officers shall be commissioned by the Governor, except Sergeants and Corporals, who shall receive warrants of rank from the Commanders of their respective Regiments.. Commander-in-Chief.
Organization
Elected.
Regimental officers.
Elected.
Return.
Commission.
Warrants of rank.

SEC. 8. Companies shall meet for drill and discipline two days in each year; the first meeting to be on the first Tuesday in June, at 10 o'clock, A. M., at such place as the company commander shall fix. The other meeting to be held at such time and place as the commander of the company may designate. And when arms, ammunition or military stores have been delivered to any company, as provided in this Act, the said companies shall meet at such other times and places as may be agreed upon by a majority of said company, for drill, discipline and the inspection of arms and public property in their hands. Drill, &c.

SEC. 9. Arms, ammunition, munitions of war and military stores belonging to the State, shall be distributed under the direction of the Quartermaster General, Distribution of arms, &c.

or Acting Quartermaster General, to the commanders of companies, battalions, regiments or batteries, and when so distributed shall be and remain under the charge of such commander.

Bond.

Provided, That when any arms, ammunition, munitions or military stores, are delivered to any such commander, he shall make and deliver to the Quartermaster General a good and sufficient bond with sureties, to be approved by the Quartermaster conditioned for the proper use and return when required by the Quartermaster General, or other proper officers, of all such arms, ammunition, or military stores, in good order, wear, use and unavoidable loss excepted.

Ordering out militia.

SEC. 10. The Governor shall as the Commander-in-Chief of the militia, in case of alarm, insurrection, invasion or war, order out, for actual service, from time to time, as many of the militia, whether organized into companies, battalions, regiments or not, as he may think the case demands; and the militia, when so called into actual service, shall receive the same pay and subsistence as is provided for like troops in the service of the United States. The commanders of companies, battalions or regiments shall, in case of sudden invasion or insurrection, and when the life, liberty or property of the inhabitants of the State is in imminent peril, call out their respective commands, in whole or part, for the purpose of repelling any invasion, suppressing any insurrection, or preserving the lives, liberties or property of the inhabitants of this State; but in no case when troops are called out by any authority other than upon the order of the Governor, shall there be any pay or subsistence allowed, unless the necessity for such service shall first be duly shown to the satisfaction of the Adjutant General. The militia, whether organized or not, may be called out by the civil powers of the State, but in such case shall receive neither pay nor subsistence, under the provisions of this Act.

Pay and subsistence.

Enrolling.

SEC. 11. It is hereby made the duty of every person liable to perform military duty, to enroll himself as a member of some company, and to obey the orders of his commander while on drill or in the actual service; and company commanders may compel, by force, the attendance and service of any such person to suppress an insurrection or repel an invasion.

Rules & Regulations.

SEC. 12. In all cases not herein otherwise prescribed, the duties of the General and staff officers, and all other commissioned and non-commissioned officers, and all privates, shall be made to conform as nearly as practicable

able to the duties of corresponding positions in the military service of the United States; and when on drill, or when in the actual service of the State, all questions of rank and government shall be determined and made to conform so far as applicable, to the rules and regulations provided for the government of the army of the United States, and shall be determined by the Adjutant General, whose decision shall be final. ^{Rank.}

SEC. 13. Any person liable to perform military duty, who shall willfully neglect or refuse to enroll himself as a member of some organized company, for the space of sixty days after this Act takes effect or who shall willfully disobey the orders of the commander of his company, battalion or regiment, in time of insurrection or invasion, or who shall neglect or refuse to meet at the place of rendezvous, for the purpose of drill and discipline, shall be liable to pay a fine of not less than one dollar nor more than one hundred dollars, to be recovered in the name of the State of Iowa, before any civil Court, for the benefit of the School Fund. ^{Disobedience or neglect.} ^{Fine.}

SEC. 14. The Governor may appoint on his staff, one Adjutant General, who shall perform the duties of Inspector General, with the rank of Brigadier General; one Assistant Adjutant General, with the rank of Colonel of cavalry, and said Assistant Adjutant General shall perform the duties of Paymaster General of the State; one Quartermaster General, who shall perform the duties of Commissary General, with the rank of Colonel of Cavalry; and four Special Aids-de-Camp, with the rank of Lieutenant Colonel of Cavalry, and one Military Secretary, with the rank of Captain of Cavalry. ^{Gov.'s Staff.}

SEC. 15. The duties of the Adjutant General and Inspector General shall be as follows, to-wit: He shall issue, sign and transmit all orders of the Commander-in-Chief, relative to the carrying into execution the laws of the United States, or of this State, and perfecting the military discipline established by law. ^{Duties of Adjutant and Inspector Gen's.}

SEC. 16. He shall be charged with all the correspondence relating to the military affairs of the State, and keep a record or file of each correspondence. ^{Correspondence.}

SEC. 17. He shall keep a record of all general and special orders and regulations, and cause the same to be published whenever the Commander-in-Chief shall direct. ^{Orders & regulations.}

SEC. 18. He shall keep a roll of the commissioned officers of the Militia of the State, with their residence, ^{Roll of officers.}

rank and corps to which they belong—the number and date of their commissions and promotions.

Books, forms and blanks. SEC. 19. He shall provide the necessary books, forms, and blanks requisite to carry out the provisions of this Act, and the laws of this State, and distribute the same to the officers entitled thereto, upon proper requisition.

Militia Roll. SEC. 20. He shall make returns in duplicate of the number of Enrolled Militia, with the arms, accoutrements and ammunition, one copy of which he shall deliver to the Commander-in-Chief on or before the first day of January, and transmit the other to the President of the United States, on or before the first day of January, annually.

Act as Quartermaster. SEC. 21. He shall perform all the duties of the Quartermaster General until the Government deems it best for the public service, to appoint that officer.

Keep & preserve arms, &c. SEC. 22. The Quartermaster General shall keep in good repair, and attend to the due preservation, safe keeping, and cleaning and transportation of the ordnance, arms, accoutrements, ammunition and munitions of war, and military supplies and stores, the property of the State.

Disposit'n of arms, &c. SEC. 23. He shall dispose of, to the best advantage, under the direction of the Governor, all powder, arms, ammunition, accoutrements, tools, implements and warlike stores of every kind, the property of the State, that shall be deemed unsuitable for the use of the State, and from time to time, render a just and true account of all sales made by him, and shall pay the proceeds of such sales into the State Treasury.

Report. SEC. 24. He shall report annually, on or before the first day of January, to the Commander-in-Chief, the condition and disposition of the ordnance, with the security therefor of all arms, ammunition and other munitions of war, which appertain to his department.

Rules & Regulations. SEC. 25. In all cases not herein otherwise directed, the duties of general and staff officers, and all other commissioned and non-commissioned officers of the militia of this State, shall be made to conform, as nearly as possible, to the duties of the corresponding positions in the United States service; and all questions of rank and the government of the militia, while on drill or in the actual service of the State, shall be determined and made to conform, as far as applicable, and not inconsistent with this Act, to the rules and regulations provided for the government of the United States Army.

Rank. SEC. 26. Nothing contained within the provisions

of this Act shall be construed as fixing the compensation of any officer herein named. Compensat'n

SEC. 27. The Adjutant General is hereby empowered to employ such additional assistance in his office as may from time to time be necessary: *Provided*, Such additional assistance shall have the approval of the Governor; and the Auditing Board, or other proper officers, is hereby directed to audit the accounts for the same, to be paid out of the War and Defense Fund. Assist'nce for
Adj. Gener'l's
Office.

SEC. 28. Chapter 17 of the Acts of the Extra Session of the Eighth General Assembly; Chapter 175 of the Acts of the Regular Session of the Ninth General Assembly, and a Joint Resolution passed at the Regular Session of the Ninth General Assembly, approved April 8th, 1862; Chapter 35 of the Acts of the Extra Session of the Ninth General Assembly, and all Acts and parts of Acts inconsistent with the provisions of this Act, are hereby repealed. Repealed.

SEC. 29. 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 Homestead; newspapers published in Des Moines.

Approved March 26th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 13th, A. D. 1864, and in the Iowa Homestead April 13th, A. D. 1864.

JAMES WRIGHT, Secretary of State

CHAPTER 85.

EXECUTIVE OFFICE, RECORDS, AND SALARY OF GOVERNOR.

AN ACT to locate the Executive Office, provide for Official Records, and to fix the Governor's Salary.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Governor shall keep the Executive Office at Des Moines, in which shall be transacted the business of the Executive Department of the State government, and he shall keep a Secretary at said office in his absence. Office.

SEC. 2. The Governor shall cause a journal to be kept in the executive office, in which shall be made an Journal.

entry of every official act done by him, and such entry shall be made at the time when the act is done.

If acts are done elsewhere than in the executive office, in cases of emergency, an entry thereof shall be made in the executive journal as soon thereafter as possible.

Military Record.

SEC. 3. The Governor shall cause a military record to be kept, in which shall be made an entry of every act done by him as Commander-in-Chief.

Salary.

SEC. 4. The Governor shall receive as compensation for his services an annual salary of two thousand five hundred dollars, to be paid out of any money in the State Treasury not otherwise appropriated.

SEC. 5. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

SEC. 6. 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, the Iowa Homestead, anything in the laws of this State to the contrary notwithstanding.

Approved March 26th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 13th, A. D. 1864, and in the Iowa Homestead April 13th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 86.

RAILROADS.

AN ACT to facilitate the construction and operation of Railroads in the State of Iowa.

Directors.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That contracts between different Railroad Companies, entered into by the Boards of Directors thereof, allowing a drawback of fifteen per cent. or less on the gross earnings of any road, on business coming from or going to any other connecting road, shall be legal and valid.

Drawback 15 per cent.

SEC. 2. The Board of Directors of any Railroad Company in this State owning and operating a railroad partially constructed, may, for the purpose of inducing the investment of capital in the extension or completion

of their road, enter into a contract with the parties furnishing such means, or the trustees who may represent them, allowing a drawback not to exceed fifteen per cent of the gross earnings of all business coming from or going to any part of the extension or portion to be aided or completed with the money or means thus obtained; or such Railroad Company may lease of the Trustees or said parties the road to be built with means thus furnished, subject to the same rights and liabilities as are provided in section four of this Act.

SEC. 3. Any such drawback contract, or the benefit ^{Maymor'g'e} to be derived therefrom, in either of the cases mentioned in this Act, may be mortgaged for the purpose of securing construction bond, in the same manner as any other property of the Company.

SEC. 4. The Board of Directors of any Railroad ^{Liability.} Company shall have power to authorize contracts of lease or joint running arrangements with any connecting road, for the operation of such connection, upon such reasonable and just terms as may be agreed upon by the parties, and the party thus leasing or operating the Railroad of another Company, shall, in all respects, be liable to the public for their acts or negligence, in the same manner as though the road belonged to them.

SEC. 5. This Act shall apply to all contracts and ^{All contracts.} leases heretofore made, as well as to those to be made hereafter.

SEC. 6. This Act being deemed of immediate im- ^{Take effect.} portance, shall take effect upon its publication in the Daily State Register and Iowa Homestead, papers published in Des Moines, Iowa.

Approved March 28th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register April 10th, A. D. 1864, and in the Iowa Homestead April 18th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 87.

ADJUTANT GENERAL AND SUPREME COURT REPORTS.

AN ACT directing the distribution of the Adjutant General's and Supreme Court Reports.

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

Adj. Gen'l. *of the State of Iowa*, That when the Reports of the Adjutant General of this State for the year 1864 are in readiness for distribution, the Adjutant General and Secretary of State, shall distribute the same in accordance with the laws thereto relating, passed at this session of the General Assembly.

Supreme Court.

SEC. 2. When the Fourteenth Volume of the Supreme Court Reports shall be to him delivered, the Secretary of State shall, in addition to the distribution provided in the Act passed at this session of the General Assembly, authorizing the publication and purchase of said Reports, distribute to each member and officer of this General Assembly one copy of said Fourteenth Volume Supreme Court Reports.

Parties to direct.

SEC. 3. The distribution aforesaid shall be made, as may be directed by the respective parties entitled to receive said Reports at their own proper cost and charges.

SEC. 4. 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 Daily State Register and Daily Iowa Statesman, newspapers published at Des Moines, Iowa.

Approved March 28th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register 12th April, A. D. 1864, and in the Daily Iowa Statesman on April 13th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 88.

APPLICATION FOR PENSIONS—CLERK TO CERTIFY.

AN ACT requiring Clerks of District Courts to certify to applications for Pensions and other purposes, and regulating fees for the same.

Applications. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That it is hereby made the duty of Clerks of the District Court to certify, under the seal of the District Court, to all applications and other papers requiring the certificate and seal of a Court of Record, to procure pensions, bounties and back pay for soldiers, or other persons entitled to the same, under the laws of the United States, whenever requested to certify to any such papers by the applicant, his agent or attorney.

SEC. 2. Clerks shall be entitled to receive for each certificate under the seal of the District Court, when attached to any such application or other paper, ten cents only. Fees.

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 State Register and Iowa Homestead, newspapers published in Des Moines, Iowa. Take effect.

Approved March 28th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register April 13th, A. D. 1864, and in the Iowa Homestead April 13th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 89.

BELIEF OF SOLDIERS' FAMILIES.

AN ACT for the relief of the families of Soldiers and Marines in the service of the United States.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That for the relief of the families of privates and non-commissioned officers and musicians who have heretofore been, now are, or may hereafter be in the military or naval service of the United States from this State, there shall be levied in each county not less than two (2) mills on the dollar, in the years 1864 and 1865, on all taxable property in each county, and the amount so levied shall be collected in the same manner as other county taxes. ^{2 mills on the dollar.}

SEC. 2. It shall be the duty of the Assessors in the several wards and townships in this State, before the first Monday of June, 1864, and when they are making the assessment of 1865, to take an enumeration, by name, of all the soldiers and marines having families, who are in the service of the United States, and of the families of those who have been in such service and are dead or disabled, in their several wards and townships of this State, naming their company, regiment, battery, battalion or organization, and make accurate returns to the Board of Supervisors of their respective counties, designating the name, sex and age of the several mem- Assessors to take list.

- Compensat'n
B'd to revise.
Board to furnish blanks.
Board to have control.
Only \$150 in one year.
Distributed in June, 1864.
Treasurer to borrow.
Relief Fund.
Family defined.
- bers of such families, and naming such as are, in his opinion, entitled to aid, and for which he shall receive the same compensation as for other services. It shall be the duty of such Board of Supervisors to revise the same, inserting such names as may have been omitted.
- SEC. 3. It shall be the duty of the Clerk of the Board of Supervisors to furnish to the Assessors of their respective counties such blanks as may be necessary for taking the aforesaid enumeration.
- SEC. 4. The Board of Supervisors of the several counties respectively, shall have control of said funds for the purposes named in this Act, when paid into the county treasuries, and shall distribute the same as they may deem proper for the relief of the families herein provided for: *Provided*, That not more than one hundred and fifty dollars shall be paid to any one family in one year. No money raised under the provisions of this Act shall be used by said Board of Supervisors for any other purpose than for the relief of such families.
- SEC. 5. The relief provided for in this Act shall, by the several County Boards of Supervisors, be distributed from and after the meeting of said Board of Supervisors in June, 1864, and all special funds heretofore raised in any county in this State, for the relief of soldiers' families, shall, from and after that time, be a part of the funds herein provided for.
- SEC. 6. To anticipate the receipts which may come into the county treasuries by virtue of the tax levied under and by the authority of this Act, the county treasurers are hereby authorized and required to borrow from time to time, as may be necessary, such sums of money as shall not exceed, in the aggregate, three-fourths of the tax levied in any such county by virtue of this Act, and may to that extent, temporarily transfer money from any other fund or funds, (except the school funds.) The money so borrowed shall be repaid out of the funds herein provided for, when paid into the county treasury.
- SEC. 7. The funds raised under the provision of this Act shall be known as "The Relief Fund," and the warrants drawn thereon shall be the same in all respects, as ordinary county warrants, and governed by the same rules, except that they shall name the fund on which they are drawn.
- SEC. 8. The word family, as used in this Act, shall be construed to mean only a wife, dependent children under the age of twelve years, brothers and sisters under

the age of twelve years, and aged and infirm dependent parents.

SEC. 9. 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 Homestead and Iowa State Register, newspapers published at Des Moines, Iowa. Take effect.

Approved March 28th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 20th, A. D. 1864, and in the Iowa Homestead April 20th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 90.

HOLDING COURT—THIRD DISTRICT.

AN ACT to amend and explain an Act passed by the Tenth General Assembly, entitled "An Act to define the times of holding Courts in the Third Judicial District," approved Jan. 25th, 1864.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all that part of an Act passed by the Tenth General Assembly, entitled "An Act to define the times of holding Courts in the Third Judicial District," approved January 25th, 1864, which relates to the times of holding the terms of the District Court in the counties of Fremont, Mills and Pottawattamie, be amended so as to read as follows: Former Acts amended.

At Sidney, in Fremont county, on the third Monday in February and the fourth Monday in August in each year. Sidney.

At Glenwood, in Mills county, on the third Monday in April and October in each year. Glenwood.

At Council Bluffs, in Pottawattamie county, on the first Monday in May and November in each year. Council Bluffs.

SEC. 2. All suits, pleadings, processes and proceedings pending in any of said Courts, and returnable at the terms now fixed by law, shall be deemed pending and returnable at the terms as fixed by this Act; and no suit, notice, recognizance, indictments or other proceeding shall be quashed or held to be invalid by reason of the change of the terms of Court hereby made. Pleadings, processes, &c. not affected.

SEC. 3. All acts and parts of Acts inconsistent with this Act, are hereby repealed. Repeal.

Take effect.

SEC. 4. 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 Homestead and Iowa Statesman, newspapers published at Des Moines.

Approved March 28th, 1864.

I hereby certify that the foregoing Act was published in the Iowa Homestead —, A. D. 1864, and in the Iowa Statesman April 15th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 91.

COAL MINES.

AN ACT granting a right of way to open and drain Coal Mines.

Application
for right of
way.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That any person owning or possessing any land underlaid with Coal Mines in any County within this State, who is desirous of mining the said coal, and who shall deem it necessary thereto to have a coal yard and wagon road upon, and entry and drain through and under the surface of any land belonging to any other person, may apply to any Justice of the Peace residing in the Township where the lands are located, or if there be no Justice in said Township, to any Justice in an adjoining Township, for such summons as is herein specified.

Summons.

SEC. 2. The Justice to whom such application shall be made, shall thereupon issue a summons directed to any Constable of the said Township, requiring the owner of said land to appear before him at the time named therein, which shall be in not less than six nor more than fifteen days, to answer said application. Said summons shall designate the land upon which said coal yard and wagon road are desired to be laid out, and through and under the surface of which the said entry and drain are proposed to be made, and shall be served by the Constable in the same manner that civil process, issued by a Justice, is now served; and should it be made to appear to said Justice that the owner of said land is non-resident, then said owner shall be served by publication in the same manner as parties defendant in

Service of
Summons.

Justices' Courts, that are non-residents, are now served.

SEC. 3. On the appearance day a jury of six disinterested persons, possessing the necessary qualifications of jurors of the District Court, shall be selected as follows, viz: two by each of the parties, and two by the Justice, *Provided*, That in case the owner of the lands, his Agent or Attorney, shall neglect or refuse to appear or the owner of said lands shall appear to be a non-resident, then the applicant shall select three jurors, and the Justice three; and the Justice shall thereupon issue his precept to some Constable of the Township, directing him to summon the Jurors selected as aforesaid, to appear forthwith before him. The said Justice shall administer to said Jurors, an oath or affirmation, to well and truly examine into the necessity for the coal yard, and wagon road, and entry and drain applied for; and that if they shall deem the same necessary, that they shall proceed to lay out the same and certify the damages resulting therefrom.

Selection of Jurors.

Justice's precept.

Oath.

SEC. 4. The jury thus qualified and sworn shall personally examine the premises, and after hearing any reasons which may be offered by the parties in regard to the opening of said entry and drain, and making said coal yard and wagon road, if they shall thereupon be satisfied that the opening of the entry and drain, and the making of said coal yard and wagon road are necessary and proper in order to mine said coal, they shall proceed to lay out the same by proper metes and bounds; and if they shall deem it necessary they may call to their aid a competent Surveyor. *Provided*, That in no case shall the entry and drain be more than twenty-five feet in breadth.

Examination of premises.

Laying out.

SEC. 5. The jury shall make a written report which shall be signed by at least four of the jurors, precisely defining the boundaries of said entry and drain, and coal yard and wagon road, accompanied by a plat of the same, and file the same with the Justice.

Report of Jury.

The jury shall also certify the amount of damages, in writing, signed by at least four of the jurors, which shall also be filed with the Justice.

Certificate of damages.

SEC. 6. Either party may appeal from the decision of the jury to the District Court in the county in which the premises are situated, by filing with the Justice within ten days after the jury shall file their report, a bond with two or more sufficient sureties, to be approved by the Justice, in a sum double the amount assessed by the jury, conditioned that the appellant will abide the judgment of the Court, and pay all costs

Appeal.

and damages awarded against him therein, or if the appeal be dismissed, that he will pay all sums for which he would have been liable if no appeal had been taken. The proceedings in the District Court in the appeal, shall be the same as on an appeal in a civil action from a Justice of the Peace, as near as practicable, and costs shall be awarded for or against either party, upon the same rules and conditions as in such appeal of a civil action.

Proceedings
in District
Court.

Transcript
returned to
Clerk.

Record.

Applicant
may proceed
to open.

Condition.

Exclusive use

Damages for
obstructing.

SEC. 7. Upon the expiration of ten days, if no appeal has been taken as herein provided, the Justice shall return a certified transcript of the report of the Jury to the Clerk of the Board of Supervisors, who shall record the same in the book of records of roads and highways of the county.

SEC. 8. Upon the payment of the damages assessed by the jury, and of the costs of the proceedings allowed to the justice, constable, jurors, surveyor and Clerk of the Board of Surveyors, allowing the same fees as nearly as may be, as are allowed in other civil cases, it shall be lawful for the person applying for such summons to enter upon the lands examined by the jurors, and upon which they have assessed said damages, with all necessary implements to open said entry and drain, and make said coal yard and wagon road; *provided*, that if the owner of said lands be a non-resident, the applicant aforesaid shall be permitted to enter upon said premises as aforesaid, upon his depositing the amount of damages assessed, with the Clerk of the District Court, subject to the order of said non-resident owner.

SEC. 9. After such entry and drain are opened, and said coal yard and wagon road are made, it shall be lawful for the applicant to use them for his exclusive benefit, and any person obstructing or in any way injuring said entry and drain, wagon road or coal yard, shall be liable to treble damages in an action brought by the applicant.

SEC. 10. All Acts or parts of Acts conflicting with this Act are hereby repealed.

Approved March 28th, 1864.

CHAPTER 92.

COMPENSATION OF JURORS INCREASED.

AN ACT to amend Section 2 of Chapter 15 of the Acts of the regular session of the Ninth General Assembly, increasing the compensation of Jurors.

SECTION 1. *Be it enacted by the General Assembly* Raised from *of the State of Iowa*, That Section 2 of Chapter 15 \$1.50 to \$2.00 of the Acts of the regular session of the Ninth General Assembly be amended by striking out in the 3d and 4th lines, the words "one dollar and fifty cents," and inserting therefor the words "two dollars."

SEC. 2. This act shall take effect and be in force Take effect. from and after its publication in the State Register, Iowa Homestead and Iowa Statesman.

Approved March 28th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register on the 18th day of April, A. D. 1864, and in the Iowa Homestead April 20th, 1864, and in the Daily Iowa Statesman April 15th, 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 93.

TREASURER'S CERTIFICATES OF PURCHASE OF LAND AT TAX SALES.

AN ACT to amend Section 1 of Chapter 154 of the Acts of the Ninth General Assembly.

SECTION 1. *Be it enacted by the General Assembly* 2184 and 2187 *of the State of Iowa*, That Section 1 of Chapter 154 of out. the Acts of the Ninth General Assembly be amended 3716 and 3719 as follows, to-wit: Strike out 2134 and 2137, and in-inserted. sert instead thereof, 3716 and 3719.

SEC. 2. This Act being deemed of immediate im- Take effect. portance by the General Assembly, shall take effect and be in force from and after its publication in the Iowa State Register and Iowa Homestead, newspapers published at Des Moines, Iowa.

Approved March 28th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 20th, A. D. 1864, and in the Iowa Homestead 20th April, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 94.

TO COLLECT MONEY DUE SCHOOL FUND, AND PURCHASE THE
CAPITOL BUILDING.

AN ACT to provide for the collection of money due to the Permanent School Fund of the State of Iowa; for the purchase of the Capitol Building, and for the release of certain School Fund Securities.

Commissioners. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Census Board, together with the Attorney General of the State, be, and they are hereby constituted a Board of Commissioners for the purpose of carrying out the provisions of this Act, as hereinafter set forth.

Evidence of debt. SEC. 2. It is hereby made the duty of said Commissioners to proceed, as soon as practicable, to the collection of all notes and other evidences of debt now in the office of the Auditor of State, and known as the notes received by James D. Eads for money loaned out of the Permanent School Fund by the said Eads, during the time he was Superintendent of Public Instruction of the State of Iowa.

Principal and 6 per cent. SEC. 3. Said Commissioners shall have the authority to release any or all the obligors to the notes referred to in the second Section of this Act, by their paying the principal and six per cent. interest from the date of said notes. Said payments must be made on or before the first day of March, 1865, to entitle them to the benefits of this Section.

Debtors. SEC. 4. Said Commissioners shall be, and they are hereby authorized to arrange with the parties interested for the purchase of the Capitol Building, and the release of all claims against such parties, upon the following terms, viz: When the said parties, to-wit: J. A. Williamson, W. A. Scott, J. D. Cavenor, J. M. and H. H. Griffiths, Alexander Shaw and T. K. Brooks, who, on or about the 26th and 27th days of June, 1856, borrowed of the School Fund of Iowa, through James D. Eads, Superintendent of Public Instruction, certain sums of money, shall cause a good and sufficient conveyance of the title, in fee simple, unencumbered, to lots eleven and twelve, in block six of Scott's Addition to Des Moines, together with the buildings thereon, and appurtenances—it being the building now used by the State for a Capitol, and the lots on which the same is situated—the sufficiency of which conveyance and title shall be

determined by the Attorney General, and certified by his endorsement in writing thereon; then the said Commissioners shall assign, without recourse to the State in any event whatever, the several notes and mortgages given by the said parties for the said sums borrowed as aforesaid, to S. V. White, or such other person as the several parties may in writing request, for the use of the several parties interested therein: *Provided*, That the mortgage executed by W. A. Scott and Louisa Scott, dated June 27th, 1856, to said James D. Eads, Superintendent of Public Instruction, to secure the payment of eight thousand three hundred dollars, filed for record December 8th, 1856, and recorded in book "B," pages 205 and 206, together with the note of even date with said mortgage, and referred to therein, as made by W. A. Scott and James A. Williamson, for the said sum of eight thousand three hundred dollars; and the mortgage executed by J. D. Cavenor, dated July 1st, 1856, to said Superintendent of Public Instruction, to secure the payment of four thousand one hundred and twenty-five dollars, filed for record and recorded June 16th, 1857, in book "G," page 460, together with the note of even date with said mortgage, and referred to therein as made by J. D. Cavenor and J. M. Griffiths, for the sum of four thousand one hundred and twenty-five dollars; and also the mortgage executed by Alexander Shaw, dated June 27th, 1856, to said James D. Eads, Superintendent of Public Instruction, to secure the payment of three thousand dollars, filed for record December 8th, 1856, and recorded in book "B," pages 195-6, together with the note of even date with said mortgage, and referred to therein as made by Alexander Shaw and John W. Stanton, for the said sum of three thousand dollars, shall not be assigned by said Commissioners, but the same shall remain the property of the State; and said Commissioners shall cause each of said mortgages, respectively, to be foreclosed by suit in the name and for the use of the State.

Provided further, however, that the sale of block 4, in W. A. Scott's Addition to Des Moines upon special execution issued upon judgment of foreclosure of the said mortgage and note executed by said W. A. Scott, shall operate as a release and satisfaction of the claims of the State to said note and mortgage or judgment rendered thereon, so far as the State is concerned; but such release by the State shall not in any manner be construed to operate as a satisfaction of the said note and mortgage or judgment rendered thereon, so as to

Without recourse.

S. V. White.

W. A. & L. Scott.

Scott & Williamson.

J. D. Cavenor

J. M. Griffiths

A. Shaw—J. W. Stanton.

Scott's Add.

prevent the collection and enforcement of the same by the person or persons to whom assigned by the Commissioners as hereinafter provided; *and provided also*, that the sale of the South-west quarter of Section No. 4, and the South-west quarter and south half of the North-west quarter of Section No. 15, and the West fractional half of Section No. 7, and the North fractional half of the North-west quarter of Section No. 18, and the West half of North-east quarter of Section No. 30, all in township No. 77, North of Range 25 West, in Warren County and State of Iowa, containing nine hundred and fifteen and 75-100 acres, upon special execution issued upon judgment of foreclosure of the said mortgage executed by the said J. D. Cavernor, shall operate as a full release and satisfaction of the claim of the State to said mortgage and note therein secured, or to any judgment rendered thereon; *and provided also*, that the sale of the North half of the South-west quarter of Section twenty-six, township 80, North of range 24, west, containing eighty acres, upon special execution issued upon judgment of foreclosure of said mortgage executed by the said Alexander Shaw, shall operate as a release and satisfaction of the claim of the State to said mortgage and note therein secured, or judgment rendered thereon, so far as the State is concerned; but such release by the State shall not in any manner be construed to operate as a satisfaction of the said note and mortgage or judgment rendered thereon, so as to prevent the collection and enforcement of the same by the person or persons to whom assigned by the said Commissioners as hereinafter provided; and after such foreclosure and sales the remaining interest of the State in said notes and mortgages respectively and to the judgments rendered thereon, shall be assigned by said Commissioners as hereinbefore provided, and such assignment shall fully convey to such person or persons to whom assigned the said notes, mortgages and judgments rendered thereon, and the same shall be held by the party or parties to whom assigned as unsatisfied subsisting claims and liens and may by them and each of them be held and enforced as such.

Lands.

Full release.

Comm'r to assign.

Foreclose mortgage.

SEC. 5. The Attorney General is hereby authorized and directed to bid in for and in the name of the State of Iowa, at the said foreclosure sales, the said mortgaged premises particularly described in section 4 of this Act, and make return of the numbers and description thereof, to the Register of the State Land office.

SEC. 6. Whenever it becomes necessary for the

said commissioners to foreclose a mortgage or mortgages, they are hereby authorized to purchase the property held by said mortgages in the name of the State for the use of the School fund. If they deem it best for the interest of the State and the School Fund, any lands or town property so purchased, shall be subject to sale by the county officers of the county in which it is located, under the provisions of chapter 148, sections eleven and twelve, of the Acts of 1862, approved April 8th, 1862, and said commissioners are hereby authorized to use so much of the money belonging to the School Fund as they may deem necessary for the purpose of paying off prior liens and mortgages, whenever they shall deem it necessary for the interest of the State and of the School Fund.

Com'r to purchase when to interest of School Fund.

SEC. 7. It is hereby made the duty of the District Attorneys of the different Judicial Districts of this State to aid and assist in carrying out the provisions of this Act, when required to do so by the aforesaid commissioners.

Dist. Att'y.

SEC. 8. All moneys which shall come into the hands of the Commissioners by virtue of this Act shall be by them paid over to the Treasurer of State, and by him placed to the credit of the permanent School Fund.

Money to be paid School Fund.

SEC. 9. This Act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Daily State Register and Iowa Statesman, papers published at Des Moines.

Take effect.

Approved March 28th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register April 14th, 1864, and in the Daily Iowa Statesman April 16th, 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 95.

CHANGE NAME OF COUNTY.

AN ACT authorizing Counties to change their names.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That whenever the Board of Supervisors of any county shall at any regular session be presented with a petition signed by one-fifth of the

One-fifth of voters.

Board shall submit. legal voters of their county, praying for a change in the name of said county, the Supervisors shall submit the question to the people of their county at the next general election.

To be decid'd by vote. SEC. 2. The Supervisors shall select the name to be voted upon as a substitute for the original name of their county, and the manner and effect of such submission to the people shall be as provided for in Chapter 22 of the Revision of 1860, for the submission of other questions.

Take effect. SEC. 3. This Act being deemed of immediate importance, shall take effect from and after its publication in the State Register and Iowa Homestead, papers published at Des Moines, Iowa.

Approved March 28th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register April 14th, 1864, and in the Iowa Homestead April 20th, 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 96.

DEPOSITIONS IN COUNTY COURTS.

AN ACT to provide for taking depositions to be used in County Courts.

Same rules as Dist. Court. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That depositions of witnesses may be taken and read in evidence, in all actions and proceedings in County Courts in which the testimony of witnesses is required, subject to the same rules that govern their admissibility in the District Court.

Commission. SEC. 2. The commission for taking such deposition shall be issued by the County Judge under the seal of the County Court, to whom the deposition shall be returned, and be by him opened and filed in his office; and the provisions of law for taking depositions in the District Court, except as herein provided, and so far as practicable, shall govern in the taking of depositions in the County Court.

In cases of appeal. SEC. 3. Depositions taken to be read in evidence in the County Court, shall in case of appeal, be transmitted to the District Court and may be used in that Court,

subject however, to such objections as may have been raised in the County Court.

SEC. 4. This Act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Iowa Homestead.

Approved March 28th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 20th, A. D. 1864, and in the Iowa Homestead April 20th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 97.

ADJUTANT GENERAL'S REPORT FOR 1866.

AN ACT relating to the Report of the Adjutant General for 1866.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the State Printer be directed to print, and the State Binder to bind, in boards, five thousand copies of the Adjutant General's Report for January first, 1866, to be disposed of as the General Assembly of 1866 may order.

Approved March 28th, 1864.

CHAPTER 98.

JUDICIAL DISTRICTS.

AN ACT providing for the formation of the Twelfth Judicial District, and fixing the times for holding Courts in the Tenth and Eleventh Judicial Districts, and providing for the election of a District Judge and District Attorney in the Twelfth Judicial District.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* The State is hereby divided into twelve Districts for Judicial purposes.

SEC. 2. *District No. 1.*—The counties of Lee, Henry, Des Moines and Louisa shall constitute the First District.

- 2d District. SEC. 3. *District No. 2.*—The counties of Van Buren, Davis, Wapello, Monroe, Appanoose, Lucas and Wayne shall constitute the Second District.
- 3d District. SEC. 4. *District No. 3.*—The counties of Clarke, Decatur, Union, Ringgold, Adams, Montgomery, Page, Mills, Fremont and Pottawattamie shall constitute the Third District.
- 4th District. SEC. 5. *District No. 4.*—The counties of Harrison, Shelby, Monona, Crawford, Woodbury, Ida, Sac, Buena Vista, Cherokee, Plymouth, Clay, O'Brien, Sioux, Lyon, Osceola, Dickinson, Pocahontas, Calhoun, Humboldt, Emmett, Palo Alto, Kossuth, shall constitute the Fourth District.
- 5th District. SEC. 6. *District No 5.*—The counties of Carroll, Audubon, Greene, Guthrie, Adair, Madison, Dallas, Warren, Polk and Cass shall constitute the Fifth District.
- 6th District. SEC. 7. *District No. 6.*—The counties of Jasper, Marion, Poweshiek, Mahaska, Keokuk, Washington and Jefferson shall constitute the Sixth District.
- 7th District. SEC. 8. *District No. 7.*—The counties of Muscatine, Scott, Clinton and Jackson shall constitute the Seventh District.
- 8th District. SEC. 9. *District No. 8.*—The counties of Johnson, Tama, Iowa, Benton, Linn, Cedar and Jones shall constitute the Eighth District.
- 9th District. SEC. 10. *District No. 9.*—The counties of Dubuque, Delaware, Buchanan, Black Hawk and Grundy shall constitute the Ninth District.
- 10th District. SEC. 11. *District No. 10.*—The counties of Clayton, Allamakee, Fayette, Winnesheik, Howard and Chickasaw shall constitute the Tenth District.
- 11th District. SEC. 12. *District No. 11.*—The counties of Marshall, Story, Boone, Webster, Hamilton, Hardin, Wright and Franklin shall constitute the Eleventh District.
- 12th District. SEC. 13. *District No. 12.*—The counties of Mitchell, Floyd, Bremer, Butler, Cerro Gordo, Worth, Winnebago and Hancock shall constitute the Twelfth District.
- Time of holding Court. SEC. 14. The District Court of the tenth, eleventh and 12th Judicial Districts shall be held at the times and places hereinafter designated.
- In Clayton county. SEC. 15. 1st—In the tenth district, commencing in Clayton county, Iowa, on the third Monday of January and May, and on the second Monday of September of each year.
- In Fayette county. 2d—In Fayette county, on the second Monday after the third Monday in May, and on the first Monday of December of each year.

3d—In Winneshiek county on the third Monday after the third Monday in May, and on the second Monday of December of each year. In Winneshiek county.

4th—In Alamakee county on the fourth Monday after the third Monday in May, and on the third day of December of each year. In Alamakee county.

5th—In Howard county on the second Monday after the third Monday in January, and on the second day after the second Monday of September of each year. In Howard county.

6th—In Chickasaw county on the third Monday after the third Monday in January, and on the third day after the second Monday in September of each year. In Chickasaw county.

SEC. 16. In the eleventh district, commencing at Marshall in Marshall county, on the first April and September of each year. In Marshall county.

At Nevada in Story county on the first Monday after the first Monday in April and September of each year. In Story Co.

At Boonsboro in Boone county on the second day after the first Monday in April and September of each year. In Boone Co.

At Fort Dodge in Webster county on the third day after the first Monday in April and September of each year. In Webster county.

At Webster City in Hamilton county on the fourth Monday after the first Monday in April and September in each year. In Hamilton county.

At Eldora, in Hardin county, on the fifth day after the first Monday in April and September of each year. In Hardin county.

In Wright county on the sixth Monday after the first Monday in April and September of each year. In Wright county.

In Franklin county commencing on the seventh day after the first Monday in April and September of each year. In Franklin county.

SEC. 17. In the Twelfth District commencing at Waverly in Bremer county, on the second May and September of each year. In Bremer county.

At St. Charles in Floyd county on the first day after the second Monday in May and September of each year. In Floyd Co.

In Mitchell county on the second second Monday in May and September of each year. In Mitchell county.

In Worth county on the third second Monday in May and September of each year. In Worth Co.

In Winnebago county on the Fourth the second Monday in May and September of each year. In Winnebago county.

- In Hancock county. In Hancock county on the fifth Monday after the second Monday in May and September of each year.
- In Cerro Gordo county. In Cerro Gordo county on the sixth Monday after the second Monday in May and September of each year.
- In Butler Co. In Butler county on the seventh Monday after the second Monday of May and September of each year.
- Dist. Judge and Att'y of 12th Dist. SEC. 18. There shall be elected by the qualified voters of the Twelfth Judicial District at the regular election in 1864, and every four years thereafter, a District Judge and District Attorney, who shall receive the same compensation as other District Judges and District Attorneys; and the said Judge and Attorney shall enter upon the discharge of their duties on the first Monday in January, 1865, and shall hold their offices for four years until their successors are elected and qualified.
- Term. SEC. 19. The District Courts shall be held in the several counties of the Tenth and Eleventh Judicial Districts, as heretofore provided by law, and have full jurisdiction in all counties composing said District prior to the passage of this Act, until the first Monday in January, 1865, after which the jurisdiction of the Judges of the said tenth, eleventh and twelfth Judicial Districts shall extend to the said Districts as herein provided.
- Courts in 10th 11th and 12th Districts. All Acts and parts of Acts inconsistent with this Act are hereby repealed.
- Approved March 28th, 1864.

CHAPTER 99.

COUNTY COURTS.

AN ACT to change the time of holding County Courts in April and August.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section 261, of the Revision of 1860 be amended so as to read as follows: The County Court shall be considered in law as always open, but for the transaction of business requiring notice, the Judge shall hold regular sessions on the first Monday of each month.

Approved March 28th, 1864.

CHAPTER 100.

COUNTY TREASURER'S RECEIPT FOR TAX.

AN ACT to amend Section 777 of the Revision of 1860.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section 777 of the Revision of 1860, be amended by the addition thereto of the following, to-wit: The County Treasurer shall also make out, sign and deliver to the purchaser of any real property, sold for taxes as aforesaid, duplicate receipts, for any taxes, interest and costs, paid by said purchaser, after the date of said purchase for any subsequent year or years; one of which receipts said purchaser shall present to the Clerk of the County Board of Supervisors, to be by him filed in his office, and a memorandum thereof entered on the register of sales, and if he neglect to file such duplicate receipt with the Clerk, before the redemption, such tax shall not be a lien upon the land, and the person paying such tax shall not be entitled to recover the same of the owner of such real estate.

Receipts in duplicate.

Filed with Clerk.

Approved March 28th, 1864.

CHAPTER 101.

JOURNALS OF HOUSE AND SENATE.

AN ACT relating to the transcribing, indexing and distribution of the Journals of the Senate and House of Representatives.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Secretary of the Senate and the Clerk of the House of Representatives, are authorized and required to transcribe the Journals of their respective Houses, in books furnished for that purpose by the Secretary of State, and after having certified to the correctness of the same, to deliver them to the Secretary of State for preservation in his office.

Sec. and Cl'k to transcribe Journals.

SEC. 2. The Secretary and Clerk shall superintend the printing and indexing of their respective Journals, and it shall be the duty of each to deliver a carefully prepared copy thereof to the State Printer, written up

Sec. and Cl'k to superint'nd printing.

Delivered to State Printer. in solid paragraphs as nearly as practicable, which copy shall be delivered within two months from the day of adjournment of the Legislature, and upon a failure to deliver within the time above prescribed, they shall be entitled to receive only one-half of the compensation hereinafter provided.

To be printed in 90 days. SEC. 3. As soon as the Journals are printed, (which shall be done within ninety days after they shall have been delivered to the State Printer,) it shall be the duty of the Secretary and Clerk to distribute the same as herein provided. The State Printer shall receive but half of the usual compensation for a failure on his part as above provided.

Secretary and Clerk to distribute. SEC. 4. 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, one copy of which shall be stitched and bound in half sheep, and one copy of the Journal of the other House, which shall be stitched and bound in half sheep; and three copies shall also be sent to each organized county in the State, directed to the Clerk of the District Court thereof, and one copy to each officer and reporter of the General Assembly; and the State Librarian shall preserve at least fifteen copies of each Journal in the Library.

How bound.

Who gets.

Compensation. SEC. 5. As a compensation for the services herein required, the Secretary and Clerk shall each receive six hundred dollars, to be paid out of the State Treasury, one-half of which shall be allowed and paid when the copy is furnished to the State Printer, and the transcribed Journal filed in the office of the Secretary of State, and the remainder when the Secretary and Clerk shall have certified under oath that they have distributed the Journals according to the provisions of this Act.

Take effect. SEC. 6. This Act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Daily State Register and Iowa Homestead, newspapers published in Des Moines, Iowa.

Approved March 28th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register April 14th, A. D. 1864, and Iowa Homestead April 20th, 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 102.

AN ACT to amend Chapter 172 of the Acts of the Ninth General Assembly, passed April 8th, 1862, entitled "An Act to amend and consolidate an Act passed by the Board of Education December 24th, 1859, entitled "An Act to amend an Act entitled an Act to provide a System of Common Schools," and the amendments thereto."

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Section thirty-one of said Chapter be amended by the addition thereto of the following, to-wit: *Provided,* That if the electors of one or more sub-districts, at their last annual meeting, shall have voted to hold a school exceeding the time required by law, and exceeding the time provided for by the estimate aforesaid, it shall be the duty of the Board to estimate the cost of such excess, and cause the same to be certified as aforesaid; in which case it shall be the duty of the Board of Supervisors to levy such excess upon the property of the sub-district voting therefor, and which shall be collected and paid over as aforesaid.

Sub-districts may levy special tax.

SEC. 2. That Section thirty-four of said Chapter be amended by the addition thereto of the following, to-wit: Nor shall the members of the Board, except its Secretary and Treasurer, receive pay out of any school funds for services rendered under this Act.

Directors not to receive pay.

SEC. 3. That Section fifty-eight be amended by the addition thereto of the following, to-wit: He shall also keep the amount of tax levied for school house purposes separate in each sub-district, where such levy has been made directly upon the property of the sub-district making the application, and shall pay over the same quarterly to the Township Treasurer, for the benefit of such sub-district.

Treasurer to keep school house tax separate.

SEC. 4. That Section seventy-three of said Chapter be stricken out, and the following inserted in lieu thereof: Sec. 73. For the time necessarily spent in the discharge of his official duties, otherwise than in visiting schools, he shall receive the sum of two dollars per day, to be paid from the county revenue: *Provided,* He shall visit each school in his county at least once in each year, and shall be entitled to such compensation therefor as the Board of Supervisors may allow: and provided, also, he shall file a sworn statement of the time he has been employed in the discharge of his official duties with the Clerk of the Board of Supervisors, before he shall be entitled to any compensation.

Duties and compensation of Co. Sup't.

Take effect. SEC. 5. This Act shall be in force from and after its publication in the Iowa State Register, Iowa Homestead and the Iowa Instructor and School Journal.

Approved March 28th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 6th, A. D. 1864, in the Iowa Homestead April 27th, A. D. 1864, and in the Iowa Instructor and School Journal April 1st, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 103.

REGISTER OF STATE LAND OFFICE.

AN ACT further defining the duties and powers of the Register of the State Land Office, and providing for a Seal.

Office hours. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the State Land Office shall be kept open for business during business hours, and shall have the personal supervision of the Register. The documents and records therein shall be subject to inspection, in the presence of the Register, by parties having an interest therein, and certified copies thereof signed by said Register, with the seal of said office attached, shall be deemed prima facie evidence of the facts to which they relate in all the Courts of this State, and on request they shall be furnished by the Register for a reasonable compensation.

Documents and records.

Seal. SEC. 2. It shall be the duty of the Secretary of State to furnish the State Land Office with a suitable and appropriate Seal upon which shall be engraved the words, *Seal of the State Land Office of Iowa*.

Correct Patent 4258. SEC. 3. That said Register is hereby authorized and required to correct the Patent No. 4253, issued by the State of Iowa for the N. W. $\frac{1}{4}$ of S. E. $\frac{1}{4}$ of Sec. 17, T. 75, R. 18 W., on the first day of July, 1858, and recorded on page 380 of Book G of the Records of Des Moines River Land Patents, by changing the name *James E. Neal*, wherever it occurs in said Patent, to *Jairus E. Neal*, the said *Jairus E. Neal* being the purchaser of said land, and whose Christian name was erroneously written in said Patent as *James*. And said Register shall make a marginal note on said Pat-

ent, giving the date of of correction, and referring to this Act, and shall also in like manner correct the Record where said Patent is recorded. When thus corrected said Patent shall have all the force and effect as if made out originally correct.

SEC. 4. Said Register shall also correct Patent No. 11391, executed by the State on the 25th of February, 1861, for the N. W. $\frac{1}{4}$ of Section No. 16, T. 75, R. 23 W., and recorded on page 209 of vol. 11 of the Records of Patents for school lands, by changing the name of the patentee wherever it occurs in said Patent, from William *Tofer* to William *Loper*, the name of said patentee having been erroneously written *Tofer* instead of *Loper* in said Patent. Said Register shall also correct the Record and Tract Book if necessary, and make the marginal notes required in the preceding section. When thus corrected said Patent shall have all the force and effect as if made out originally correct.

Correct Patent 11391.

SEC. 5. In all cases where corrections are made as provided for in the third and fourth sections of this Act, the Register shall also correct the Tract Books and Records of said office relating thereto.

Correct tract books and records.

SEC. 6. That Section 101 of the Revision of 1860, also Chapter 56 of the Acts of the Ninth General Assembly, approved March 22d, 1862, and all other Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Repealed.

Approved March 28th, 1864.

CHAPTER 104.

APPROPRIATION—GENERAL.

AN ACT making appropriations for the per diem of the members and officers of the Tenth 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 be and the same are hereby appropriated out of any money in the State Treasury not otherwise appropriated for the purpose hereinafter designated.

Appropriat'd

SEC. 2. For the salaries of the Secretary of the Board of Education and Superintendent of Public Instruction for the term of two years, ending Decem-

Sec'y Board Education.

- ber 31st, A. D. 1865, the sum of twenty-six hundred dollars, or so much thereof as may be necessary, and for the payment of a clerk in said office for the term of two years ending as aforesaid, the sum of fifteen hundred dollars, or so much as may be necessary, provided said clerk shall act as State Librarian.
- Clerk to be Librarian. Sec. 3. For the payment of the per diem of the members and officers of the House of Representatives, the sum of twenty-six thousand two hundred dollars, or so much thereof as their certificates may entitle them to.
- Per diem—H. R.
- Per diem—Senate. Sec. 4. For the payment of the per diem of the members and officers of the Senate, the sum of fourteen thousand four hundred and fifty dollars, or so much thereof as their certificates may entitle them to.
- Lt. Governor. Sec. 5. To Lieutenant Governor Needham, per diem attending at the opening of the present session, five days at \$6, \$30.00.
- Lt. Governor. Sec. 6. To Lieutenant Governor Eastman, for seventy-nine days' services as President of the Senate, at \$6 per day, \$474.00.
- Speaker. Sec. 7. To Jacob Butler, Speaker of the House of Representatives, seventy-nine days at \$3 per day, \$237.00.
- Speaker. Sec. 8. To R. S. Finkbine, Speaker pro tem. of the House of Representatives, six days at \$3 per day, \$18.00.
- Fireman. Sec. 9. To Simon Doran for seventy-nine days services as fireman and janitor of committee rooms, at \$4.00 per day, \$316.00.
- P. M. Sec. 10. To A. P. Burhus, for sixty days services as Postmaster at \$3 per day, \$180.00.
- Ass't P. M. Sec. 11. To Theodore Guelich, for fifty-nine days services as Assistant Postmaster, at \$3 per day, \$177. Also for twenty days services as Postmaster, at \$4 per day, \$80.00.
- Mail carriers. Sec. 12. To I. Van Horton, for fifty-nine days services for carrying the mail and for bridge toll, at \$2.55 per day, \$150.45.
To John Hunter, for two days services for carrying mail, \$4.00.
To Murray, for carrying mail seventeen days, \$34.00.
- Chaplains H. R. Sec. 13. For the payment of the Chaplains of the House of Representatives, to be divided among themselves, the sum of two hundred and thirty-seven dollars.
- Chaplains Senate. Sec. 14. For the payment of the Chaplains of the Senate, to be divided among themselves, the sum of two hundred and thirty-seven dollars.

SEC. 15. For the payment of the postage of the Tenth General Assembly, the sum of six thousand seven hundred and fifty dollars. Postage.

SEC. 16. For the payment of the postage of the Tenth General Assembly, on matter to be forwarded after the adjournment, under the direction of the Secretary of State, and for other expenses not otherwise provided for, the sum of four hundred dollars, or so much thereof as shall be necessary. Postage.

SEC. 17. To J. M. Davis, for seventy-nine days services as keeper of the warehouse, at \$3 per day, Clerk in ware house.
\$237.00.

SEC. 18. To Dan A. Poorman, for making diagrams of the Senate and House of Representatives Chambers, sixteen dollars, (\$16.00.) For diagrams

SEC. 19. To Theo. Guelich, for translating the Governor's Biennial Message, and the Governor's Inaugural Message into German, \$25 each, \$50. Translating Message into German.

SEC. 20. To J. D. Davis, for erecting flagstaff on State House, \$40.00. For flag staff.

SEC. 21. To Goodwin & Purdy, for two calendar clocks, and repairing, \$95.50. For clocks.

SEC. 22. To D. P. Stubbs, R. S. Finkbine and J. H. Brown, for expenses incurred as a committee to visit and report upon the condition of the State Penitentiary at Fort Madison, \$57.00 each, \$171.00. Com. to visit Penitentiary.

SEC. 23. To J. W. Dixon, E. H. Stiles and D. A. Hurst, for expenses incurred as a committee to visit and report upon the condition of the Asylum for the Insane at Mt. Pleasant, \$43.50 each, \$130.50. Com. to visit Insane Asylum.

SEC. 24. To J. B. Young, R. Sears, and A. B. F. Hildreth for expenses incurred as a committee to visit and report upon the condition of the State University and Asylum for the Deaf and Dumb, at Iowa City, \$39 each, \$117.00. Com. to visit S. U. and D. and D. Asylum.

SEC. 25. To B. F. Gue, Charles Paulk and John Russell, for expenses incurred as a committee to visit and report upon the condition of the Agricultural College and Farm, at Story county, \$12 each, \$36.00. Com. to visit Agr'l College and Farm.

SEC. 26. To J. Bausman, for error in amount allowed at the Ninth General Assembly, for the Des Moines Times, newspaper, \$205.00. Bausman.

SEC. 27. To J. H. Sanders, as Clerk, pro tem. during the organization of the House of Representatives, two days, at \$6, \$12.00. Clerk pro tem.

- Speaker's Chair. SEC. 28. To C. & L. Harbach, for one hair cloth revolving chair, \$20.00.
- Guards Penitentiary. SEC. 29. For the payment of the increased pay to the Guards of the Penitentiary, made at this session, \$2,880.00 or so much as may be necessary.
- Book cases. SEC. 30. To J. & J. A. Simington, for three book cases for Senate and House, \$49.50.
- Dalldorff. SEC. 31. To John A. Dalldorff, for printing the Governor's Biennial Message in German, and sending printed copies to Des Moines, \$160.05.
- Gov. Private Secretary. SEC. 32. For additional payment for services as Private Secretary to the Governor for two years ending December 31st, A. D. 1865, the sum of \$500.00.
- Mills & Co. SEC. 33. To Mills & Co., for stationery account, for use of Legislature, \$178.50.
- Finkbine and Lovelace. SEC. 34. To R. S. Finkbine and C. F. Lovelace, for balance due on work at the Blind Asylum, the sum of \$124.90.
- Patterson. SEC. 35. To John Patterson, as Door-Keeper, pro tem., for the House, two days at \$4 per diem, \$8.
- Knox. SEC. 36. To James H. Knox, as Sergeant-at-Arms, pro tem., for Senate, two days at \$4 per diem, \$8.
- Turner. SEC. 37. To Giles H. Turner, as Door-Keeper, pro tem., for the Senate, two days at \$4 per diem, \$8.
- Hatch. SEC. 38. To George L. Hatch, for six days' service as Messenger in Senate, at \$3 per diem, \$18.
- Lischer. SEC. 39. To H. Lischer, for printing the Governor's Inaugural Message in German, and freight and drayage on the same, \$115.50.
- Sup't Weights and Measures. SEC. 40. To the State Superintendent of Weights and Measures, for repairing building containing Cabinet of Weights and Measures, and for office expenses, \$40.
- Entwistle. SEC. 41. To Ed. Entwistle, for fifteen gallons paste, for Tenth General Assembly, in House, at 50 cents per gallon, \$7.50.
- Stutsman. To D. H. Stutsman, for paste for Senate, \$8.
- Gov.'s increased salary. SEC. 42. For the payment of the increased salary of the Governor for the balance of the term of two years ending December 31st, A. D. 1865, the sum of one thousand dollars, or as much thereof as may be necessary.
- Distribution Blue Book. SEC. 43. For the payment of expenses in the distribution of the Blue Book of 1860, by the Secretary of State, \$200.
- Hurley. SEC. 44. For error in mileage of J. L. Hurley, \$15.
- Dist. Judge 12th district. SEC. 45. For the payment of the salary of the District Judge of the 12th Judicial District, for the term of one year ending December 31st, 1865, the sum of \$1300.
- SEC. 46. For the payment of the salary of the Dis-

istrict Attorney of the 12th Judicial District, for the term Dist. Att'y of one year ending December 31st, A. D. 1865, the sum 12th district. of \$600.

SEC. 47. To Wesley Redhead, for stationery for the Redhead. use of the Legislature, \$120.50.

SEC. 48. To Weeks & Foster, for abstract of titles Weeks & Fos-
ter. mortgaged to the School Fund by the members of the Capital Association, \$50.

SEC. 49. For the payment of the subscription for Subscriptions newspapers taken by members of the Senate, the sums —Senate. following, to-wit:

State Register,.....	\$2,249 50
Iowa Statesman,.....	224 00
Davenport Gazette,.....	66 00
Burlington Hawk-Eye,.....	122 00
Bellevue Argus,.....	1 00
Appanoose Democrat,.....	1 50
Council Bluffs Bugle,.....	1 00
North Iowa Journal,.....	1 00
Pocket City News,.....	2 00
New Oregon Plaindealer,....	1 00
State Press,.....	1 00
Sioux City Register,.....	1 00
Ottumwa Mercury,.....	1 00
Fort Dodge Republican,....	3 00
Council Bluffs Nonpareil,....	32 50
Der Democrat, Davenport,....	7 00
Muscatine Journal,.....	118 50
Ottumwa Courier,.....	3 00
Oskaloosa Herald,.....	8 50
Keosauqua Republican,.....	19 00
Davenport Democrat & News,....	2 00
Gate City,.....	35 00
Linn Co. Patriot,.....	8 50
Keokuk Co. News,.....	15 00
Dubuque Times,.....	27 00
Dubuque Herald,.....	7 00
North Iowa Times,.....	5 50
Iowa City Republican,.....	22 50
Washington Press,.....	6 00
Iowa Tribune,.....	92 00
Iowa Valley Democrat,....	1 00
National Demokrat,.....	15 00
Keokuk Constitution,.....	6 00
Fairfield Ledger,.....	10 00
Waterloo Courier,.....	50
Eldora Sentinel,.....	1 00
Iowa Staats Zeitung,.....	50

Western Journal, Adel,	3 50
Free Press,	50
Adair County Register,	3 50
Winterset Flag,	13 00
Indianola Visitor,	9 00
Fort Madison Plaindealer,	1 00
Marshall County Times,	5 00
Story County Argus, [Ægis],	5 00
Tipton Advertiser,	13 00
Eddyville Star,	2 00
Marion Co. Republican,	21 50
Clayton Co. Journal,	1 50
Buchanan Co. Guardian,	3 00
Lyons Mirror,	2 00
Wapello Republican,	1 50
Montezuma Republican,	6 00
Burlington Argus,	6 00
Cedar Falls Gazette,	10 00
Albia Union,	7 50
Union Guard,	23 50
Iowa Transcript,	20 50
Home Journal,	1 00
Charles City Intelligencer,	6 00
Maquoketa Excelsior,	15 50
Decorah Republic,	5 50
Boone County Tribune,	5 00
Cass County Gazette,	6 00
Union Sentinel,	5 00
Fayette County Record,	40 00
Iowa Homestead,	699 00

Subscriptions
—House.

SEC. 50. For the payment of the subscription for newspapers taken by the members of the House of Representatives, the sums following, to-wit:

State Register,	\$2,535 50
Gazette,	104 00
Times, Dubuque,	38 50
Plaindealer,	22 00
Hawkeye Flag,	46 00
Times, Cedar Rapids,	10 50
Intelligencer,	42 50
Homestead,	1,133 00
Hawkeye,	83 00
Home Journal,	20 50
Nonpareil,	116 50
Journal, Muscatine,	34 00
News, McGregor,	9 00
Courier, New Hampton,	13 50
Times, McGregor,	14 00

Transcript,.....	12 50
Monitor,.....	2 50
Courier, Ottumwa,.....	12 00
Star,.....	9 00
Republic,.....	8 00
Gazette, Cedar Falls,.....	12 50
Ledger,.....	46 50
Guardian,.....	17 50
Press, Washington,.....	62 00
Republican, Knoxville,.....	13 00
Phoenix,.....	6 00
Republican, Iowa City,.....	46 00
Republican, Fort Dodge,.....	3 50
Tribune, Boonsboro,.....	12 00
Ægis,.....	10 00
Tribune, Burlington,.....	91 00
Record,.....	12 50
Eagle,.....	8 50
Journal, Clayton county,.....	3 00
Advertiser.....	25 50
Statesman,.....	235 00
Gate City,.....	63 50
Herald,.....	36 50
Standard,.....	7 00
News, Sigourney,.....	39 00
Western Home,.....	10 00
Republican, Keosauqua,.....	21 00
Union Guard,.....	15 00
Journal, Adel,.....	16 00
Eureka,.....	6 00
Review,.....	27 50
Excelsior,.....	6 50
Republican, Montezuma,.....	6 00
Courier, Waterloo,.....	3 50
American Union,.....	8 00
Visitor, Indianola,.....	5 00
Free Press,.....	12 50
North Iowa Journal,.....	2 00
Sentinel, Eldora,.....	3 50
Mirror, Lyons,.....	50
Herald, Clinton,.....	50
Signal,.....	1 00
Times, Wheatland,.....	50
Democrat, Davenport,.....	3 50
School Journal,.....	22 00
Constitution,.....	6 50
Republican, Wapello,.....	1 50
Times, Marshall,.....	3 00

	Union Banner,.....	50
	Union, Albia,.....	1 00
	Sentinel, Osceola,.....	6 00
	Herald, Dubuque,.....	22 00
	Mercury, Ottumwa,.....	50
	National Democrat,....	31 50
	Argus, Burlington,.....	1 00
	Argus, Bellevue,.....	1 00
	Iowa Valley Democrat,....	1 00
	Register, Sioux City,.....	50
	Bugle, Council Bluffs,.....	1 00
	Plaindealer, New Oregon,.....	1 00
	Democrat & News,.....	50
	Union, Magnolia,.....	3 00
	Clarion,.....	50
	Democrat, Appanoose,.....	50
	Iowa Banner, Lyons,.....	50
	State Press, Iowa City,....	50
	Courier, Marshalltown,.....	50
	Patriot, Marion,.....	3 00
Mills & Co.	Sec. 51. To D. O. Mills & Co., for tin-roofing the Capitol and repairs, \$48,20. To D. A. Poorman, Isaac Brandt, and B. F. Allen, witnesses before House Committee of Expenditures, \$12,00.	
Witness fees.		
Take effect.	Sec. 25. This Act being deemed of immediate importance, shall take effect from and after its publication in the Daily State Register and the Iowa Homestead, newspapers published in Des Moines	
	Approved March 29th, 1864.	

I hereby certify that the foregoing Act was published in the Daily State Register April 15th, A. D. 1864, and in the Iowa Homestead April 20th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 105.

AIDS-DE-CAMP.

AN ACT authorizing the Governor to appoint Aids-de-Camp.

Four. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Governor is hereby authorized to appoint four Aids-de-Camp, with the rank of Lieutenant Colonel of Cavalry.

Lieut. Col. Cavalry.

SEC. 2. This Act being deemed by the General Assembly of immediate importance, shall take effect from and after its publication in the Daily State Register and Iowa Homestead, newspapers published at Des Moines. Take effect.

Approved March 28th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register April 16, A. D. 1864, and in the Iowa Homestead April 20th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 106.

CLAIM OF J. L. MASON.

AN ACT providing for auditing the account of J. L. Mason, of Bentonsport, Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Board of Commissioners created by Chapter 10 of the Laws of the Extra Session of the Eighth General Assembly of the State of Iowa, be and they are hereby authorized and required to audit and allow the claim of J. L. Mason of Bentonsport, Van Buren County, for subsistence furnished troops by order of one Captain Farris, in the year 1861; *provided* the amount so allowed shall not exceed the sum of seventy-three dollars and fifty cents. Audited.

Approved March 28th, 1864.

CHAPTER 107.

REPRESENTATIVE APPORTIONMENT.

AN ACT apportioning the State of Iowa into Representative Districts.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That one Representative to eight thousand four hundred and fifty inhabitants or fraction thereof equal to one-half in each Representative dis- Ratio.

- trict, is hereby constituted the ratio of apportionment.
- 1st district. SEC. 2. Lee county is the first district, and entitled to three representatives.
- 2d district. SEC. 3. Van Buren county is the second district, and entitled to two representatives.
- 3d district. SEC. 4. Davis county is the third district, and entitled to two representatives.
- 4th district. SEC. 5. Appanoose county is the fourth district, and entitled to one representative.
- 5th district. SEC. 6. Wayne county is the fifth district, and entitled to one representative.
- 6th district. SEC. 7. Decatur county is the sixth district, and entitled to one representative.
- 7th district. SEC. 8. Des Moines county is the seventh district, and entitled to three representatives.
- 8th district. SEC. 9. Henry county is the eighth district, and entitled to two representatives.
- 9th district. SEC. 10. Jefferson county is the ninth district, and entitled to two representatives.
- 10th district. SEC. 11. Wapello county is the tenth district, and entitled to two representatives.
- 11th district. SEC. 12. Monroe county is the eleventh district, and entitled to one representative.
- 12th district. SEC. 13. Lucas county is the twelfth district, and entitled to one representative.
- 13th district. SEC. 14. Clarke county is the thirteenth district, and entitled to one representative.
- 14th district. SEC. 15. Page county is the fourteenth district, and entitled to one representative.
- 15th district. SEC. 16. Fremont county is the fifteenth district, and entitled to one representative.
- 16th district. SEC. 17. Mills county is the sixteenth district, and entitled to one representative.
- 17th district. SEC. 18. Louisa county is the seventeenth district, and entitled to one representative.
- 18th district. SEC. 19. Washington county is the eighteenth district, and entitled to two representatives.
- 19th district. SEC. 20. Keokuk county is the nineteenth district, and entitled to two representatives.
- 20th district. SEC. 21. Mahaska county is the twentieth district, and entitled to two representatives.
- 21st district. SEC. 22. Marion county is the twenty-first district, and entitled to two representatives.
- 22d district. SEC. 23. Warren county is the twenty-second district, and entitled to one representative.
- 23d district. SEC. 24. Madison county is the twenty-third district, and entitled to one representative.

SEC. 25. Pottawattamie county is the twenty-fourth 24th district, and entitled to one representative.

SEC. 26. Muscatine county is the twenty-fifth dis-25th district, and entitled to two representatives.

SEC. 27. Johnson county is the twenty-sixth dis-26th district, and entitled to two representatives.

SEC. 28. Iowa county is the twenty-seventh district, 27th district, and entitled to one representative.

SEC. 29. Poweshiek county is the twenty-eighth 28th district, and entitled to one representative.

SEC. 30. Jasper county is the twenty-ninth district, 29th district, and entitled to one representative.

SEC. 31. Polk county is the thirtieth district, and 30th district, entitled to two representatives.

SEC. 32. Dallas county is the thirty-first district, 31st district, and entitled to one representative.

SEC. 33. Scott county is the thirty-second district, 32d district, and entitled to three representatives.

SEC. 34. Clinton county is the thirty-third district, 33d district, and entitled to two representatives.

SEC. 35. Cedar county is the thirty-fourth district, 34th district, and entitled to two representatives.

SEC. 36. Jackson county is the thirty-fifth district, 35th district, and entitled to two representatives.

SEC. 37. Jones county is the thirty-sixth district, 36th district, and entitled to two representatives.

SEC. 38. Linn county is the thirty-seventh district, 37th district, and entitled to two representatives.

SEC. 39. Benton county is the thirty-eighth district, 38th district, and entitled to one representative.

SEC. 40. Tama county is the thirty-ninth district, 39th district, and entitled to one representative.

SEC. 41. Marshall county is the fortieth district, 40th district, and entitled to one representative.

SEC. 42. Dubuque county is the forty-first district, 41st district, and entitled to four representatives.

SEC. 43. Delaware county is the forty-second dis-42d district, and entitled to one representative.

SEC. 44. Buchanan county is the forty-third district, 43d district, and entitled to one representative.

SEC. 45. Black Hawk county is the forty-fourth dis-44th district, and entitled to one representative.

SEC. 46. Hardin county is the forty-fifth district, 45th district, and entitled to one representative.

SEC. 47. Clayton county is the forty-sixth district, 46th district, and entitled to three representatives.

SEC. 48. Fayette county is the forty-seventh district, 47th district, and entitled to two representatives.

- 48th district. SEC. 49. Bremer county is the forty-eighth district, and entitled to one representative.
- 49th district. SEC. 50. Chickasaw county is the forty-ninth district, and entitled to one representative.
- 50th district. SEC. 51. Allamakee county is the fiftieth district, and entitled to two representatives.
- 51st district. SEC. 52. Winnesheik county is the fifty-first district, and entitled to two representatives.
- 52d district. SEC. 53. Boone county is the fifty-second district, and entitled to one representative.
- 53d district. SEC. 54. Story county is the fifty-third district, and is entitled to one representative.
- 54th district. SEC. 55. The counties of Howard and Mitchell shall constitute the fifty-fourth district, and be entitled to one representative.
- 55th district. SEC. 56. The counties of Butler and Grundy shall constitute the fifty-fifth district, and be entitled to one representative.
- 56th district. SEC. 57. The counties of Floyd and Cerro Gordo shall constitute the fifty-sixth district, and be entitled to one representative.
- 57th district. SEC. 58. The counties of Webster, Pocahontas, Buena Vista and Clay shall constitute the fifty-seventh district, and be entitled to one representative.
- 58th district. SEC. 59. The counties of Worth, Winnebago, Kosuth and Hancock shall constitute the fifty-eighth district, and be entitled to one representative.
- 59th district. SEC. 60. The counties of Humboldt, Wright, Franklin and Hamilton shall constitute the fifty-ninth district, and be entitled to one representative.
- 60th district. SEC. 61. The counties of Dickinson, Palo Alto, Emmett and O'Brien shall constitute the sixtieth district, and be entitled to one representative: *Provided*, also, That the unorganized counties of Osceola and Lyon shall be attached to this district.
- 61st district. SEC. 62. The counties of Woodbury, Plymouth, Cherokee and Sioux shall constitute the sixty-first district, and be entitled to one representative.
- 62d district. SEC. 63. The counties of Monona, Crawford, Ida and Sac shall constitute the sixty-second district, and be entitled to one representative.
- 63d district. SEC. 64. The counties of Harrison and Shelby shall constitute the sixty-third district, and be entitled to one representative.
- 64th district. SEC. 65. The counties of Calhoun, Green, Carroll and Audubon shall constitute the sixty-fourth district, and be entitled to one representative.
- 65th district. SEC. 66. The counties of Guthrie, Adair and Cass

shall constitute the sixty-fifth district, and be entitled to one representative.

SEC. 67. The counties of Montgomery, Adams and 66th district. Union shall constitute the sixty-sixth district, and be entitled to one representative.

SEC. 68. The counties of Taylor and Ringgold shall 67th district. constitute the sixty-seventh district, and be entitled to one representative.

Approved March 28th, 1864.

CHAPTER 108.

DES MOINES RIVER LAND GRANT.

AN ACT supplemental to Chapter ninety-nine of the laws of the Seventh General Assembly, approved March 22d, 1858, and relating to the Des Moines River Land Grant, and for the payment of certain audited claims and releasing to the United States certain occupied lands included in said grant.

SECTION 1. *Be it enacted by the General Assembly* Homestead. *of the State of Iowa,* That all the title and interest of the State of Iowa in and to any portions of the lands granted by the act of Congress, approved July 12th, 1862, situated north of township number ninety, north, which was entered upon by a head of a family as a homestead or as a pre-emption claim and who had prior to the first day of January, 1863, filed in the proper Land office, a declaratory statement, and who actually occupied the said land with his family, as a homestead, on the first day of December last, and has continued to hold and occupy the same, shall be relinquished to the United States upon the condition hereinafter mentioned. The said claimants shall within ninety days from the taking effect of this Act, make due proof before the Register of the Land Office at Fort Dodge, of such filing, entry and continued occupation, and any person claiming an interest in the said lands, after giving all contesting parties ten days notice of the time and place, may appear before the Register within thirty days after the expiration of the said ninety days, and contest the validity of such claims, and the whole evidence having been reduced to writing and certified to Evidence in by said Register of the Land Office at Fort Dodge, writing. shall be deposited in said Land Office, and a complete

List of claims shall be filed in the office of the Governor at Des Moines within one hundred and forty days from the date of the taking effect of this Act. The Governor shall execute a release of such lands to the United States, when lists of the same, duly certified by the Register of the Land Office at Fort Dodge, shall be furnished him, and he shall be satisfied from the evidence so filed with the Register that the said claims have been established in accordance with the provisions of this Act.

Release to U. S. *Provided*, That if any of the said claimants shall fail to perfect their claims upon any of the aforesaid lands in the manner required by the laws of the United States relating to pre-emptions and homesteads, then such unclaimed lands shall belong to the State of Iowa and be held and disposed of as provided by the said act of Congress, approved July 12th, 1862, and

Fail to perform. *Provided further*, That if any purchase money shall be paid by said claimants to the United States for such lands, the same shall inure to the benefit of the parties legally entitled thereto.

State of Iowa. **SEC. 2.** No person or persons, company or corporation, claiming said lands or any part thereof, shall be entitled to receive a certificate or other conveyance of said granted lands, until such person or persons, company or corporation, shall execute and file in the office of the Register of the State Land Office a deed of release to the State of Iowa of the lands described in Section one of this Act.

Purchase money. **SEC. 3.** Charles Pomeroy of Boonsboro, and John R. Needham of Oskaloosa, are hereby appointed commissioners to classify the lands granted to the State of Iowa by the act of Congress of July 12th, 1862, and it shall be their duty,

Deed of release. *First*—To file an oath in the office of the Register in such form as shall be prescribed by that officer to discharge fairly and impartially, the duties imposed by this Act.

Pomeroy. Needham. *Second*—After the filing of said official oath, and as soon as practicable after said lands are certified to the State of Iowa, to arrange said lands with reference to their value, in three separate classes or grades; the lands in each class to be as nearly as practicable of equal value.

Com'rs take oath. *Third*—To file in the office of the Register lists of the lands in each grade or class.

Grade lands. **SEC. 4.** As soon as said lists are filed in the office of the Register of the State Land Office, it shall be the

File lists. 70,000 acres.

duty of such Register to reserve and set apart of those lands lying in place upon the Des Moines River above township number ninety, seventy thousand acres, taking the same as nearly as practicable from the lands next north of said township.

Provided, That in the setting apart of said seventy thousand acres, ten sections of land upon which S. H. Taft has located a colony, shall be excluded, and the Governor is hereby authorized to convey said ten sections of land to said S. H. Taft for not less than one dollar and twenty-five cents per acre, and the money received for the same shall be deposited in the State Treasury for the use of the Keokuk, Fort Des Moines and Minnesota Railroad Company, when they shall become entitled thereto under the provisions of this Act, which land so reserved shall be held to secure the payment of the claims and discharge of existing liabilities against the Des Moines River Improvement in the manner hereinafter provided.

SEC. 5. The commissioners hereinbefore named, shall set apart from the indemnity lands, so called, fifty eight thousand eight hundred and thirty acres, one-third from each class or grade to be used, or so much thereof as may be necessary for that purpose by the State in adjusting the titles of its grantees to lands sold prior to June 9th, 1854, as contemplated by act of Congress approved July 12, 1862.

SEC. 6. After the lands as granted have been so classified and graded, and the reservations provided for in sections four and five of this Act, have been set apart by the Register, the Keokuk, Fort Des Moines and Minnesota Railroad Company, shall select two hundred and forty sections of those remaining, less the ten sections to be conveyed to S. H. Taft, as provided in Section four of this Act, and shall file in the office of the Register a list showing the same, after which a number of sections of said lands equal in value to one-fourth of all the lands including the two hundred and forty sections to be selected by said company as herein provided, granted to the Keokuk, Fort Des Moines and Minnesota Railroad Company, except the reservation provided for in Sections four and five of this Act, shall be selected by Charles Pomeroy, who shall cause a list of the same to be filed in the office of the Register of the State Land Office; all of said selections shall be made as nearly as practicable one-half in each case from the lands in place and one-half from the indemnity lands, so called, and in making all of said selections one-

S. H. Taft.
Money deposited.

Indemnity lands.

Each grade.

240 Sections.

S. H. Taft.

Pomeroy.

- Each grade. third shall be taken from each of the three grades in which such lands shall be classed.
- Certificate. SEC. 7. That upon the filing of certificate in the office of the Register of the State Land Office by the Keokuk, Fort Des Moines and Minnesota Railroad Company, verified by the oath of the President and Secretary thereof, showing that such Company has forty miles of its road, from the town of Bentonsport up the valley of the Des Moines River, completed and in operation, it shall be the duty of the Register to certify to said company the two hundred and forty sections of land selected by said company as above provided, and upon the presentation of such certificate to the Governor, he shall, if satisfied that the above provision has been complied with, issue to said company a patent therefor.
- 40 miles of Railroad.
- Governor to patent.
- Lands set apart. SEC. 8. That the lands selected by Charles Pomeroy as above provided for, shall be set apart by the Register of the State Land Office, to be applied in the construction of said Railroad from the city of Des Moines to Fort Dodge, and said lands so reserved shall be divided into four equal parcels, one of which shall be certified and patented to said company upon the completion of each fourth in distance of that portion of said road.
- Four parcels.
- Commissioners abolished. SEC. 9. Upon the payment or satisfaction by said Railroad Company of the claims against the Des Moines River Improvement, which have been duly allowed and certified by the Commissioners and audited by the Register of the State Land Office, according to an act of the Eighth General Assembly, approved March 3d, 1860, entitled an act in relation to the Des Moines River Improvement and abolishing the office of Commissioners thereof, including the amount paid by the State in accordance with Chapter Forty-four of the Acts of the Ninth General Assembly to Brown and Allender; also the amount paid W. C. Drake in accordance with Chapter Fifty-three of the acts of the Eighth General Assembly, also to the Estate of E. Mayne, balance for services as Commissioner, one hundred and sixteen dollars and eighty cents; to Ed. Johnson balance for similar services, ninety-one dollars and fifty cents; to J. E. Jewett, balance for similar services, ninety dollars; to Semple and Kinley, council fees, twenty dollars; also all interest accruing on all or any of said claims as now fixed by law; together with the costs and expenses incurred in grading or classing the lands in said grant as required by the terms of this Act. The Register shall certify to said company the lands set apart
- Brown & Allender.
- Drake.
- Johnson.
- Jewett.
- Semple & Kinley.
- Register to certify.

and reserved by Section four of this Act, and the Governor shall, if he is satisfied that the foregoing provisions have been complied with, and provided said Keokuk, Fort Des Moines and Minnesota Railroad Company shall have filed with the Secretary of State, a bond in the sum of one hundred thousand dollars, with sureties to be approved by the Governor, conditioned that said R. R. Company will pay all just and legal claims against the State of Iowa on account of or growing out of the improvement of the Des Moines River, issue a patent therefor, except for so much as shall have been released to the United States in compliance with the provisions of this Act, and upon the payment or satisfaction of any portion of said claims by said company, it shall be entitled to a certificate and patent for a portion of said lands in the ratio of one thousand acres of land for every three thousand dollars of said claims so paid or satisfied.

Bond.

Governor to patent.

Ratio.

SEC. 10. The Bond provided for in Section nine of this Act, shall not bind the Keokuk, Fort Des Moines and Minnesota R. R. Company to pay any claims except such as have grown out of contracts for the construction and completion of the works at Keosauqua, Plymouth and Croton and which have been allowed by the Commissioners appointed under the act of March 3d 1860, or their successors, or which shall be allowed not exceeding twenty thousand dollars, within sixty days from the taking effect of this Act. All claims not presented within the said sixty days shall be forever barred. Said Commissioners are authorized to hear and determine such claims as may be presented to them within the said sixty days and to fix the time and place of their meeting, and to give thirty days notice thereof in the Keosauqua Republican and Keokuk Gate City, as provided in said act of March 3d, 1860.

Keosauqua.
Plymouth.
Croton.

Barred.

Com. to hear.

Provided, That as to all claims not mentioned in this Section, the bar imposed by the act of March 3d, 1860, is to continue in full force.

Bar in force.

SEC. 11. All assignments of said claims or of any part thereof, shall be filed in the office of the Register of the State Land Office on or before the first day of July next, and no assignment not thus filed shall entitle the holder thereof to any claim in the trust fund provided to pay such claims, and the Register or Company shall be justified in paying any funds applicable to the payment of said claims, to any person who appears by the papers on file with or in the claim to be entitled thereto.

Assignments

Claims to be paid in one year.

Lands to be appraised.

Advertised.

Claimants may bid.

Shall pay.

Claimants may select.

Patents for.

Releases from contracts.

Company released.

SEC. 12. In case the said Company shall not have paid all the claims mentioned in the ninth Section of this Act, as follows: At least one-half in amount thereof within one year from the time the certificate of such lands shall be delivered to the State, and the remaining part within one year thereafter, then the Register of the State Land Office shall cause said reserved lands to be appraised so that the prices of the three classes shall average three dollars per acre. He shall thereupon offer the same for sale at public auction, in such parcels as will bring the greatest price, after giving two months' notice of such sale in the "Iowa State Register," the "Keosauqua Republican," and the "Ft. Dodge Republican:" *Provided*, That in no case shall the lands be sold for less than the minimum price so fixed, unless hereafter directed by the General Assembly. At such sale the owners of any of the said claims may bid on such lands, and the Register shall receive their claims as aforesaid, receipted as money paid on such bids.

SEC. 13. The Register shall from the moneys received from such sale, pay as follows: 1st—The expenses of such classification, appraisement, advertisement and sale. 2—Sums due the State for moneys advanced or due other parties, as mentioned in Section nine of this Act. 3—The claims unpaid and not used in the purchase of said lands. And in case there shall not be in his hands moneys sufficient to pay all of said claims, the payments thereon shall be pro rata. And after the application of all the moneys so received, the claimants may enter upon and select any of said lands not disposed of, to the amount of their said unpaid claims, at the minimum price fixed thereon; and the Governor shall, in all cases of the above disposition of any of said lands, issue patents therefor. Should any of the said reserved lands remain undisposed of after the payment of such claims, they shall be treated as other lands subject to be certified to said Company.

SEC. 14. In case the said Railroad Company shall procure from all persons having valid claims against the Des Moines River Improvement, or the State, arising out of contracts for the completion of the locks and dams in said Improvement, or for leases, water rents and other contracts from which future liabilities may arise by reason of said locks and dams not being completed, full releases from all such contracts, claims and demands, and shall file the same in the office of the Register aforesaid; then the said Company shall be released from any obligation to complete said locks and dams at Croton,

Plymouth and Keosauqua, as provided by Section two of said Act of March 22d, 1858; and the said Company is hereby released from any obligation to complete and keep in repair the lock and dam at Bentonsport; and in case the said Company shall expend any sums of money upon any of said works, or in procuring said releases, then, for every three thousand dollars so expended, the Register shall certify to said Company one thousand acres of the lands above reserved not required to pay the claims of Section nine of this Act, and in the same rates for any less sums so expended.

Lands certified on payment of claims.

SEC. 15. Whenever it shall be made to appear to the satisfaction of the Governor and the Register of the State Land Office, that in accordance with any contract with the Keokuk, Fort Des Moines & Minnesota Railroad Company, and for a consideration paid by said Company, the completion of either of the locks and dams remaining uncompleted at Croton, Plymouth and Keosauqua, has been assumed by some proper party, and the State and said Company discharged from any further payments therefor, and that the State and said Company have been discharged from all liabilities arising out of any contracts for the completion of either of such locks and dams heretofore entered into or assumed by the State as trustee, or out of any and all contracts or leases of water power heretofore executed or assumed by the State as such trustee, or otherwise, it shall be the duty of the Governor and Register of the State Land Office, first, if so requested by such Company, to execute to such party as the Company shall designate, a conveyance in the name of the State of Iowa, without warranty, of all the interest of the said State in such lock and dam, and in the land appurtenant thereto, and the water power thereto belonging, and in any material prepared for the construction of such lock and dam; and if any of such material shall have been improperly taken possession of by any person, the State or its grantee may replevin the same. That said conveyance shall contain a covenant on the part of the grantee, that said dam shall at all reasonable times be kept in condition to pass boats without unnecessary hindrance or delay, and that for boats passed through the locks of such dam, the toll charged shall not exceed the maximum rates prescribed by the contract by the State with the Des Moines Navigation and Railroad Company. Second, to certify to said Keokuk, Fort Des Moines & Minnesota Railroad Company, or to such person as it may designate, for every three thousand dollars so paid,

Governor and Register.

Discharged from liability.

Gov. & Register to convey without warranty.

Replevin.

Locks.

Toll charged.

Ratio. one thousand acres of land from the seventy thousand acres reserved by this Act, and in the same ratio for sums less than three thousand dollars.

R. R. to complete 20 miles. SEC. 16. When said Railroad Company shall, in the manner prescribed in Section seven of this Act, establish the fact that it has completed and is operating twenty miles of its road, in addition to that for which it shall have received lands of this grant prescribed in this Act: *Provided*, The said Company shall have then satisfied all the claims mentioned in Sections nine and ten of this Act, to be evidenced by receipts filed in the office of said Register, or by the receipt of the State Treasurer, for moneys paid to such Treasurer in default of the proper claimants receiving the same, the said

Claims satisfied.

120 sections.

Company shall be entitled to a certificate and patent for one hundred and twenty sections of said lands, to be selected, as nearly as practicable, one-half from the lands in place, and one-half from the indemnity lands, so called, and one-third from each of said grades or classes, until there shall remain of the lands within said grant, undisposed of, only the lands reserved by the preceding sections of this Act: *Provided*, That it is also made to appear to the satisfaction of the Governor and the Register of the State Land Office, that said road has been constructed over the most practicable route up the valley of the Muchakianock Creek, and that a depot has been established on the line of said road at the point nearest the city of Oskaloosa, and on the east side of said creek, or that the Mahaska County Railroad Company has consented to a different route and a different point for the location of said depot.

Depot at Oskaloosa.

One-fourth distance from Des Moines to Ft. Dodge.

SEC. 17. When the Keokuk, Fort Des Moines and Minnesota Railroad Company shall in like manner have established the fact that it has completed and is operating its road one-fourth of its distance between the city of Des Moines and Fort Dodge, it shall be entitled to a certificate and patent for one-fourth of the lands reserved by Section eight of this Act; and upon the completion of each additional one-fourth of said road between Des Moines and Fort Dodge, said Company shall be entitled to receive a certificate and patent for one-fourth of the lands so reserved: *Provided*, however, That the Railroad Company building westwardly from McGregor shall have the right of way for their road across the lands embraced in this Act, and the same is hereby granted to said Company: and *Provided further*, That the State shall in no event whatever, be liable to said Keokuk, Fort Des Moines & Minnesota Railroad Com-

McGregor R. R. to have right of way.

Failure of title.

pany, or to any of its grantees, or any other persons to whom lands may be sold or patented under the provisions of this Act, for any failure of title to any of the lands so sold or patented.

SEC. 18. The time in which the first seventy-five miles of the Keokuk, Fort Des Moines & Minnesota Railroad from the town of Bentonsport up the valley of the Des Moines River, shall be completed, is hereby extended to the first day of May, 1865, after which the said Company is required to build and equip thirty-three miles of its road for each year for five years, and the remainder of the whole line within three years thereafter, or on the first day of May, 1874; and in case of a failure to so build and equip said road, the lands then remaining uncertified to said Company shall belong to this State, to be disposed of as provided by the Act of Congress of July 12th, 1862, and the laws of this State.

SEC. 19. The Commissioners hereinbefore named shall each receive as compensation for services rendered in the discharge of their duties imposed by this Act, the sum of three dollars per day for the number of days engaged therein, and their necessary expenses; and the bills therefor shall be audited by the Register of the State Land Office, and paid by the Keokuk, Fort Des Moines & Minnesota Railroad Company. If either of said Commissioners shall neglect or refuse to discharge the duties imposed by this Act, the Governor shall appoint some competent person to act in his place.

SEC. 20. The said Keokuk, Fort Des Moines and Minnesota Railroad Company shall assent to and accept the provisions of this Act by a written instrument under the seal of said corporation, with the signature of the proper officers, before any lands shall be patented to them by the Governor, as provided by this Act, which said acceptance shall be filed in the office of the Secretary of State, and be by the Secretary recorded in the book by him kept for the recording of articles of association. Said Company accepting the provisions of this Act, shall at all times be subject to all the rules and regulations, and all the restrictions and conditions not inconsistent with this Act, provided in an Act passed March 3d, 1860, an Act passed March 22d, 1858, and an Act passed July 14th, 1856, by the General Assembly of the State of Iowa.

SEC. 21. This Act being deemed of immediate importance, shall take effect and be in force from and after

its publication in the Iowa State Register and the Iowa Homestead, newspapers published in Des Moines.

Approved March 28th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 20th, A. D. 1864, and in the Iowa Homestead April 20th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 109.

AGRICULTURE.

AN ACT to amend Sections 1704, 1707, 1708, 1741 and 1742 of the Revision of 1860, in relation to Agricultural Fairs.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the aid heretofore extended to County and District Agricultural Societies shall be withheld in each and every year in which the receipts of any of such Societies shall exceed the sum of five hundred dollars; *provided,* that donations and appropriations to aid in purchasing and fitting up Fair grounds, and the appropriations from the State shall in no case be construed to be part of the annual receipts of such societies.

SECTION 2. No person shall be permitted to sell any intoxicating liquors of any kind or be engaged in any gambling or horse-racing either inside the enclosure where any County or District Agricultural Society Fair is being held, or within one hundred and sixty rods thereof during the time of holding such Fair, and any person found guilty of any of the offences herein enumerated shall be fined in any sum not less than five nor more than fifty dollars for every such offence.

SECTION 3. It shall be lawful for the President of any District or County Agricultural Society to grant a written permit to such persons as he may deem necessary, to sell fruit, provisions and other necessaries, to such persons as may be in attendance at any such Fair, under such regulations and restrictions as the Board of Directors may prescribe.

SECTION 4. The President of any such Society shall be empowered to arrest or cause to be arrested any person or persons engaged in violating any of the provisions

contained in Sec. 2 of this Act and cause them forthwith to be taken before some Justice of the Peace, there to be dealt with as provided for in said Sec. 2 of this Act, and he may seize or cause to be seized all intoxicating liquors of any kind with the vessels containing the same and all tools or other implements used in any gambling, and may remove or cause to be removed all shows, swings, boothes, tents, carriages, wagons, vessels, boats, or any other nuisance that may obstruct or cause to be obstructed (by collecting persons around or otherwise) any thoroughfare leading to any entrance to the enclosure in which such Agricultural Fair is being held, and any person owning or occupying any of the causes of obstructions herein specified, who may refuse or fail to remove such obstructions or nuisance when ordered so to do by the President of such Society, shall be liable to a fine of not less than five and not more than twenty dollars for every such offence.

SEC. 5. *Be it further enacted*, That the number of copies of the Annual Reports of the Iowa State Agricultural Society to be published shall be limited to three thousand, all of which shall be bound in a manner and style uniform with those bound by the State for the years 1859 and 1860; *provided* said binding shall not cost more than thirty cents per copy.

SEC. 6. The Secretary of State shall distribute said reports as follows; Ten copies to each member of the General Assembly, ten copies to the State Agricultural College, ten copies to the State University, ten copies to the State Library, four hundred copies to the State Agricultural Society, and the remainder to the County Agricultural Societies, and only to such Societies as have made reports to the Secretary of the State Agricultural Society as required in Section 1698 of the Revision of 1860; *provided*, that the proportion to each County Society shall be regulated by the number of members reported to the State Agricultural Society.

SEC. 7. All acts and parts of Acts contrary to the provisions herein contained, are hereby repealed.

Approved March 28th, 1864.

CHAPTER 110.

SALE OF POISONS.

AN ACT to amend Section 4874 of Chapter 178 of the Revision of 1860.

Regulations. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section Four Thousand Three Hundred and Seventy-Four of Chapter One Hundred and Seventy-Three be amended by adding to the end thereof the following, "any person who may dispose of at retail any poisonous substance or liquid to any one for any purpose, is hereby required to enter in a book to be kept by such apothecary, druggist or other person so disposing, the name of the poison, when bought, by whom, and for what purpose; and if the person who calls for such poison is not personally known to the vendor, then such person shall be identified by some one known to the vendor, whose name shall also be entered in such book.

Penalty. Any failure to comply with the requirements of this provision shall subject the party so failing to imprisonment in the county jail not more than thirty days or to a fine not exceeding one hundred dollars."

Approved March 29th, 1864.

CHAPTER 111.

AUDITING BOARD.

AN ACT to amend Chapter 10 of the Acts of the Extra Session of the 8th General Assembly, in relation to the Auditing Board.

Auditing Board. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section one of Chap. 10 of the Acts of the extra session of the 8th General Assembly be and the same is so amended that the Board of Auditing Commissioners created by said Act shall, from and after the first day of May, A. D. 1864, consist of John N. Dewey, and so much of said section one aforesaid, as relates to the appointment of Isaac W. Griffith and S. R. Ingham and their successors, is hereby repealed.

John N. Dewey sole member.

SEC. 2. All authority vested in said Board by Chapter 10 of the Acts of the extra session of the 8th General Assembly and all other Acts conferring powers on said Board be and the same are hereby vested in John N. Dewey aforesaid.

Authority of said Board.
Repeal.
Powers vested in John N. Dewey.

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 and Iowa Statesman, newspapers published at Des Moines, Iowa.

Take effect.

Approved March 29th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 20th, A. D. 1864, and in the Iowa Statesman April 27th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 112.

MAYOR AND ALDERMEN.

AN ACT to legalize certain acts of the Board of Mayor and Aldermen of the town of Fort Madison making an appropriation for the payment of bounties to volunteers, and to authorize the levy and collection of a special tax to meet such appropriation.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the acts and doings of the Board of Mayor and Alderman of the town of Fort Madison on the 24th day of December, A. D. 1863, making an appropriation of six thousand four hundred dollars for the payment of bounties for enlistments in the military service of the United States, be and are hereby legalized.

Ft. Madison.

Appropriat'n.

Enlistments.

Legalized.

SEC. 2. That said Board of Mayor and Aldermen be and are hereby authorized to levy and collect a special tax to meet the said appropriation, which said tax shall be levied and collected at the time and in the manner taxes for ordinary purposes are levied and collected in and for the said town of Fort Madison, provided that the said Board of Mayor and Aldermen may levy and collect during the year 1864 a sufficient amount to meet one-half of said appropriation, and during the year 1865 a sufficient amount to meet the remainder of said appropriation.

Special tax.

Collection.

One-half in 1864.

One-half in 1865.

SEC. 3. That the said Board of Mayor and Alder-

Required. men be and are hereby authorized and required to apply the taxes levied and collected under the provisions of this Act, or so much thereof as may be necessary for that purpose, in payment of any and all notes and scrips executed and issued by the authority of said Board to raise the said sum of six thousand four hundred dollars appropriated as aforesaid.

Notes and script.

Take effect.

SEC. 4. 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 Homestead, papers published at Des Moines.

Approved March 29th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 10th, A. D. 1864, and in the Iowa Homestead April 18th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 113.

ADJUTANT GENERAL'S REPORT.

AN ACT to direct the Adjutant General to make report January 1st, 1865, and to provide for publishing and distributing the same.

Report to Governor.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Adjutant General of this State shall make a report to the Governor of this State on the first day of January, 1865, which Report shall be a continuance of the history of the enlistments from the State of Iowa from January 11th, 1864, to said January 1st, 1865, together with such history of battles in which Iowa Regiments may be engaged, reports of the condition, location and number of arms and accoutrements and amount of ammunition in the State, together with such other matter as may in the opinion of the Adjutant General be of public interest.

Matter.

Printing.

SEC. 2. The State Printer shall within ninety days after the copy of said Report has been delivered to him, print five thousand copies thereof, which when bound in boards shall be delivered to the Secretary of State.

Distribution by Sec. State.

SEC. 3. The Secretary shall distribute said Reports as follows: one hundred copies to the Governor of the State for exchange with Governors of other States and for his own use; ten copies to the Lieutenant Gover-

nor; ten copies to Ex-Governor Kirkwood; five copies to Ex-Lieutenant Governor Needham; one hundred copies for the State Library, to be used so far as necessary for exchange with other States, and the balance of said hundred to be kept in the State Library; fifty copies to the State Historical Society; one to each County Judge, Clerk of the District Court and Recorder of each organized county in the State to be kept for their respective offices and to be delivered over to their successors in office.

SEC. 4. There shall be sent to the County Clerk of each county in this State, a sufficient number of copies of said Report to enable him to furnish one copy to each Township Clerk in his county, to be kept in the office of said Clerk and by him delivered to his successor in office.

SEC. 5. The Adjutant General shall be furnished with twelve hundred copies for distribution among such commissioned officers of Iowa Regiments as may be by him deemed best for the public service and for exchange with Adjutant Generals of other States, and for officers of the United States; twenty copies to the Adjutant General; three copies each to the Secretary of State, Auditor of State, Treasurer, Register of State Land Office, Superintendent of Public Instruction and the Judges of the Supreme Court; three copies to each member of the present General Assembly and one copy to each officer of the present General Assembly; and the balance to be kept by the Secretary of State to be distributed as future legislation may direct.

Approved March 29th, 1864.

CHAPTER 114.

REPORTS OF STATE INSTITUTIONS.

AN ACT fixing the fiscal term for State Institutions, when reports shall be made, and their distribution.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the biennial fiscal term for all Institutions required to report to the Governor, or to the General Assembly, shall commence on the first Monday of November next preceding the regular ses-

What Institutions are meant.

sion of the General Assembly, and the several officers of all such Institutions shall commence their reports on that day, and close them on the day preceding. Such Institutions include the Penitentiary, the Hospital for the Insane, the Asylum of the Blind, the Institution of the Deaf and Dumb, the State University, the Agricultural College and Farm, and all others that now are or may hereafter be under the patronage of the State.

Delivery.

Sec. 2. The officers of all such Institutions whose duty it is to make such reports, shall have the same delivered to the Executive Office on or before the fifteenth day of December following the close of the fiscal term, excepting the Secretary of the Agricultural College and Farm, whose report shall be delivered as

Printing and binding.

above by the first day of February following, as provided by law; and the Governor shall cause to be printed of each of said reports three thousand copies, to be bound and distributed as follows: Twenty-five hundred copies to be bound in paper and distributed as follows: One thousand copies equally among the members of the General Assembly, one thousand copies to the officers making the same, for distribution by them; five hundred copies to remain with the Secretary of State for the use of future General Assemblies, and special calls therefor, and five hundred copies to be stitched and bound in boards in a book containing a copy of each report, to be distributed as follows: One copy to each member of the General Assembly, one copy to each State officer and State Institution, one copy to the office of Clerk of the District Court in each county, to belong to said office; eighty copies to the State Historical Society, as now required by law, and the remainder to be placed in the State Library.

Distribution.

Reports State officers.

And further, the Governor shall cause to be printed three thousand copies of the report of each State officer, which shall be bound and distributed in the same manner as above provided.

Approved March 29th, 1864.

CHAPTER 115.

PUBLIC PRINTING.

AN ACT fixing the compensation of printers for publishing all legal notices required by law, and providing for the manner of publication in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That in all cases where publication of legal notices of any kind are required or allowed by law, the person or officer desiring such publication shall not be required to pay more than one dollar per square of ten lines of BREVIER type, or its equivalent, for the first insertion, and fifty cents per square for each subsequent insertion; and any person desiring such publication, who shall have tendered such notice to the editor, proprietor, or person conducting some newspaper published weekly or oftener in such county, having the largest circulation, and has offered pay for the publication of the same, at the rate herein named, in case the publication of such notice is refused at the price above fixed, then the officer or person desiring such publication, shall procure the insertion of such notice in the newspaper nearest the county seat of such county, having a general circulation, that will publish such notice at the rate herein provided, which publication shall in all respects have the same effect in law and equity as if such notice had been published in the county where such action was commenced, or sale is to take place.

Legal notices

Tendered.

Refused.

Rate provid'd

Same effect.

Tax list.

Rate of fees.

No. of subscribers.

SEC. 2. The compensation for printing the Delinquent Tax List, under the direction of the County Treasurer as required by Section 764 of the Revision of 1860, shall from and after the taking effect of this Act, be at the rate of twenty cents for each tract of real property advertised for sale; and in case there is no newspaper published in the county where such lands lie, then the Treasurer shall cause the publication to be made in the nearest newspaper having a circulation in such county, provided that no newspaper shall be considered as one of general circulation unless it has two hundred regular weekly subscribers.

SEC. 3. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Repeal.

SEC. 4. 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

Take effect.

Iowa State Register and the Iowa Homestead, newspapers published at Des Moines.

Approved March 29th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 27th, A. D. 1864, and in the Iowa Homestead April 27th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 116.

RELIEF MYRON COLLINS AND OTHERS.

AN ACT for the relief of Myron Collins, William L. Thomas, Mathew T. Dimond, Ezra Whipple and Abraham Isenhart.

Released
from liability
on a recogni-
zance.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Myron Collins, William L. Thomas, Matthew T. Dimond, Ezra Whipple and Abraham Isenhart be released from all liability in a certain recognizance entered into by them before John McGregor, Clerk of the District Court of Jackson county, on the sixth day of January, A. D. 1860, for the appearance of Eli S. Washburn at the next term of the Supreme Court at Davenport and on which recognizance judgment was rendered in the Supreme Court on the fifth of December, A. D. 1860, and the Attorney General is hereby directed to enter satisfaction in full of said judgment; the said Eli S. Washburn having been pardoned by the Governor for the crime of which he was convicted on the ground of meritorious services in the military service of the United States.

Approved March 29th, 1864.

CHAPTER 117.

AGRICULTURAL COLLEGE AND FARM.

AN ACT authorizing the Trustees of the Iowa State Agricultural College and Farm to sell all lands acquired, granted, donated or appropriated for the benefit of said College, and to make an investment of the proceeds thereof.

Lands dona-
ted.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all the lands granted to the State of Iowa, by the act of Congress entitled "an act

donating public lands to the several States and Territories, which may provide colleges for the benefit of Agriculture, and the Mechanic Arts," approved July 2d, 1862, which grant was accepted by said State of Iowa, by an act passed at the extra session of the Ninth General Assembly, approved September 11, 1862, be and the same are hereby granted to the Iowa State Agricultural College, situated on the Agricultural Farm in Story county, Iowa. The interests on the proceeds arising from the sales of said lands, or any part thereof, and the rents accruing from the lease of any of said lands, are hereby appropriated to the endowment, support and maintenance of said College, upon the terms, conditions and restrictions contained in said Act of Congress and subject to such conditions and restrictions as future Legislatures of Iowa may impose. The Board of Trustees of said Agricultural College and Farm are hereby authorized to sell all of said lands in such tracts or parcels, and to such party or parties, and upon such terms of payment as they may deem proper for the best interests of said institution; and to the party or parties purchasing said lands, the President of said College and farm shall issue a certificate countersigned by the Secretary of said Board of Trustees, stating the fact of purchase, to whom sold, description of the land, terms of sale and the amount paid therefor. Upon presentation of such certificate to the Register of the State Land Office with the endorsement of the President or Treasurer of said Board thereon, showing full payment of the purchase money, and stating the amount thereof, said Register shall issue to the party or parties mentioned therein, or to their assigns, a patent or patents, for the tract or tracts of lands therein described, which patents shall be signed by the Governor and Register as other patents or deeds for lands conveyed by the State, and shall convey all the right, title and interest of the State to the lands therein described.

Accepted.

Granted.

Board of Trustees.

President.

Treasurer.

Patents.

Provided.

Provided.

Lease.

Provided, That not more than ten per cent of the lands granted by Congress July 2d, A. D. 1862, as aforesaid, shall be sold by said Board of Trustees previous to the first day of April, A. D. 1866, and

Provided further, That none of the lands so disposed of by said Board at any time shall be sold for a less sum than one dollar per acre.

SEC. 2. The said Trustees are hereby authorized to lease for a term of ten or more years, any of said lands, the lessee to pay six per cent. interest per annum upon the appraised value of said lands, with the privilege of

Appraised. purchasing the same at the expiration of the lease, at their appraised value at the date of the lease. And for the purpose of leasing said lands, the Trustees of said College shall cause a requisite portion of said lands to be appraised, which appraisement shall not be less than \$1,25 per acre, nor more than the real value thereof. The lessee upon failure to pay the interest on his lease within six months after the same becomes due, shall forfeit his lease, with all of the improvements thereon, to the said College.

Invested stocks. SEC. 3. All the proceeds of the lands thus sold except ten per cent. thereof, shall be invested under the direction of said Trustees, in Stocks of the United States, or of the State of Iowa, (and in case either of said stocks cannot be obtained, then in other safe stocks,) yielding not less than five per centum upon the par value of said stocks, and the interest or increase arising therefrom, or so much thereof as may be necessary, shall be applied in the support and maintenance of said College and Farm, as provided in an act of the General Assembly of this State, passed March 22d, 1858, being Article 3, Chapter 67, Revision of 1860, entitled "An Act for the establishment of a State Agricultural College and Farm, with a Board of Trustees, which shall be connected with the entire Agricultural interests of the State of Iowa."

Per cent. JASPER CO. SEC. 4. That said Board of Trustees be and they are hereby also authorized to sell in like manner, the five sections of land in Jasper county, which were originally granted to the State of Iowa to aid in the erection of public buildings, by act of Congress approved March 3d, 1845, and which have now, with the consent of Congress, been appropriated to the benefit of said Agricultural College and Farm, and that any and all sales of said lands, or any part or parts thereof, heretofore made by said Board of Trustees, be and the same are hereby approved, legalized and confirmed, and the purchasers thereof, or their assigns, shall upon presenting to the Register of the State Land Office their certificates and endorsements, as required in section one of this Act, be entitled to receive patents as therein provided.

Benefit. SEC. 5. That said Board of Trustees be, and they are hereby authorized to sell in like manner any and all lands which have been, or may hereafter be acquired, granted, donated or appropriated for the use and benefit of said institution.

Certificates. SECRETARY. SEC. 6. The Secretary of said Board of Trustees

shall, immediately after the sale of any of said lands, report the same to the Register of the State Land Office, giving a description of the lands sold, name of purchaser, and the date and terms of sale.

SEC. 7. All lands which have been or may hereafter be donated to and for the use of the Iowa State Agricultural College and Farm, shall be described and recorded in a book kept for that purpose in the office of the Register of the State Land Office, and said Register shall, in his Biennial Report, give a full statement of the aggregate amount of lands recorded in his office for the purposes herein mentioned the quantity sold, and the price paid for the same. Report.

SEC. 8. No lands shall be sold under the provisions of this Act, until the selections made by the agent appointed for that purpose, shall have been confirmed by the proper authorities at Washington. Agent.

SEC. 9. This Act being deemed of immediate importance, shall be in force and take effect from and after its publication in the Iowa State Register and the Iowa Homestead, papers published at Des Moines. Take effect.

Approved March 29th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 27th, A. D. 1864, and in the Iowa Homestead April 27th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 118.

LOAN OF SCHOOL FUND.

AN ACT to provide for the loan of the Permanent School Fund, fixing the rate of interest thereon, and limiting the price at which School Land may be sold, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the rate of interest on all school funds now on hands, or hereafter coming into the treasury of any county, when loaned out according to law, shall be fixed at not less than eight per cent. per annum, provided that the above rate of interest shall only be collected on any outstanding loan, accruing after the first day of January, 1864. Rate of interest.
Take effect.

SEC. 2. The Board of Supervisors of each county in this State shall, at their meeting in June of each June meeting

- year, ascertain the amount of permanent school fund, if any, in the hands of the County Treasurer, and if the amount on hand shall at that time exceed the sum of one thousand dollars, and in the opinion of the said Board of Supervisors it can not be loaned within the county under the requirements of the law, then the Board of Supervisors shall order the County Treasurer to transmit the amount in his hands to the State Treasurer, to be invested by the State Treasurer in United States Stocks, said investment to be approved by the Census Board.
- Exceed \$1000**
Cannot be loaned.
Transmit to State Treasurer.
Census Board
- School lands.** SEC. 3. Hereafter no school lands shall be sold for less than one dollar and twenty-five cents per acre.
- Ends of justice.** SEC. 4. Whenever the Board of Supervisors of any county shall find it necessary to effect the ends of justice, they may by resolution assign without recourse, any school fund claim to any person having a subsequent lien on the premises affected by such claim, upon the full payment of the amount due the said fund, but not otherwise.
- Without recourse.**
Full payment
- Responsible.** SEC. 5. Each county having any portion of the permanent school fund on loan within the same, shall be responsible for the collection of the annual interest thereof, unless the Board of Supervisors of such county shall in their report show that the non-collection thereof is unavoidable by reason of the failure of both mortgage and personal security for said loan, as shown by the sheriff's return on the execution issued on the judgment thereon; and on making the semi-annual distribution of the temporary school fund, the collector [Auditor] shall withhold from the distributive share of any county so much as the uncollected interest in said county which has remained due and unpaid for the term of eighteen months previous to the time of the making of such distribution, if said county has not sued said claim, or is not otherwise legally exonerated therefrom; and *provided further*, that when interest has been so withheld, it shall, when collected, be added to the distributive share of such county.
- Unavoidable.**
Sh'iff's ret'rn
Withhold.
Unpaid.
Has not sued.
Provided.
- Diverted.** SEC. 6. In case any county has or hereafter may divert any portion of the school fund to other purposes than such as is allowed by law, the Auditor shall withhold from such county such sum from its distributive share of the temporary school fund as will equal the amount so directed [diverted,] and in all cases of withholding any part of the distributive share of a county, he shall thereon notify the Presidents of the several township districts in said county through the County
- Allowed by law.**
Distributive share.
Withhold.

Superintendent, of the sum so withheld, and the costs thereof. Superintendent.

SEC. 7. In case any county has or may hereafter direct Divert. [divert] any portion of the school fund to any use not authorized by law, the Auditor shall inform the State Auditor. Board of Equalization. State tax. Board when determining the rate of State tax to be levied in such year, shall add to the rate so fixed for other counties, such a per cent. as will raise an amount on the county Per cent. Equal. Sum divert'd. Board Super- visors. so directing [diverting] such fund, as will equal as near as may be the sum so diverted from the school fund, and the Board of Supervisors of such county shall assess the sum upon the taxable property of their county, and the same shall be collected, and for all purposes be considered a State tax, and when so levied and certified to said Auditor, he shall add to the amount (if any) he shall withhold on that account of the distributive share of such county to the next apportionment to such county, but if none had previously been withheld from such county, then the sum so levied and certified shall Tax'ble prop- erty. Collected State tax. Withhold. Apportion- ment. Withheld. be credited to the temporary school fund the same as if School fund. collected in ordinary course.

SEC. 19. All Acts and parts of Acts conflicting with the provisions of this Act be and they are hereby repealed. Repeal.

SEC. 9. This Act being deemed of immediate im- Take effect. portance, shall be in force from and after its publication in the State Register and Iowa Statesman, papers published at Des Moines, Iowa.

Approved March 29th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register April 27th, A. D. 1864, and the Iowa Statesman April 27th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 119.

COMMISSIONERS' SEAL.

AN ACT supplemental to Chapter 15 of the Revision of 1860.

SECTION 1. *Be it enacted by the General Assembly* Engraving. of the State of Iowa, That each Commissioner appointed by the Governor of this State under the pro-

visions of Chapter 15, of the Revision of 1860, shall have engraved upon his seal, his name, and also the words "Commissioner for Iowa."

SEC. 2. It is hereby made the duty of the Secretary of State to forward to each Commissioner heretofore or hereafter appointed under said Chapter 15 of the Revision of 1860, a copy of this Act.

Approved April 5th, 1864.

CHAPTER 120.

STORAGE RECEIPTS OR CERTIFICATES.

AN ACT supplemental and amendatory to Chapter 84 of the Acts of the Regular Session of the Ninth General Assembly of the State of Iowa, being "An Act to prevent fraud in warehousemen and others.

Evidence of ownership. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That all warehouse receipts, certificates or other evidence of the deposit of property, issued by any warehouseman, wharfinger or other person engaged in storing property for others, shall be deemed in the hands of the holder thereof, as *prima facie* evidence of title to the ownership of said property both in law and equity.

Approved April 5th, 1864.

CHAPTER 121.

AMENDING LAW IN RELATION TO AGRICULTURAL COLLEGE.

AN ACT to amend Article 3, of Chapter 67 of the Revision of 1860.

Sections repealed. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Sections 1734, 1735, 1736, 1737, and 1738 of the Revision of 1860, be and the same are hereby repealed.

Trustees to select a Sup't. SEC. 2. The Board of Trustees shall at any meeting have power to select a competent person for Superintendent of Agricultural College Farm. The Superin-

tendent shall reside on the Farm and shall, under the direction of the Trustees, take charge of the Farm and property of every description connected therewith, and in the management thereof shall be governed by such rules and regulations as the Board of Trustees may from time to time adopt.

Sup't to reside on the Farm.
Conform to rules.

SEC. 3. The Superintendent shall act as Secretary of the Board of Trustees, and shall keep the records of their proceedings. He shall also keep a strict account of all receipts and expenditures connected with the Farm, and all improvements, including buildings, and shall report in writing to the Board of Trustees at their regular meeting in January, of each year a full account of all of his transactions; he shall also report at such other times as the Trustees may deem necessary. His books shall at all times be subject to the inspection of any one of the members of the Board.

Sup't to act as Secretary.

To keep account.

To report.

Books to be subject to inspection.

SEC. 4. The Superintendent shall receive for his services a salary of one thousand dollars per annum, to be paid quarterly from the State Treasury in the same manner as is provided by law for the payment of salaries of the State officers.

Sup't's salary.
Paid quarterly.

SEC. 5. The Superintendent shall before entering upon the discharge of the duties of his office, execute a bond in such sum and with such sureties as the Trustees may require for the faithful performance of his duties. He may at any time be removed from office by a vote of two-thirds of the members of the Board of Trustees.

Sup't to give bond—Trustees to approve.

May be removed.

SEC. 6. Whenever a vacancy shall occur in the Board of Trustees by death, resignation or failure to qualify within three months from the time of election, the Governor may fill such vacancy by appointment of a suitable person, who shall hold his office until the next meeting of the General Assembly.

Vacancy in Board—how filled.

SEC. 7. The term of office of the present Secretary of the Agricultural College shall expire on the first day of January, 1865, and he shall at that time deliver to the Board of Trustees all books, papers, documents, seeds and other property belonging to his office.

Present to continue until Jan. 1, '65.

SEC. 8. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Repealed.

SEC. 9. This Act being deemed by the General Assembly of immediate importance shall take effect from and after its publication in the Iowa State Register and

Take effect.

Iowa Homestead, newspapers published at Des Moines.
Approved April 5th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 27th, A. D. 1864, and in the Iowa Homestead April 27th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 122.

COLLECTION OF TAXES.

AN ACT to legalize the levy and collection of certain taxes in certain cities and towns.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That when any city or incorporated town, incorporated before the taking effect of the "Act for the incorporation of cities and towns," approved March 23, 1858, shall have heretofore levied taxes under section 93 of said Act, or under section 1123 of the Revision of 1860, such levy and assessment and all the acts of the officers of such city or town in relation thereto, are declared legal and binding to the same extent as if the same had been levied and done under competent authority; *provided* there shall exist no other legal objection thereto than the fact that such levy was made and the acts done under color of authority of the sections aforesaid.

Assessment and levy of taxes in certain cities and towns legalized.

Take effect.

SEC. 2. This Act being deemed of immediate importance, shall be in force upon its publication in the Iowa State Register and Iowa Homestead, newspapers printed at Des Moines.

Approved April 5th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register, and in the Iowa Homestead April 27th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 123.

SENATORIAL APPORTIONMENT.

AN ACT to apportion the State into Senatorial Districts.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the ratio for apportionment of the State into Senatorial Districts shall be one Senator for each seventeen thousand and two hundred inhabitants or fraction thereof exceeding one-half in each Senatorial District. Ratio.

SEC. 2. The county of Lee shall constitute the first 1st district, district, and shall have two Senators.

SEC. 3. The county of Van Buren shall constitute the second 2d district, district, and shall have one Senator.

SEC. 4. The county of Davis shall constitute the third 3d district, district, and shall have one Senator.

SEC. 5. The county of Appanoose shall constitute the fourth 4th district, district, and shall have one Senator.

SEC. 6. The counties of Lucas, Clark and Wayne shall constitute the fifth 5th district, district, and shall have one Senator.

SEC. 7. The counties of Ringgold and Decatur shall constitute the sixth 6th district, district, and shall have one Senator.

SEC. 8. The counties of Taylor, Page, Union, Adams and Montgomery shall constitute the seventh 7th district, district, and shall have one Senator.

SEC. 9. The counties of Fremont, Mills, Cass and Pottawattamie shall constitute the eighth 8th district, district, and shall have one Senator.

SEC. 10. The county of Des Moines shall constitute the ninth 9th district, district, and shall have one Senator.

SEC. 11. The county of Henry shall constitute the tenth 10th district, district, and shall have one Senator.

SEC. 12. The county of Jefferson shall constitute the eleventh 11th district, district, and shall have one Senator.

SEC. 13. The county of Wapello shall constitute the twelfth 12th district, district, and shall have one Senator.

SEC. 14. The county of Monroe shall constitute the thirteenth 13th district, district, and shall have one Senator.

SEC. 15. The county of Louisa shall constitute the fourteenth 14th district, district, and have one Senator.

SEC. 16. The county of Muscatine shall constitute the fifteenth 15th district, district, and shall have one Senator.

SEC. 17. The county of Washington shall constitute the sixteenth 16th district, district, and shall have one Senator.

- 17th district. SEC. 18. The county of Keokuk shall constitute the seventeenth district, and shall have one Senator.
- 18th district. SEC. 19. The county of Mahaska shall constitute the eighteenth district, and shall have one Senator.
- 19th district. SEC. 20. The county of Marion shall constitute the nineteenth district, and shall have one Senator.
- 20th district. SEC. 21. The county of Warren shall constitute the twentieth district, and shall have one Senator.
- 21st district. SEC. 22. The counties of Madison, Dallas, Adair and Guthrie shall constitute the twenty-first district, and shall have one Senator.
- 22d district. SEC. 23. The county of Scott shall constitute the twenty-second district, and shall have two Senators.
- 23d district. SEC. 24. The county of Clinton shall constitute the twenty-third district, and shall have one Senator.
- 24th district. SEC. 25. The county of Cedar shall constitute the twenty-fourth district, and shall have one Senator.
- 25th district. SEC. 26. The county of Johnson shall constitute the twenty-fifth district, and shall have one Senator.
- 26th district. SEC. 27. The counties of Iowa and Powesheik shall constitute the twenty-sixth district, and shall have one Senator.
- 27th district. SEC. 28. The county of Jasper shall constitute the twenty-seventh district, and shall have one Senator.
- 28th district. SEC. 29. The county of Polk shall constitute the twenty-eighth district, and shall have one Senator.
- 29th district. SEC. 30. The county of Jackson shall constitute the twenty-ninth district, and shall have one Senator.
- 30th district. SEC. 31. The county of Jones shall constitute the thirtieth district, and shall have one Senator.
- 31st district. SEC. 32. The county of Linn shall constitute the thirty-first district, and shall have one Senator.
- 32d district. SEC. 33. The counties of Benton and Tama shall constitute the thirty-second district, and shall have one Senator.
- 33d district. SEC. 34. The counties of Marshall, Story and Boone shall constitute the thirty-third district, and shall have one Senator.
- 34th district. SEC. 35. The county of Dubuque shall constitute the thirty-fourth district, and shall have two Senators.
- 35th district. SEC. 36. The county of Delaware shall constitute the thirty-fifth district, and shall have one Senator.
- 36th district. SEC. 37. The counties of Buchanan and Bremer shall constitute the thirty-sixth district, and shall have one Senator.
- 37th district. SEC. 38. The county of Clayton shall constitute the thirty-seventh district, and shall have one Senator.

SEC. 39. The county of Fayette shall constitute the 38th district. thirty-eighth district, and shall have one Senator.

SEC. 40. The counties of Hardin, Grundy and Hamilton shall constitute the thirty-ninth district, and shall have one Senator.

SEC. 41. The counties of Blackhawk and Butler shall constitute the fortieth district, and shall have one Senator.

SEC. 42. The county of Alamakee shall constitute the forty-first district, and shall have one Senator.

SEC. 43. The county of Winneshiek shall constitute the forty-second district, and shall have one Senator.

SEC. 44. The counties of Howard, Mitchell, Floyd and Chickasaw shall constitute the forty-third district, and shall have one Senator.

SEC. 45. The counties of Worth, Winnebago, Kosuth, Emmett, Dickinson, Clay, Palo Alto, Hancock, Cerro Gordo, Wright, Humboldt, Pocahontas, Buena Vista, Sac, Calhoun, Webster and Franklin, shall constitute the forty-fourth district, and shall have one Senator.

SEC. 46. The counties of Harrison, Shelby, Audubon, Carroll, Greene, Crawford, Monona, Woodbury, Ida, Cherokee, Plymouth, Sioux, O'Brien, Okeola and Lyon, shall constitute the forty-fifth district, and shall have one Senator.

SEC. 47. That nothing in this Act shall affect the Senators now elected, although the numbers of those districts under present laws may be the same as provided for in this Act; *provided*, that the Senators to be elected at the October election, in the year 1865, in districts 40 and 45 shall hold their term of office for the term of four years.

SEC. 48. No district herein formed shall be represented in the next General Assembly by a greater number of Senators than herein provided.

SEC. 49. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved April 5th, 1864.

CHAPTER 124.

TAXES FOR BONDED INDEBTEDNESS.

AN ACT to amend Chapter 45 of the Revision of 1860, in relation to Revenue.

Levy.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That hereafter it shall not be lawful for the Board of Supervisors of any county in this State to levy taxes in any one year for the payment of bonded indebtedness, including judgments founded on such indebtedness, (and excluding such indebtedness as may exist at the time, on account of bounties for enlistment in the military service, or for the support of families of volunteers,) or more than three mills on the dollar upon the last corrected assessed valuation of the taxable property in such county: *Provided,* Nothing herein contained shall be construed to reduce the rate of taxation below the rate fixed for one year in any county in which a specific rate was fixed by the vote of such county authorizing the issue of such bonds.

SEC. 2. All Acts and parts of Acts inconsistent with this Act, are hereby repealed.

Approved April 5th, 1864.

CHAPTER 125.

WINTERBOTHAM & JONES.

AN ACT to provide for the settlement of claims of the State against Winterbotham & Jones.

Att'y General
Security.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Attorney General of the State be, and he is hereby authorized to settle with Messrs. Winterbotham & Jones, lessees of the convict labor, all claims of the State against said Winterbotham & Jones, and also all claims for damages of said Winterbotham & Jones against the State, and to obtain from said parties security for all sums ascertained to be due from said parties, provided that no settlement or agreement in relation to the same shall be valid until the

same shall be submitted to and approved by the Governor of the State. Governor to approve.

SEC. 2. That all sums found to be due shall be paid or secured to be paid to the Warden of the Penitentiary, for the use of the institution, as now provided by law. Use of Penitentiary.

SEC. 3. This Act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Daily State Register and the Iowa Homestead, newspapers published at Des Moines. Take effect.

Approved April 5th, 1864.

I hereby certify that the foregoing act was published in the Daily State Register April 16th, A. D. 1864, and in the Iowa Homestead April 20th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 126.

AUTHORIZING THE TRANSLATION OF LAWS INTO GERMAN.

AN ACT to provide for the publication of the laws of a general nature of the Tenth General Assembly in certain German newspapers, and for the translation thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That as soon after the adjournment of the present session of the General Assembly as practicable, the Secretary of State shall furnish for translation to Theodore Guelich all the laws of a general nature passed at this session of the Legislature. Sec. State to furnish copies of general laws.

SEC. 2. The said Theodore Guelich shall as soon as practicable, translate said laws and furnish to each of the following named newspapers a copy of the same for publication, to-wit: Iowa Tribune, at Burlington; Der Democrat, at Davenport; Iowa Banner at Lyons; and Staats Zeitung and National Demokrat at Dubuque. T. Guelich shall translate into German. What paper to be published in.

SEC. 3. There shall be paid out of any money in the Treasury not otherwise appropriated, the sum of two hundred dollars for the translation and stationery, and the sum of fifty cents per thousand ems for such publication, and the Auditor of State is hereby authorized to audit the claims and draw his warrant in favor of said Translator, and of any publisher of any of the aforesaid papers, for the amount due each when he shall be satisfied of the correctness of such claims. Compensation to translator. Compensation for publishing.

Take effect. SEC. 4. This Act being deemed of immediate importance, shall take effect from and after its publication in the Daily State Register and Iowa Homestead, newspapers published at Des Moines, Iowa.
Approved April 5th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register April 22d, A. D. 1864, and in the Iowa Homestead April 27th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 127.

TO ENABLE TOWNS AND CITIES TO HOLD LANDS FOR PUBLIC USES.

AN ACT to enable incorporated towns and cities to acquire, hold, improve and dispose of lands for public squares, parks, commons and cemeteries.

Towns and cities may purchase lands. Use. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That any incorporated town or city may purchase lands within or without its corporate limits for the public use as squares, parks, commons or cemeteries, and may enclose, ornament and improve the same.

To have control. SEC. 2. Incorporated towns and cities within or without whose limits lands have been or may be dedicated to the public for the uses mentioned in the preceding Section of this Act shall have entire control of the same, and shall have power in case such lands are deemed unsuitable or insufficient for the purpose for which they were originally or may hereafter be granted to dispose of and convey the same, and conveyances executed in accordance with this Act, shall be held to extinguish all rights and claims of any such town or city to such land existing prior to such conveyance.

May sell. Rights to be conveyed. Land to be reserved for streets. SEC. 3. In the event of such lands aforementioned being so disposed of and conveyed, enough of such land shall be reserved for streets to accommodate adjoining property owners.

Take effect. SEC. 4. 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 Daily

State Register and Iowa Homestead, newspapers published at Des Moines, Iowa.

Approved April 5th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register April 22d, A. D. 1864, and in the Iowa Homestead April 27th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 128.

LEGALIZING ACTS OF NOTARIES PUBLIC.

AN ACT to legalize the official acts of certain Notaries Public.

SECTION 1. *Be it enacted by the General Assembly* Putnam. *of the State of Iowa,* That the official acts of A. H. Putnam, a Notary Public of Washington county, done and performed by him after the expiration of his commission, to-wit: the 10th day of September, 1862, are hereby declared legal and binding, and as valid as if the said commission had remained in full force.

SEC. 2. *Be it further enacted,* That the official acts Green. of Henry Green, a Notary Public of Jackson county, Iowa, done and performed by him after the expiration of his commission, to-wit: the 10th day of May, 1862, be and they are hereby declared legal and binding, and as valid as if the said commission had remained in full force.

SEC. 3. *Be it further enacted,* That all the official Eaton. acts of William D. Eaton, formerly a Notary Public of Kossuth county, Iowa, done and performed by him without having recorded his commission, be and they are hereby declared legal and binding, and as valid as if said commission had been duly recorded.

SEC. 4. *Be it further enacted,* That all the official Batcheller. acts of Ezra Batcheller, a Notary Public of Clinton county, Iowa, done and performed by him after the expiration of his commission, be and they are hereby declared as legal and valid and binding, as if the said commission had been in full force when such acts were performed.

SEC. 5. *And be it further enacted,* That all the official Ashmore. acts of M. J. Ashmore, Notary Public of Lee county, Iowa, done and performed by him after the expiration

of his commission, be and the same are hereby declared as legal and binding as if said commission had remained in full force at the time such acts were done.

Stripe.

SEC. 6. *Be it further enacted*, That all the official acts of W. C. Stripe, a Notary Public of Lee county, Iowa, done and performed by him without having recorded his commission, be and the same are hereby declared legal and binding, and as valid as if said commission had been duly recorded when such acts were done.

Mead.

SEC. 7. *And be it further enacted*, That the official acts of William R. Mead, a Notary Public of Howard county, done and performed by him after the expiration of his commission, be and they are hereby legalized, and declared as valid and binding as if the said Mead had been duly qualified at the time such acts were done by him.

Cramer.

SEC. 8. *And be it further enacted*, That all the official acts of J. A. Cramer, a Notary Public in and for Clayton county, Iowa, done and performed by him, and attested by a seal engraved with the words "Notary Public," instead of "Notarial Seal," as required by law, be and the same are hereby legalized, and declared to be as valid and binding as if his said official seal had been in all respects in conformity to law.

Richman.

SEC. 9. *Be it further enacted*, That the official acts of D. C. Richman, of Muscatine county, Iowa, done and performed by him after the expiration of his commission, be and they are hereby legalized, and declared as valid and binding as if his commission had not expired.

Hall.

SEC. 10. *Be it further enacted*, That the official acts of James Hall, of Howard county, who transacted business as a Notary Public after the expiration of his commission, are hereby legalized.

Approved April 5th, 1864.

CHAPTER 129.

COUNTY RECORDER AND COUNTY TREASURER.

AN ACT relating to the offices of County Recorder and Treasurer and providing for their separation.

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

of the State of Iowa, That the offices of County Recorder and Treasurer be and are hereby separated. Separated.

SEC. 2. That those persons now holding or entitled to hold the offices of County Recorder and Treasurer shall continue to hold the office of Treasurer in their respective counties during the term for which they were elected, and shall continue to hold the office of Recorder until the 1st day of January, 1865, and until his successor in said office is elected and qualified. Term of Treasurer. Term of Recorder.

SEC. 3. County Recorders shall be chosen by a vote of the qualified voters in the several counties at the general election of one thousand eight hundred and sixty-four, and every second year thereafter, and shall hold their offices for the term of two years, and until their successors are elected and qualified. Election of Recorder. Term.

SEC. 4. County Treasurers shall be chosen by a vote of the qualified voters in the several counties at the general election of one thousand eight hundred and sixty-five, and every second year thereafter, and shall hold their offices for the term of two years and until their successors are elected and qualified. Election of Treasurer. Term.

SEC. 5. The bonds of County Treasurers shall be in a penal sum to be fixed by the Boards of County Supervisors in their respective counties, which penal sum shall in no case be less than five thousand dollars. Bond of Treasurer.

SEC. 6. Each County Treasurer shall receive for his services the following compensation: First, two per cent. of all sums collected by him as taxes due any incorporated town or city in his county, to be paid out of said moneys. Second, three per cent. of all taxes collected by him for all other tax funds to be paid out of the County Treasury. Third, all fees now allowed the Treasurer exclusive of his annual salary. Fourth, such additional compensation as the Board of Supervisors of his county shall deem proper; *provided*, that when the aggregate amount of his compensation received, as authorized by this section, shall exceed the sum of twelve hundred dollars, the excess shall be paid into the County Treasury for the use of the county; and *provided further*, that the hire of all necessary clerks shall be paid for out of the County Treasury; *provided*, that nothing in this Act contained shall be so construed as to in any manner change or affect Sec. 17 of Chapter 173 of the laws of regular session of the Ninth General Assembly of Iowa, providing for the appointment of deputies to assist in collecting the delinquent taxes, for their compensation. And County Recorders shall receive as compensation for their services the fees allowed by law. Treasurer's compensation. Excess. Clerk hire. Recorder's pay.

to be charged for the labors and duties pertaining to the office of County Recorder.

Construction of word "Recorder."

SEC. 7. The word Recorder wherever it occurs in the Revision of 1860, or in Acts of the General Assembly heretofore passed, and still in force, or that may be passed by the 10th General Assembly at its present session and is applicable only to the office of County Treasurer, shall be construed to mean County Treasurer.

Eligibility.

SEC. 8. The same person may be eligible to and hold the offices of County Judge and County Recorder, or the office of County Recorder and County Treasurer.

Treasurer's fee book.

SEC. 9. The County Treasurer shall enter in a book to be by him kept for that purpose, all the fees of every kind received by him from all sources, including moneys received for all services except the per cent., designating the service, and at the end of each quarter he shall render an account under oath, to the Clerk of the Board of Supervisors, of the amount of fees received, and shall make a like Report whenever required by the Board of Supervisors; and the amount to be allowed to said Treasurer as per centage as herein before provided, shall be annually determined by the Board of Supervisors of the county, and the total of all compensation shall in no case exceed the sum of twelve hundred dollars; *provided*, that in counties having two county seats, the amount received by the Treasurer shall not exceed (\$2,000) two thousand dollars.

Account to Clerk.

Report to Board.

Am't of per centage.

Pay. Where there are two Co. Seats.

SEC. 10. All acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved April 5th, 1864.

CHAPTER 130.

CONSTRUCTION OF BRIDGES ACROSS MISSISSIPPI AND MISSOURI RIVERS.

AN ACT to authorize the construction of Railroad Bridges across the Mississippi and Missouri Rivers.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That any Railroad Company now organized or hereafter to be organized, or Bridge Company incorporated in pursuance of the laws of this

R. R. Co. may construct on Mississippi.

State, is hereby authorized and empowered to construct a Railroad Bridge across the Mississippi River connecting with the Eastern terminus of the Railroad of any such Company, and abutting on the Iowa bank of said River at such place as shall be designated therefor by the Board of Supervisors of the county wherein said abutting is to be made, and extending toward any point of the opposite bank that may be selected by such Company. ^{Supervisors to select the place.}

SEC. 2. That any Railroad Company or Bridge Company that now is or may hereafter become incorporated in pursuance of the laws of this State, is hereby authorized and empowered to construct a Railroad bridge across the Missouri River, connecting with the Western terminus of the Railroad of any such Company, and abutting on the Iowa bank of said river at such place as shall be designated therefor by the Board of Supervisors of the county wherein said abutting is to be made, and extending toward any point on the opposite bank that may be selected by such Company. ^{Missouri River. Board Super- visors to de- signate.}

SEC. 3. No bridge shall be built under the provisions of this Act until the plan thereof shall first be submitted to and approved by the said Board of Supervisors. ^{Not to be built until such approv'l}

SEC. 4. The provisions of this Act so far as practicable or applicable, shall apply and be extended to any Railroad Company, incorporated in pursuance of the laws of the State of Wisconsin, Illinois, Kansas, or the Territory of Nebraska, where such Railroad extends to the bank of either of said rivers opposite the State of Iowa. ^{Provisions extended.}

SEC. 5. Any such Railroad corporation or Bridge Company shall have authority to issue its bonds or obligations for an amount not exceeding the cost of any such bridge, and of its Railroad in the State of Iowa, and to secure the payment thereof by a mortgage on the same; and shall also have authority to issue certificates of common and preferred stock, the preferred stock to be issued only on condition that the holders of four fifths of the common stock give their written consent thereto. ^{Companies to issue bonds. May mort- gage. Condition.}

SEC. 6. Any such Railroad or Bridge Companies are hereby authorized, with the consent of said Board of Supervisors, to construct the said bridges with suitable roads and footways for teams and foot passengers, with permission to charge toll for the same at rates to be approved by said Board of Supervisors. ^{Roads and foot-paths. Toll.}

SEC. 7. Any of said Companies are hereby author- ^{Ferry.}

ized to establish a ferry across either of said rivers at or near the terminus of said Roads, to be used solely for the use of said Companies for Railroad freight and passengers until said bridges are constructed and ready for use.

Director elected. SEC. 8. Each Company acting under the provisions of this Act, shall elect at least one Director of such Company, who shall be a citizen of and reside in the State of Iowa.

Citizen. SEC. 9. Each Foreign Railroad Company acting under the provisions of this Act, shall be liable to be sued in any Court of competent jurisdiction in this State, and the service of the original notice on the resident Director provided in Section 8 of this Act shall be sufficient to give the Court jurisdiction of such Company.

May be sued. SEC. 10. Nothing in this Act shall be construed so as to repeal or modify any law now in force relating to Railroads or Bridges.

Construction. SEC. 11. No bridge erected under and by virtue of this Act or any law of this State shall be so located or constructed as unnecessarily to impede, injure or obstruct the navigation of either of said rivers.

Not to obstruct navigation. SEC. 12. This Act being deemed of immediate importance, shall take effect upon its publication in the Iowa Homestead, and Iowa State Register, papers published in Des Moines.

Take effect. Approved April 5th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 27th, A. D. 1864, and in the Iowa Homestead April 27th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 131.

DISTRIBUTION OF THE LAWS OF THE TENTH GENERAL ASSEMBLY.

AN ACT to provide for the publication and distribution of the laws of the Tenth General Assembly of the State of Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Secretary of State be, and he is hereby required to prepare a manuscript copy of all the Laws, Joint Resolutions and Memorials passed

Sec'y State
prepare man-
uscript.

at the Tenth Regular Session of the General Assembly of the State of Iowa, arranged in Chapters, and numbered in the order of their approval, with marginal notes and a full and complete index, and deliver the same to the State Printer, and superintend the printing and binding of the same. Chapters.
Sup't printing
and binding.
Index.

SEC. 2. It is hereby made the duty of the State Printer to print twenty thousand copies of said laws, and have the same completed within fifty days from the time the manuscript is placed in his hands by the Secretary of State. 20,000.
50 days.

SEC. 3. It shall be the duty of the State Binder to complete the binding of the laws within forty days from the time that the State Printer completes his part of the work, and deliver the same to the Secretary of State: *Provided*, however, That the State Binder shall complete the binding of one-fourth of said twenty thousand within twenty days from the time he receives the same from the State Printer. Binder.
40 days.

SEC. 4. The Secretary of State shall distribute the laws aforesaid as follows: To the Librarian of each State and Territory, two copies; to the Governor of each State and Territory, one copy; to the State University, Insane Asylum, Institution for the Education of the Blind, and Deaf and Dumb, and State Penitentiary, each one copy; to each State Officer, one copy; to the State Library, fifty copies; to the State Historical Society, eighty copies; to the State Agricultural Society, two copies; to the State Agricultural College, two copies; to each member and officer of the Tenth General Assembly, two copies; to each publisher of a newspaper or periodical in this State, one copy; (all the foregoing to be bound in "Sheep.") Fifteen thousand copies to be distributed to the several organized counties of this State, in the ratio of population, delivering to no county a less number than ten copies to each organized township in said county. The laws for the several counties shall be delivered to the Clerk of the Board of Supervisors, and his receipt taken therefor, in duplicate, one of which shall be filed with the Auditor of State. Distribution
to whom
made.

Delivered to
Clerk.

SEC. 5. The Clerk of the Board of Supervisors shall set apart a sufficient number of said laws to give to each county officer one copy, and one copy to each member of the Board of Supervisors; one copy to each Township Trustee, one copy to each Township Clerk, one copy to each Justice of the Peace and Constable, one copy to each Township Assessor; and report to the Auditor of State the number remaining in their hands, Distribution
by the Clerk.

Report to
Auditor.

Laws of 9th Gen. Assembly. together with the number of copies of the laws of the Regular Session of the Ninth General Assembly, which shall be charged to the said Clerk by the Auditor.

Clerk and Sec'y to sell. SEC. 6. The Secretary of State, and the Clerk of the Board of Supervisors of the several counties, are hereby authorized to sell the copies of said laws so remaining in their hands, at fifty cents per copy, and pay over the proceeds in the same manner as the proceeds of the sale of the Revision of 1860 are accounted for and paid over.

Account. SEC. 7. The Secretary of State shall be paid for preparing the manuscript, making the marginal notes and index, superintending the printing and binding, and for the distribution of the laws under the provisions of this Act, the sum of fifteen hundred dollars, to be audited and warrants drawn on the Treasurer as follows: Five hundred dollars when the laws are bound, ready for distribution; five hundred dollars when the laws are distributed to at least fifty counties, and the remaining five hundred dollars when the distribution of said laws is complete.

Compensation of Sec'y State. SEC. 8. This Act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Daily State Register and Iowa Homestead, newspapers published in Des Moines, Iowa.

When paid.

Take effect.

Approved April 5th, 1864.

I hereby certify that the foregoing Act was published in the Daily State Register April 23, A. D. 1864, and the Iowa Homestead April 27, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 132.

ACCOUNT OF STATE WITH GRUNDY COUNTY.

AN ACT to provide for correcting the account of the State with Grundy County.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Auditor of State be and hereby is directed to bring forward in his account current, and place to the credit of Grundy county, the sum of eight hundred and ninety dollars and sixty cents paid into the treasury by Thomas G. Copp for said county between January 6th, 1857, and August 13th, 1857,

\$890.60 credited to Grundy county.

which amount shall be and hereby is made a credit to said Grundy county on any tax heretofore or hereafter levied in said county for State purposes.

Approved April 5th, 1864.

CHAPTER 133.

SECURITY DEBTS DUE IOWA.

AN ACT to provide for the better security and collection of debts due the State of Iowa or for the use or benefit of the State.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That in all cases in which any person or persons are now or may hereafter become indebted to the State of Iowa, or to any officer or agent of the State, for the use or benefit of the State, it shall be the duty of the proper District Attorney or for the Attorney General of the State to demand payment or security therefor, whenever, in the opinion of said District Attorney or Attorney General, the debt is not sufficiently secured and the State is in danger of losing the debt and any security given in compliance with said demand shall be deemed lawful and binding and upon sufficient consideration.

SEC. 2. That in all suits now pending or hereafter instituted for money due to the State of Iowa or due to any State Agent or Officer, for the use of the State, it shall be lawful for an attachment to issue against the property or debts of the defendant or defendants not exempt from execution upon the filing of an affidavit by the District Attorney of the proper District or of the Attorney General of the State that he verily believes that a specific amount therein stated is justly due and that the defendant or defendants therein has refused to pay or secure the same and that unless an attachment is issued against the property of defendant or defendants that there is danger that the amount due will be ultimately lost to the State.

SEC. 3. That the attachment so issued shall be levied as in other cases of attachment against any debts or property of the defendant or defendants not exempt from execution, and no bond shall be required of the plaintiffs in such case and the Sheriff shall not be au-

thorized to require any indemnifying bond before levying the same.

Delivery bond. SEC. 4. Any property taken in attachment under the provisions of this Act, shall be subject to be released upon the execution of a delivery bond of, with sufficient security as provided by law in other cases.

Sheriff liable. SEC. 5. In case any Sheriff shall be held liable to pay any damages by reason of the wrongful execution of any writ of attachment issued under this Act, and if a judgment be rendered therefor by any Court of competent jurisdiction, the amount of such judgment when paid by such Sheriff shall become a claim against the State of Iowa in her sovereign capacity in favor of such Sheriff, and a warrant therefor shall be drawn by the Auditor upon proper proof.

State to pay. SEC. 6. 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 Homestead, published at Des Moines.

Take effect. Approved April 5th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register April 20th, A. D. 1864, and in the Iowa Homestead April 20th, A. D. 1864.

JAMES WRIGHT, Secretary of State.

CHAPTER 134.

ISSUE OF STATE BONDS IN FAVOR OF SCHOOL FUND.

AN ACT to provide for issuing State Bonds in all cases of indebtedness on the part of the State to the Permanent School Fund and for other purposes.

Bond for \$123,295.75. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Governor, Auditor and Secretary of State be and they are hereby authorized and required to issue the bond of the State in favor of the Permanent School Fund of the State for the amount of said Permanent School Fund now in possession of the State, on loan, being the sum of one hundred and twenty-two thousand two hundred and ninety-five dollars and seventy-five cents; said bond to be dated January first, 1864, and to bear interest at the rate of eight per cent., payable semi-annually on the first day of

Date of bond.

Interest.

January and July, and that the bonds of the State in favor of said School Fund, now in the Auditor's office and now over due, be canceled by said officer. Canceled.

SEC. 2. That whenever any amount not less than one thousand dollars is audited in favor of the Permanent School Fund for losses of the same whereby the State of Iowa becomes indebted to said Fund, it shall be the duty of said officer to issue the bond or bonds of the State in favor of said Fund, bearing interest at the rate of eight per cent., payable semi-annually on the first day of January and July after the issuing of the same, and the amount required to pay the interest on said bonds together with the interest on the bond authorized to be issued by the first section of this Act as the same becomes due, is hereby appropriated out of any revenue in the State Treasury. Future issue of bonds.

SEC. 3. The Auditor is authorized and required to audit all losses to the School Fund, as provided in section three of Article seven of the Constitution; and for this purpose he shall prescribe such regulations for the conduct of officers having such funds in charge as he shall deem necessary to ascertain such losses. Losses Audited. Duty of Auditor.

Approved April 5th, 1864.



JOINT RESOLUTIONS.

NUMBER 1.

PRINTED BILLS.

A JOINT RESOLUTION for the preservation of printed Bills.

Resolved by the General Assembly of the State of Iowa, That the State Printer shall annually retain three copies of each Bill printed by order of either House, and at the close of each session he shall deliver them to the State Binder, who shall bind them in boards into three volumes, those originating in either House to be bound together in the order of their numbers, and when so bound, he shall deposit one volume in the State Library, and two volumes with the Secretary of State for the use of subsequent General Assemblies.

Approved January 29th, 1864.

NUMBER 2.

TRUSTEES OF HOSPITAL FOR THE INSANE.

A JOINT RESOLUTION appointing Trustees of the Hospital for the Insane.

Be it resolved by the General Assembly of the State of Iowa, That Harpin Riggs of Henry county, and Luke Palmer of Des Moines county, be and are hereby appointed Trustees of the Hospital for the Insane, for the full term from July 4th, 1864.

Resolved, That Luke Palmer of Des Moines county be and is hereby appointed Trustee of the Hospital for the Insane, until the 4th day of July, 1864, to fill a vacancy.

Resolved, That Joseph H. Merrill of Wapello county, be and is hereby appointed Trustee of the Hospital for the Insane until the 4th day of July, 1866, to fill a vacancy.

Approved February 4th, 1864.

NUMBER 3.

PENSIONS TO WIDOWS OF CHAPLAINS AND SURGEONS.

JOINT RESOLUTION of Instruction to our Senators and Representatives in Congress in relation to pensions to widows of deceased Chaplains and Surgeons in the Army.

Be it resolved by the Senate and House of Representatives of the State of Iowa, That our Senators in Congress are instructed and our Representatives requested to use their influence to procure the passage of an amendment to the Pension laws of the United States, allowing pensions to the widows of Chaplains and Surgeons in the army who die or may be killed while in the service of the United States.

Resolved, That the Secretary of State forward copies of this Joint Resolution to each of our Senators and Representatives in Congress.

Approved February 9th, 1864.

NUMBER 4.

SHIP CANAL.

JOINT RESOLUTION relative to the construction of a Ship Canal from the Lakes to the Mississippi River, by a general western route, and the improvement of the Upper and Lower Rapids of said River.

Resolved by the Senate and House of Representatives of the State of Iowa, That our Senators in the Congress of the United States be instructed, and our Representatives requested to favor and support the construction of a Ship Canal from the Lakes to the Mississippi River on a general Western route; also to favor and support as a matter of primary importance, the project of so improving the Upper and Lower Rapids of the Mississippi River by means of canaling, as to afford uniform navigation on said river, believing that said Ship Canal and improvement of the navigation of the river, are not only of immense importance to the Agricultural and Commercial interests of Iowa, but are demanded as a military necessity.

Resolved, That the Secretary of State be directed to forward to each of our Senators and Representatives at Washington a certified copy of this Resolution.

Approved February 11th, 1864.

NUMBER 5.

SUPREME COURT REPORTS.

JOINT RESOLUTION to distribute Supreme Court Reports.

Resolved by the General Assembly of the State of Iowa, That the Secretary of State be instructed to furnish the members of the present General Assembly, the President, Secretary and Clerks of the Senate, and Clerks of the House of Representatives, and the Reporters, Postmasters, Sergeant-at-Arms and Doorkeepers of both branches of this General Assembly, with a copy of all Reports of the Supreme Court of this State now on hand, or which shall be published during the session of this General Assembly.

Approved February 12th, 1864.

NUMBER 6.

COLONELS OF IOWA REGIMENTS.

Resolved by the House of Representatives, the Senate concurring, That the Colonels of Iowa Regiments engaged in the service of their country, be respectfully requested to furnish the Adjutant General of the State, at their earliest convenience, with a brief history of their respective regiments, showing what they have accomplished and endured, not only on the battle-field, but upon the march and in camp, with a view that the information thus obtained may hereafter be embodied into a permanent history and monument of the patriotism, the heroism and the achievements of the soldiers of Iowa.

Resolved, That the Adjutant General be requested to communicate the above resolution to the Colonels of all Iowa Regiments.

Approved February 23d, 1864.

NUMBER 7.

AGRICULTURAL REPORTS.

Resolved by the House of Representatives, the Senate concurring,

That the Secretary of State place in the hands of the Secretary of the Agricultural College so many of the Reports of the State Agricultural Society as may be necessary to make up sets of said Reports for the use of those members and officers of the Legislature who have not received sets; and that the Secretary of State distribute the remaining copies of said Report to the members of the Legislature equally, for the use of Agricultural Societies, reserving not less than one hundred copies of each year.

Approved February 25th, 1864.

NUMBER 8.

REPORT OF HOSPITAL FOR THE INSANE.

Resolved by the House of Representatives, the Senate concurring, That one thousand additional copies of the Report of the Iowa Hospital for the Insane be printed for the use of the Institution.

Approved February 26th, 1864.

NUMBER 9.

DISCHARGED SOLDIERS.

Resolved by the House of Representatives, the Senate concurring, That we earnestly recommend that discharged soldiers who have been disabled by wounds or disease in the service of their country, should have the preference, as far as they are competent, in being employed in all positions within the gift of the Federal Government.

Resolved, That the Secretary of State furnish each member of Congress from this State with a copy of this Resolution, and that he also send a copy to each of the heads of Departments at Washington.

Approved February 27th, 1864.

NUMBER 10.

AFRICAN SOLDIERS.

Resolved by the House of Representatives, the Senate concurring, That we heartily endorse the policy of paying soldiers and seamen

of African descent, in the service of the United States, the same pay as is paid to othersoldiers and seamen of the same grade.

Resolved, That we recognize the right of soldiers and seamen of African descent, in the service of the United States, the same protection that other soldiers and seamen are entitled to by the laws of War.

Resolved, That the Secretary of State be instructed to forward to each of our Senators and Representatives in Congress a copy of the above resolutions.

Approved February 27th, 1864.

NUMBER 11.

PACIFIC RAILROAD.

A JOINT RESOLUTION recommending certain changes in the Act of Congress approved July 1st, 1862, establishing a Pacific Railroad and branches.

WHEREAS, In the Act of Congress approved July 1st, 1862, entitled, "An Act to aid in the construction of a Railroad and Telegraph line from the Missouri River to the Pacific Ocean, and for other purposes," provision is made in Sec. 14, for the construction of a branch road from Sioux City to unite with the main trunk not further West than the One Hundredth Meridian of Longitude West from Greenwich. And by another provision of this Act, Sec. 8, the main trunk of the Road (at its standing point) cannot be located North of the Valley of the Platte River; and as the topography of the country will require the road to cross the main chain of the Rocky Mountains at or in the vicinity of the "South Pass," this North or Sioux City branch will thus be compelled to run South-west at least one hundred and fifty miles out of its most direct, natural and legitimate course to unite with the main trunk; and will also be required to run at right angles with all the tributaries of the Platte, including the Elk Horn and Loup Fork, and their numerous tributaries, and all other streams across which it will run. These streams cut deep, narrow and abrupt channels in the light alluvial soil of their beds through their entire course. The country is also rough, broken and hilly, without timber or other material for building a Railroad or supporting more than a sparse population. These unfavorable characteristics of the country will compel the employment of a very large amount of extra and unnecessary capital in its construction. And

WHEREAS, In consequence of the increased distance, the unfortunate and unnatural direction of the road to unite with the main

trunk and the impracticable character of the country through which it must now run in obedience to the present requirements of the law, there is no probability that that branch can or will ever be constructed unless the law be so modified as to avoid these obstacles, and to allow it to run on the nearest and most practicable route. And

WHEREAS, Should said law be so modified as to allow said Sioux City branch to run westwardly from Sioux City by the nearest and most practicable route to unite with the main trunk, and also to allow an Independent Company to build that Branch, it will enable the road to run up the streams coming down from the Mountains, along which alone are found timber, coal and other material necessary in the construction of a Railroad, it will immediately call in the work an adequate amount of talent, enterprise and capital, which could not otherwise be enlisted, thereby insuring the early completion of said branch; also all the roads running in that direction through the State of Iowa and Minnesota. It will not only materially shorten the distance on that route between the Missouri River and the Mountains, but will lessen the expense of construction nearly if not quite one-half, and it will also place on an equal footing roads which are equally necessary to the full development of the whole country. Therefore,

Resolved by the General Assembly of the State of Iowa, That our Senators in Congress be instructed and our Representatives requested to use their best endeavors to secure a modification of the said Pacific Railroad Law in the following particulars to-wit: 1st, so as to allow said branch to run from Sioux City westwardly, to unite with the main trunk by the nearest and most practicable route—the point of intersection to be approved by the President of the United States. 2d, the said branch to be constructed to the point of intersection with the main trunk by some independent company, incorporated or to be incorporated by the Legislature of Nebraska—said Company to be also approved by the President. 3d, that all the obligations, rights and privileges contained in said law and amendments thereto, shall apply to and be enjoyed by the company constructing said Sioux City branch equally, and to the same extent as they are enjoyed and exercised by the companies constructing other portions of said road and branches.

Resolved, That a copy of these Resolutions, duly authenticated, be transmitted by the Secretary of State to each of our Senators and Representatives in Congress.

Approved March 2d, 1864.

NUMBER 12.

MEMORIAL FOR A GRANT OF LANDS.

MEMORIAL AND JOINT RESOLUTIONS asking Congress for a grant of lands to aid in the construction of a Railroad from McGregor, on the Mississippi River, to a point in the Western bounds of the State of Iowa, between Sergeant's Bluffs and the North boundary of the State.

To the Senate and House of Representatives

of the United States of America in Congress assembled :

Your memorialists, the General Assembly of the State of Iowa, would respectfully represent that, by an Act of Congress approved May 15th, 1856, in answer to a memorial of the General Assembly of the State of Iowa, a grant of lands was made to said State to aid in the construction of three of the four Railroads named in said memorial. That one of the Railroads, to-wit: that from McGregor westward, named in said memorial of the General Assembly of Iowa, was omitted from, or left out of the said grant. That the route of said Railroad from McGregor westward, would follow very nearly the forty-third parallel of north latitude, and would commence from a point at least eighty miles north of Dubuque, by the course of the Mississippi River, and in its entire length would traverse a line about forty miles north of that of the Dubuque and Sioux City Railroad.

That, in our opinion, a great portion of the northwestern part of the State of Iowa, and the southwestern portion of the State of Minnesota, must remain for a long time unsettled, unless encouraged by Railroad facilities. That it is believed that the granting of alternate sections of land to this State, under proper restrictions, for the purpose of aiding in the construction of the Railroad above mentioned, will have a direct tendency to promote, not only the best interests of the States of Iowa and Minnesota, but of the General Government; therefore,

Resolved by the General Assembly of the State of Iowa, That our Senators in Congress are hereby instructed, and our Representatives requested, to use their best endeavors to procure the passage of a law granting to the State of Iowa alternate sections of land along the line of the proposed Railroad, to an equal extent and under like privileges and restrictions with the grants made to the said other Railroads of Iowa, by said Act of May 15, 1856, exempting and excepting all lands heretofore granted by Congress to the State of Iowa, or claimed by actual settlers, to-wit: Commencing at McGregor, on the west bank of the Mississippi River, thence running westward by the most practicable route, on or near the forty-third parallel of north latitude, to a point in the western bounds of Iowa, between Sergeant's Bluffs and the north boundary

of the State, and that the lands likely to be within the scope of the applied for grant, now for sale, be immediately withdrawn from market; and wherever the lands are not in market, the same be withheld from sale until sufficient time shall have expired for the particular location of this Railroad, and the selecting of the lands to be conveyed in said grant.

Resolved, That the Secretary of State be and is hereby instructed to forward a copy of the foregoing memorial and resolutions to each of the Senators and Representatives in Congress, to the Secretary of the Interior, and to the Commissioner of the General Land Office.

Approved March 8th, 1864.

NUMBER 13.

CLAIM OF S. T. PIERCE.

A JOINT RESOLUTION:

Be it resolved by the General Assembly of the State of Iowa, That the Board of Commissioners appointed to audit claims against the War and Defense Fund be and they are hereby authorized and empowered to audit the claim of S. T. Pierce of Lee county for services in Company "A" of the Southern Border Brigade during the months of November, 1862, and January and February, 1863.

And the said Board shall allow to said Pierce, so much as they may find due him for the time he was actually on duty, and for which he has received no pay on account of the omission of the name from the pay roll, and the same shall be paid out of the War and Defense Fund.

Approved March 19th, 1864.

NUMBER 14.

IOWA SANITARY COMMISSION.

WHEREAS, On the 18th day of November, 1863, a convention of citizens of Iowa was held in this city which resulted in the formation of an association known as the "Iowa Sanitary Commission," and said association having become incorporated and declared its

intention to co-operate with the "United States Sanitary Commission," and with the "Western Sanitary Commission;" it is therefore,

Resolved by the House of Representatives, the Senate concurring, That we recommend the noble objects and purposes of this Commission to the people of Iowa, as the proper means for concentrating the efforts of our people in the work of benefiting our sick and wounded soldiers.

Resolved, That by its co-operation with the United States Sanitary Commission and the Western Sanitary Commission, we believe the Sanitary Stores of the State of Iowa which are so generously contributed by her people will reach the army with less expense and more efficiency than by any other plan.

Resolved, That we heartily endorse the Federal principle that the army of freedom, now in the field, is the United States Army, and should be aided and comforted, through the joint efforts of each and every loyal State of the Union.

Resolved, That as Iowa is proud of her noble sons who have gone forth to battle for the freedom of the whole Nation, and of humanity, so is she proud of her Sanitary Commission which has made itself auxiliary to the great National work of carrying the contributions of our people to all soldiers, wherever found, who may need sustenance and support.

Approved March 24th, 1864.

NUMBER 15.

S. H. TAFT.

JOINT RESOLUTION for the relief of S. H. Taft.

WHEREAS, S. H. Taft has brought into this State a Colony and located in Humboldt County, on land granted to the State of Iowa, by act of Congress of July 12th, 1862; therefore,

Resolved by the General Assembly of the State of Iowa, That the Governor be and he is hereby authorized to convey to said S. H. Taft, the land upon which he has located his said Colony, not exceeding ten sections at not less than one dollar and twenty-five cents per acre; said conveyance to be made as soon as the land is certified to the State of Iowa and the money received therefor, to be deposited in the State Treasury for the benefit of the party entitled thereto.

Approved March 26th, 1864.

JOINT RESOLUTIONS.

NUMBER 16.

BLUE BOOK.

JOINT RESOLUTION relative to the distribution of certain books now in the hands of the Secretary of State.

Be it resolved by the General Assembly of the State of Iowa, That the Secretary of State be and he is hereby directed to distribute with the laws of the Tenth General Assembly, among the several organized counties of this State, all the copies on hand, except five hundred, of the laws of the State of Iowa, printed by authority of the Eighth General Assembly under the supervision of the Census Board of the State, known as the "Blue Book of 1860," the same to be distributed in proportion to the population of the counties respectively, giving to no county a less number than five copies, and to be delivered to the Clerk of the Board of Supervisors, to be by them delivered to such of the county and township officers, who have not already received copies, as are by law entitled to the Acts and Resolutions of the Tenth General Assembly
Approved March 26th, 1864.

NUMBER 17.

CHAPLAINS.

Resolved by the House of Representatives, the Senate concurring, That the several clergymen officiating as chaplains of the House and Senate of the Tenth General Assembly, shall each be entitled to a bound copy of the first volume of "Legislative Documents" of this session.

Approved March 25th, 1864.

NUMBER 18.

INTEREST ON WARRANTS.

JOINT RESOLUTION explanatory of Chapter Nine of the Laws of the Tenth General Assembly, being "an Act to change the rate of interest upon Warrants upon the State Treasurer."

Be it resolved by the General Assembly of the State of Iowa, That "an Act to change the rate of interest upon Warrants upon

the State Treasurer," being Chapter Nine of the Acts of the Tenth General Assembly, shall not be construed so as to affect the interest upon Warrants issued and endorsed prior to the taking effect of said Act.

Approved March 28th, 1864.

NUMBER 19.

S. T. PIERCE.

JOINT RESOLUTION to correct a Joint Resolution in relation to claim of S. T. Pierce.

Be it resolved by the General Assembly of the State of Iowa, That the resolution providing for auditing the claim of S. T. Pierce passed at the present session of the General Assembly, be amended by striking out the word "November" wherever it occurs therein, and inserting "December" instead thereof.

Approved April 5th, 1864.

NUMBER 20.

MONONA COUNTY.

JOINT RESOLUTION in reference to the accounts of Monona County.

Resolved, That the Auditor of State be, and is hereby instructed to place to the credit of Monona county the sum of three hundred and nineteen dollars and forty-one cents, (\$319.41,) which, on the fifth day of August, A. D. 1857, was paid by William Burton, Treasurer of said county, to the order of John Pattee, Auditor of State, and has never been placed to the credit of said county, and charge the same to the account of John Pattee: *Provided,* Said Monona county shall first pay into the State Treasury the sum of six hundred and forty-nine dollars and sixty-six (\$649 66-100) being the balance for which said Burton is in default, after deducting the above credit, and the Attorney General is directed to proceed to collect the sum paid to Charles Foster upon the order of John Pattee, Auditor of State, from the said Foster, or from the said Pattee and his securities.

Approved April 5th, 1864.

NUMBER 21.

AMENDMENT—U. S. CONSTITUTION.

JOINT RESOLUTION:

WHEREAS, Measures are pending in Congress whereby it is proposed that the Constitution of the United States be so amended as to forever prohibit Slavery in any portion of the United States.

1st. *Therefore, be it resolved by the General Assembly of the State of Iowa,* That our Senators in Congress be instructed, and our Representatives requested, to use their influence to have the initiatory measures adopted by Congress whereby the Constitution of the United States shall be so amended as to forever prohibit Slavery and involuntary servitude in the United States, or in any part thereof, except for the punishment of crime whereof the party shall have been duly convicted, and authorizing Congress, by appropriate legislation, to carry such provisions into practical operation.

2d. *Resolved,* That a copy of these Resolutions be forwarded by the Secretary of State to each of our Senators and Representatives in Congress.

Approved April 5th, 1864.

The following Joint Resolutions were passed by the 10th General Assembly, but not enrolled, and being of general interest, it is thought best to publish them with the other Acts and Resolutions of the Legislature:

JOINT RESOLUTION asking additional Mail facilities.

Be it resolved by the General Assembly of the State of Iowa, That our Senators in Congress be and are hereby instructed and our Representatives requested to use their influence to secure at their earliest possible time the establishment of the following mail routes and mail facilities, viz:

From Council Bluffs City via Keg Creek, Newtown, Harris' Grove, Oakfield and Hamlin's Grove to Dalmanutha, over what is known as the Ballard State Road, which places are without any mail facilities whatever.

Also, a daily mail from Nevada, Story county, through Webster City to Fort Dodge in Webster county; also a daily mail from Des Moines City along the west side of the Des Moines River to Fort Dodge in Webster county.

Also, a semi-weekly mail from Fort Dodge via Rolfe, the county seat of Pocahontas county, on the west side of the Des Moines river, to Spirit Lake and Okoboji, in Dickinson county.

Also, a daily mail from Fort Dodge to Sioux City via Sac City, Ida Grove and Correctionville.

Also, a tri-weekly mail from Vinton to Blirstown in Benton county to connect with the mail route now established from Marenngo to Blirstown.

Also, a daily mail from Marshalltown in Marshall county, via Boonsboro, New Jefferson, Carrollton and Dennison to Onawa City in Monona county—being along the line of the Cedar Rapids and Missouri River Railroad.

Also, a tri-weekly mail from Onawa City in Monona county, via the Maple Valley, (which is destitute of any mail facilities,) to Ida Grove in Ida county.

Also, a tri-weekly mail from Onawa City in Monona county via Kennebec, Smithland, Correctionville, Cherokee, O'Brien and Peterson, to Spirit Lake in Dickinson county.

Also, a tri-weekly mail from the City of Des Moines via Indianola in Warren county and Osceola and Hopeville in Clark Co., to Mt. Ayr in Ringgold county.

Also, a daily mail from Decorah in Winneshiek county via Howard Centre in Howard county, to Osage in Mitchell county.

Also, a daily mail from Dyersville in Dubuque county via New Vienna to Colony in Delaware county.

Also, a daily mail from Nevada in Story county via Iowa Centre to the City of Des Moines, (there being now a daily stage on said route.)

Also, a weekly mail from Dalmanutha in Guthrie county, via Holiday's in Adair county, and Pilot Grove in Township No. 77, north of range No. 29, west 5th P. M. to North Branch, and thence on the State road to the City of Des Moines.

Also, a daily mail from the City of McGregor, Clayton county, to Wankon in Alamakee county.

Also, a tri-weekly mail from Winterset in Madison county, via Afton, Union county, to Bedford, Taylor county.

Also, a tri-weekly mail from Osceola in Clark county, to St. Joseph in Missouri.

Also, mail service on the route now established from St. Charles (Charles City Postoffice), Floyd county, via Belmont, Goldfield and Eagle Grove, in Wright county, to Fort Dodge in Webster county.

Also, a weekly mail from Maysville in Franklin county, via Otisville, Wall Lake and Eagle Grove in Wright county, to Dakota in Humboldt county.

And be it further resolved. That a copy of this resolution be forwarded by the Secretary of State to each of our Senators and Representatives in Congress.

A JOINT RESOLUTION instructing our Senators and requesting our Representatives in Congress, to use their influence to extend the time for the grants of Railroad Lands.

WHEREAS, By act of Congress approved May 15th, 1856, certain lands were granted to the State of Iowa, in alternate sections, to aid in the construction of certain Railroads in said State; and

WHEREAS, By the provisions of said act, said roads are required to be completed within ten years from the date of the approval thereof; and

WHEREAS, Owing to the great financial crisis, and the great scarcity of labor, caused by the demand of the Government for men in putting down the rebellion, the Railroad Companies have been unable to comply with the requirements of said act, and will be unable to complete said roads before the expiration of the time allowed by said act: therefore,

Be it resolved by the General Assembly of the State of Iowa,

That our Senators in Congress be instructed, and our Representatives be requested, to use their influence to secure the passage of a law extending the time as fixed in said act for the construction of said roads, for the term of six years from and after the 15th day of May, 1866, subject to such conditions as the General Assembly of this State may impose, concerning the progress and completion of said roads, and the adjustment of conflicting claims to said lands, or any part of them, growing out of said grant.

MEMORIAL to Congress asking for an appropriation for the location and construction of a Military and Wagon Road up the Valley of the Niobrara River to Gallatin, in Idaho Territory.

WHEREAS, The late discoveries of immense and productive gold fields on the upper waters of the Missouri and Columbia Rivers, thereby attracting vast numbers of emigrants and settlers to those inviting gold fields, creates the necessity for a safe, direct and feasible military and wagon road, by the nearest and most practicable route, to those mines: therefore,

Be it resolved, That our Senators in Congress be instructed, and our Representatives requested, to use their best efforts to procure an appropriation, at the present session of Congress, for the location and construction of a military and wagon road from some point on the west side of the Missouri River, at or near the mouth of the Niobrara River, in Nebraska Territory, running thence up the valley of said Niobrara River, by the nearest and most practicable route, to Gallatin, in Idaho Territory.

Resolved, That a copy of this preamble and resolutions, duly authenticated, be transmitted by the Secretary of State to each of our Senators and Representatives in Congress.

JOINT RESOLUTION instructing our Senators in Congress and requesting our Representatives to procure the passage of a law granting bounties to soldiers.

Resolved by the General Assembly of the State of Iowa, That our Senators in Congress be instructed, and our Representatives be requested to use their influence to procure the passage of a law granting bounties to all soldiers who have been mustered into the service of the United States and have been honorably discharged therefrom in consequence of disease contracted while in said service, and in the proper discharge of their duty.

Resolved, That the Secretary of State be directed to forward to each of our Senators and Representatives in Congress a copy of this Resolution.



TABLE

Showing the population of the State of Iowa, by Counties, as returned by the State Census of January, 1863, and U. States Census for June, 1860.

COUNTIES	1863.					1860.				
	No. of Males.	No. of Fem's	No. of Blacks.	Total.	No. entitled to vote	No. votes cast for Gov. 1863.		Whites.	Free Colored.	Total.
						Stone.	Tuttle.			
Adair	467	433		900	188	119	60	984		984
Adams	830	795	13	1,638	326	197	93	1,533		1,533
Alamakee	6,728	6,733	4	13,465	2,471	997	1,342	12,230	6	12,236
Appanoose	6,013	5,847	6	11,866	2,095	867	1,131	11,920	13	11,933
Audubon	194	194		388	88	43	45	454		454
Benton	4,897	4,638	6	10,561	1,836	1,024	656	8,501	1	8,502
Black Hawk	5,050	4,955	9	10,014	2,082	1,137	432	8,230	14	8,244
Boone	2,218	2,389		4,607	873	341	457	4,231		4,231
Bremer	2,786	2,618		5,404	1,101	669	308	4,910	5	4,910
Buchanan	4,235	4,057	2	8,294	1,718	992	587	7,906		7,906
*Buena Vista						3	4	57		57
†Buncombe										
Butler	2,142	2,000		4,142	944	495	245	3,723	1	3,724
Calhoun	92	78		170	39	14	26	147		147
Carroll	158	139		297	54	28	29	281		281
Cass	819	804		1,623	317	194	113	1,612		1,612
Cedar	6,687	6,574	13	13,274	2,657	1,562	958	12,937	12	12,949
Cer. Gordo	510	497		1,007	215	158	24	940		940
Cherokee	10	5		15	5	6	1	58		58
Chickasaw	2,309	2,087	1	4,397	910	549	283	4,333	5	4,338
Clarke	2,804	2,833	6	5,693	1,065	665	286	5,427		5,427
*Clay						11	4	52		52
Clayton	10,862	10,368	5	21,275	3,997	2,022	1,704	20,702	25	20,728
Clinton	10,121	9,697	3	19,818	3,544	1,909	1,398	18,925	13	18,938
Crawford	247	209		456	94	50	35	383		383
Dallas	2,502	2,585	1	5,088	930	615	347	5,244		5,244
Davis	6,990	6,966	3	13,956	2,566	994	1,331	13,763	1	13,763
Decatur	4,094	4,276	3	8,373	1,473	673	801	8,670	7	8,677
Delaware	5,930	5,736	1	11,667	2,302	1,305	721	11,028		11,028
Des Moines	10,632	10,536	45	21,213	4,011	2,070	1,788	19,584	28	19,612
Dickinson	94	95		189	35	31	1	180		180
Dubuque	15,509	15,254	76	30,839	5,699	2,064	3,280	31,096	29	31,165
*Emmett						23	2	105		105
Fayette	6,427	6,310	2	12,739	2,434	1,339	813	12,019	54	12,073
Floyd	2,057	1,961		4,018	900	568	206	3,746		3,746
Franklin	743	705		1,448	271	193	63	1,309		1,309
Fremont	2,445	2,330	3	4,778	948	519	396	5,069	5	5,074
Greene	709	707		1,416	241	131	102	1,374		1,374
Grundy	514	510		1,024	208	168	27	793		793
Guthrie	1,661	1,544	2	3,207	609	295	266	3,058		3,058
Hamilton	822	780		1,602	321	198	78	1,699		1,699
Hancock	128	112		240	52	27	19	179		179
Hardin	2,774	2,585	17	5,376	1,072	681	370	5,440		5,440
Harrison	1,872	1,791		3,663	717	332	319	3,622	1	3,623
Henry	8,204	8,470	106	16,780	3,324	2,036	880	18,676	24	18,760
Howard	1,778	1,604		3,382	690	413	244	3,167	1	3,168
Humboldt	211	183		394	92	51	30	332		332
*Ida						6	3	43		43

*Not reported in 1863. †Buncombe changed to Lyon.

COUNTIES.	1863.							1860.		
	No. of Males.	No. of Fem'ls	No. of Blacks.	Total.	No. entitled to vote	No. votes cast for Gov. 1863.		Whites.	Free Colored.	Total.
						Stone.	Tuttle			
Iowa.....	4,835	4,268	1	8,544	1,669	764	742	8,029	....	8,029
Jackson.....	9,617	9,585	6	19,158	8,502	1598	1726	18,487	7	18,494
Jasper.....	5,451	5,147	29	10,627	2,020	1120	688	9,888	1	9,887
Jefferson.....	7,323	7,316	10	14,649	2,659	1878	1199	15,037	....	15,037
Johnson.....	8,459	8,718	7	17,184	3,172	1546	1569	17,584	88	17,572
Jones.....	6,927	6,568	5	13,495	2,619	1427	1002	13,298	7	13,305
Keokuk.....	6,879	6,581	2	13,412	2,456	1215	1098	13,284	....	13,284
Kossuth.....	184	181	....	365	71	54	15	416	....	416
Lee.....	14,865	13,196	462	28,523	4,909	2473	2489	28,985	247	29,232
Linn.....	9,569	9,124	7	18,700	3,714	2070	1147	18,940	10	18,950
Louisa.....	5,375	5,264	34	10,673	2,140	1237	631	10,276	94	10,370
Lucas.....	3,160	3,097	....	6,257	1,171	580	481	5,765	1	5,766
†Lyon.....	....	....	....	....	....	....	....	....	....	....
Madison.....	3,972	3,962	....	7,934	1,477	777	624	7,389	....	7,388
Mahaska.....	8,106	8,136	7	16,249	3,112	1733	1167	14,800	16	14,816
Marion.....	8,720	8,574	24	17,318	3,247	1865	1584	16,781	34	16,815
Marshall.....	3,923	3,598	29	7,450	1,570	964	492	6,015	....	6,015
Mills.....	3,216	3,067	4	6,287	1,235	407	284	4,462	18	4,480
Mitchell.....	1,766	1,609	....	3,375	718	574	169	3,409	....	3,409
Monona.....	498	426	7	981	226	99	95	832	....	832
Monroe.....	4,686	4,684	2	9,322	1,683	806	790	8,609	2	8,611
M'tgomery....	603	615	....	1,218	248	141	90	1,256	....	1,256
Muscataine..	8,508	8,381	100	16,989	4,695	1721	1354	16,339	105	16,444
*O'Brien.....	....	....	....	....	....	4	4	8	....	8
†Osceola.....	....	....	....	....	....	....	....	....	....	....
Page.....	2,363	2,294	5	4,622	922	434	241	4,418	1	4,419
Palo Alto.....	78	69	....	142	27	....	29	183	....	183
Plymouth.....	50	43	....	93	23	22	5	140	8	148
Pocahontas..	58	64	....	122	28	17	12	108	....	108
Polk.....	6,423	6,502	31	12,956	2,601	1420	1243	11,612	18	11,625
Pottawat'mie	2,393	2,385	9	4,737	974	463	317	4,953	9	4,962
Poweshiek....	3,264	3,006	10	6,370	1,321	722	526	5,670	....	5,670
Ringgold....	1,531	1,507	1	3,039	574	353	114	2,923	....	2,923
Sac.....	126	108	....	234	52	21	19	246	....	246
Scott.....	13,150	13,127	50	26,327	4,742	2613	1315	25,921	89	25,960
Shelby.....	480	398	....	828	168	80	82	10	....	10
Sioux.....	....	....	....	....	....	....	4	817	1	818
Story.....	2,217	2,151	....	4,368	803	453	342	4,052	....	4,052
Tama.....	3,600	3,400	27	7,027	1,352	818	418	5,285	....	5,285
Taylor.....	1,984	1,771	2	3,757	741	381	170	3,889	....	3,889
Union.....	1,216	1,204	....	2,420	477	213	187	2,012	....	2,012
Van Buren....	7,897	7,942	....	15,839	3,111	1619	1272	17,079	4	17,083
Wapello.....	8,304	8,371	54	16,729	3,435	1401	1464	14,480	88	14,518
Warren.....	5,448	5,478	6	10,932	2,079	1122	758	10,208	14	10,282
Washington..	7,599	7,372	32	15,003	2,884	1587	1107	14,220	13	14,233
Wayne.....	3,266	3,255	1	6,522	1,167	500	575	6,400	11	6,411
Webster.....	1,447	1,410	1	2,858	559	299	264	2,500	4	2,504
Winnebago..	97	107	....	204	44	29	18	168	....	168
Win'eshiek..	7,917	7,497	7	15,421	2,552	1400	863	13,942	....	13,942
Woodbury....	575	531	....	1,106	231	122	107	1,116	3	1,119
Worth.....	457	438	....	895	168	120	35	756	....	756
Wright.....	858	335	....	693	91	75	43	653	....	653
Total.....	354,661	346,181	1,820	702,162	135,068	69121	44948	673,925	1023	674,948

*Not reported in 1863. †Unorganized.

OFFICE OF AUDITOR OF STATE, }
DES MOINES, IOWA, April 7th, 1864. }

HON. JAMES WRIGHT,

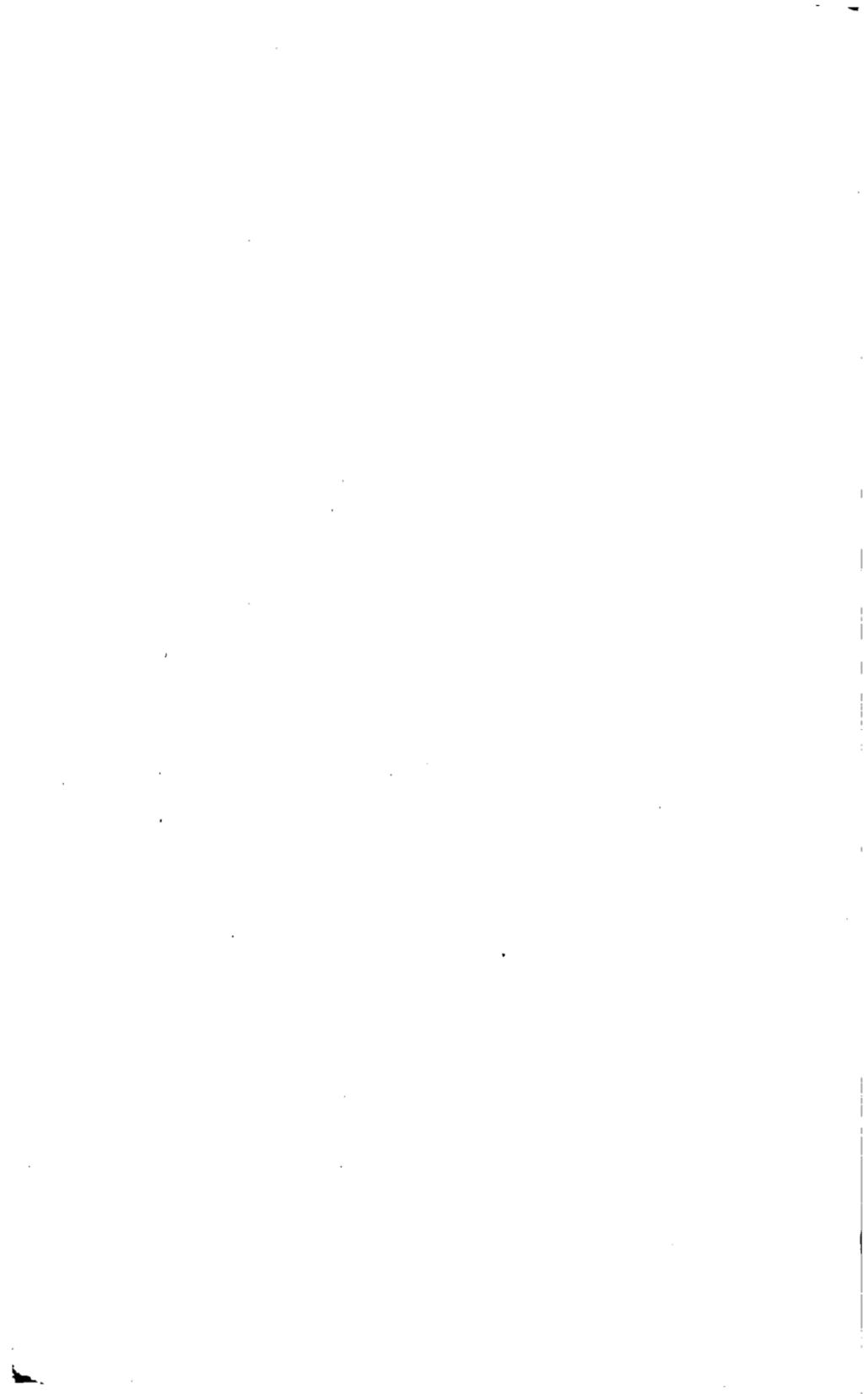
Secretary of State :

DEAR SIR :—In pursuance of Section eighteen, of Article third, of the Constitution of Iowa, herewith find for publication with the Laws of the Tenth General Assembly, a Statement of the Receipts and Expenditures for the two fiscal years, commencing November 4th, 1861, and ending November 1st, 1863, both days inclusive.

Very Respectfully,

J. W. CATTELL,

Auditor of State.



AUDITOR'S REPORT.

1st—RECEIPTS AND DISBURSEMENTS OF STATE REVENUE.

1861.

Nov. 4. Balance in the Treasury this date, \$28,089.13

1862.

Mar. 3. To am't rec'd during quarter ending
this day..... 113,625.47—141,664.60

CONTRA.

1862.

Mar. 3. By Auditor's Warrants redeemed, \$96,135.85

“ “ “ Interest allowed on the same, .. 1,815.05

“ “ “ balance to next quarter,..... 43,713.70—141,664.60

Mar. 3. To balance brought forward..... \$43,713.70

May 31. To amount received during quarter
ending this day..... 127,401.55—171,115.25

CONTRA.

June 2. By Auditor's Warrants redeemed, \$98,148.13

“ “ “ Interest allowed on the same, .. 1,439.70

“ “ “ balance to next quarter,..... 71,527.42—171,115.25

June 21. To balance brought forward,.... \$71,527.42

Aug. 28. To amount received during quarter
ending this day,..... 90,312.01—161,839.43

CONTRA.

Aug. 30. By Auditor's Warrants redeemed, \$93,253.41

“ “ “ Interest allowed on the same, 1,243.27

“ “ “ balance to next quarter..... 67,342.75—161,839.43

Aug. 30. To balance brought forward,.... \$67,342.75

Oct. 31. To amount received during quarter
ending this day,..... \$21,792.96— 89,135.71

CONTRA.

Nov. 2. By Auditor's Warrants redeemed, \$51,323.52

“ “ “ Interest allowed on the same, .. 1,533.90

“ “ “ balance to next quarter,..... 36,278.29— 89,135.71

Nov. 2. To balance brought forward, \$36,278.29
1863.
Jan. 3. To amount received during quarter
ending this day, 75,528.42—111,806.71

C O N T R A .

Jan. 5. By Auditor's Warrants redeemed, \$73,611.19
" " " Interest allowed on the same, . . 1,502.63
" " " Balance to successor, Wm. H.
Holmes, 36,692.89—111,806.71

Jan. 5. To balance from predecessor, J. W.
Jones, \$36,692.89
Feb. 28. To amount received during quarter
ending this day, 74,807.23—111,500.12

C O N T R A .

Mar. 1. By Auditor's Warrants redeemed, \$46,248.53
" " " Interest allowed on the same, . . 3,079.70
" " " balance to next quarter, 62,171.89—111,500.12

Mar. 1. To balance brought forward, \$62,171.89
May 30. To amount received during quarter
ending this day, 205,282.04—267,453.93

C O N T R A .

June 1. By Auditor's Warrants redeemed, \$83,917.45
" " " Interest allowed on the same, . . 1,755.59
" " " amount apportioned to sundry
counties for Railroad tax, 3,858.29
June 1. By balance to next quarter, 177,922.60—267,453.93

June 1. To balance brought forward, 177,922.60
Sept. 5. To amount received during quarter
ending this day, 109,964.25—287,886.85

C O N T R A .

Sept. 7. By Auditor's Warrants redeemed, 86,060.37
" " " Interest allowed on the same, . . 918.95
" " " amount apportioned to sundry
counties for Railroad tax, 1,697.67
Sept. 7. By balance to next quarter, 199,209.86—287,886.85

Sept. 7. To balance brought forward, 199,209.86
Oct. 31. To amount received during quarter
ending this day, 48,102.69—247,312.55

C O N T R A .

Nov. 2.	By Auditor's Warrants redeemed, .	46,961.19	
" "	" Interest allowed on the same, . .	593.12	
" "	" balance,	199,758.24	—247,312.55

RECAPITULATION.

Balance in the Treasury Nov. 4, 1861,	\$28,039.13	
Amount of receipts during the two years, . .	866,816.62	—894,855.75

C O N T R A .

Auditor's Warrants redeemed,	675,659.64	
Interest paid on redeemed Warrants,	13,881.91	
Amount apportioned to sundry counties for Railroad tax,	5,555.96	
Amount applied for redemption of War and Defense Fund Warrants and Interest,	159,004.14	—854,101.65
Leaving balance in Treasury Nov. 2, 1863,	\$40,754.10	

NOTE.—The difference in the balances of State Revenue in this Report, and that of the State Treasurer, on March 1st, June 1st and Sept. 7th, 1863, is caused by the Railroad Tax being included in the State Revenue account in this Report, and in that of the State Treasurer it is kept in a separate account.

2D—RECEIPTS AND DISBURSEMENTS OF WAR AND DEFENSE FUNDS.

1861.		
Nov. 4.	Balance in Treasury this date,	\$24,629.93
1862.		
Mar. 1.	To amount received from sale of State bonds to date,	92,092.00
Mar. 1,	To Am't received from Truesdale to date,	6.00
" "	" Am't received from Adj. Gen. Baker to date,	17.60
" "	" Am't received from H. Price, P. M. General,	7,144.10
		—123,889.63

C O N T R A .

Mar. 3,	By W. & D. Warrants redeemed,	123,248.76	
" "	" Interest allowed on same,	598.99	
" "	" Balance to next quarter,	41.88	—123,889.53
Mar. 3,	To balance brought forward,	41.88	
May 31,	" Am't rec'd from sale of State Bonds to date,	67,784.00	
" "	" Am't rec'd from sale of Mare,	95.00	
" "	" Am't rec'd from counties for Federal Tax to date,	14,836.17	— 82,757.05

C O N T R A .

June 2,	By	W. & D. Warrants redeemed,	69,954.55
" "	"	Interest allowed on same,....	1,259.40
" "	"	Re-issued W. & D. Warrants redeemed,.....	2,391.41
" "	"	Balance to next quarter,....	9,151.69— 82,757.05

June 2,	To	balance brought forward, . . .	91,151.69
Aug. 30,	"	Am't rec'd from sale of State Bonds to date,	36,176.00
" "	"	Am't rec'd of the United States,	20,000.00
" "	"	Am't received from counties for Federal Tax to date,.....	86,524.04—151,851.73

C O N T R A .

Sept. 1,	By	W. & D. Warrants redeemed,	95,887.87
" "	"	Interest allowed on same,....	2,410.95
" "	"	Re-issued W. & D. Warrants, redeemed,.....	2,769.91
" "	"	Balance to next quarter,....	50,783.00—151,851.73

Sept. 1,	To	balance brought forward, . . .	50,783.00
" "	"	Am't rec'd from counties for Federal Tax to date,	17,430.37— 68,213.37

C O N T R A .

Nov. 1,	By	W. & D. Warrants redeemed,	41,180.87
" "	"	Interest allowed on same,....	507.80
" "	"	Re-issued W. & D. Warrants redeemed,	362.10
" "	"	Balance to next quarter,....	26,162.60— 68,213.37

Nov. 1, To balance brought forward, 26,162.60
1863.

Jan. 3,	To	Am't received from Adj. Gen. Baker for sale of blankets, powder, clothing, &c., to date,....	1,620.22
" "	"	Am't received from counties for Federal tax, to date,.....	79,950.70—107,733.52

C O N T R A .

Jan. 5,	By	W. & D. Warrants redeemed,	86,573.81
" "	"	Interest allowed on same,....	1,043.97
" "	"	Re-issued W. & D. Warrants	
" "	"	Balance to successor, Wm. H. Holmes,	19,379.43—107,733.52

Jan. 5,	To balance from predecessor, J. W. Jones,	19,379.43	
Feb. 28,	To amt received from Adj. Gen. Baker for sale of powder, &c., to date,	135.20	
" " "	Am't rec'd from counties for Federal tax, to date,	29,563.34	49,077.97

CONTRA.

Mar. 2,	By W. & D. Warrants redeemed,	43,519.05	
" " "	Interest allowed on same,	1,193.93	
" " "	Re-issued W. & D. Warrants redeemed,	1,005.02	
" " "	Balance to next quarter,	3,359.97	49,077.97

Mar. 2,	To balance brought forward,	3,359.97	
May 30,	" amount received from counties for Federal tax to date,	48,818.17	
May 30,	To balance overdrawn from State Revenue,	12,369.56	59,547.70

CONTRA.

June 1.	By W. and D. Warrants redeemed,	\$57,110.23	
" " "	Interest allowed on same,	1,411.12	
" " "	Re-issued W. and D. Warrants redeemed,	10,263.35	59,547.70

Sept. 5.	To amount received from counties for Federal Tax to date,	\$23,598.77	
Sept. 5.	To Balance overdrawn from State Revenue,	146,074.76	169,673.53

CONTRA.

Sept. 5.	By W. and D. Warrants redeemed,	\$152,923.12	
" " "	Interest allowed on same,	4,189.82	
" " "	Re-issued W. and D. Warrants redeemed,	191.03	
" " "	Balance overdrawn from last quarter,	12,369.56	169,673.53

Oct. 31.	To amount received from counties for Federal Tax to date,	\$ 6,560.47	
Oct. 31.	To balance overdrawn from State Revenue,	159,004.14	165,564.61

CONTRA.

Nov. 2.	By W. and D. Warrants redeemed,	\$19,258.84	
" " "	Interest allowed on same,	231.01	
" " "	Balance overdrawn from last quarter,	146,074.76	165,564.61

AUDITOR'S REPORT.

RECAPITULATION.

Balance in the Treasury Nov. 4, 1861.....	\$24,629.93
Amount received for Federal Tax,.....	302,282.03
Amount of receipts from all other sources during the two years,.....	225,070.12
Balance overdrawn from State Revenue,..	159,004.14—710,986.22

CONTRA.

Auditor's War and Defense Warrants re- deemed,.....	\$689,657.10
Interest paid on redeemed Warrants,....	12,846.99
Auditor's re-issued War and Defense War- rants redeemed,.....	8,482.13—710,986.22

3D RECAPITULATION.

Showing the Receipts and Disbursements of State Revenue and War and Defense Fund combined, and the actual amount of State Revenue in the Treasury.

RECEIPTS.

1861.

Nov. 4. Balance in the Treasury, of State Revenue,.....	\$28,039.13
Nov. 4. Balance in the Treasury, of War and Defense Fund,.....	24,629.93
Nov. 4. Balance of both Funds in Treas'y,	52,669.06
Amount received account of State Rev- enue, during the two years,.....	866,816.62
Amount received on account of the War and Defense Fund during the two years	527,352.15—1,446,837.83

DISBURSEMENTS.

Amount paid out for redemption of War- rants and interest and apportionment of Railroad Tax on account of <i>State Rev- enue</i> ,.....	695,097.51
Amount paid out for redemption of War- rants and interest on account of <i>War and Defense Fund</i> ,.....	710,986.22—1,406,083.73
Leaving balance in Treasury, of <i>State Revenue</i> , Nov. 2, 1863.....	\$40,754.10

4TH—EXPENDITURES OF STATE REVENUE.

Showing the amount of Warrants issued and to what account charged, and other expenditures of General Revenue during the two fiscal years just past.

ACCOUNTS.	Excess over amt' of pay to Dec. 31st, 1868.	Amount ap- propriated and undrawn.	Amount ex- pended.
Adjutant General's salary.....	\$ 558 44	\$ 946 50	\$ 2,053 56
Assistant Adj. Gen.'s salary....	161 00	402 25	997 75
Attorney General's salary.. . . .	.....	187 00	2,000 00
Auditor of State's salary.....	217 40	420 00	2,830 00
Dist. Attorney's salary, 1st Dist.	211 00	311 00	1,423 75
Dist. Attorney's salary, 2d Dist.	211 00	311 00	1,489 00
Dist. Attorney's salary, 3d Dist.	211 00	511 00	1,289 00
Dist. Attorney's salary, 4th Dist.	211 00	411 00	1,323 00
Dist. Attorney's salary, 5th Dist.	411 00	561 00	1,339 00
Dist. Attorney's salary, 6th Dist.	211 00	411 00	1,389 00
Dist. Attorney's salary, 7th Dist.	211 00	634 00	1,100 00
Dist. Attorney's salary, 8th Dist.	211 00	311 00	1,423 00
Dist. Attorney's salary, 9th Dist.	211 00	311 00	1,689 00
Dist. Attorney's sal'ry, 10th Dist.	211 00	561 51	1,438 49
Dist. Attorney's sal'ry, 11th Dist.	211 00	361 00	1,439 00
District Judge's salary, 1st Dist.	300 00	517 00	2,950 00
District Judge's salary, 2d Dist.	300 00	625 00	2,975 00
District Judge's salary, 3d Dist.	300 00	625 00	2,975 00
District Judge's salary, 4th Dist.	300 00	517 00	2,950 00
District Judge's salary, 5th Dist.	300 00	517 00	2,950 00
District Judge's salary, 6th Dist.	300 00	518 00	3,198 67
District Judge's salary, 7th Dist.	300 00	625 00	2,975 00
District Judge's salary, 8th Dist.	300 00	517 00	3,083 00
District Judge's salary, 9th Dist.	300 00	625 00	3,373 00
District Judge's salary, 10th Dist.	300 00	625 00	3,375 00
District Judge's salary, 11th Dist.	300 00	949 99	2,550 88
Governor's salary.....	.....	1,500 00	3,112 09
Janitor and Night-watch.....	.....	122 00	1,491 00
Register of State Land Office's salary.....	214 40	417 00	2,833 00
Secretary Agricultural College and Farm's salary.....	228 99	395 66	2,020 99
Secretary of State's salary.....	209 40	411 00	2,839 00
Secretary of Board of Education's Salary.....	200 00	427 00	2,888 35
State Treasurer's salary.....	214 40	418 00	2,832 00
Surgeon General's salary.....	325 00	660 00	1,340 00
Supreme Judge's salary, Ralph P Lowe,.....	.....	453 95	4,252 45

EXPENDITURES OF STATE REVENUE—CONTINUED.

ACCOUNTS.	Excess over am't of pay to Dec. 31, 1893.	Amount ap- propriated and undrawn.	Amount ex- pended.
Supreme Judge's salary, George G. Wright.....	\$	\$ 337 00	\$ 4,060 97
Supreme Judge's salary, Caleb Baldwin.....		669 50	3,665 25
Penitentiary Clerk's salary.....		187 50	1,500 00
Penitentiary Chaplain's salary..		75 00	687 50
Penitentiary Physician's salary..			457 00
Penitentiary Warden's salary....		250 00	2,000 00
Penitentiary Dep. War.'s salary		187 50	1,500 00
Adj. General's Contingent Fund		1,630 93	1,369 07
Att'y Gen.'s Fees and Mileage..		226 50	756 00
Auditor's Contingent Fund.....		458 74	2,511 93
Governor's Contingent Fund....		600 00	1,500 00
Register State Land Office's Con- tingent Fund.....		437 63	1,889 60
Secretary Agricultural College's Contingent Fund.....		1,212 21	1,863 74
Secretary of State's Contingent Fund.....		183 30	2,025 00
Secretary of Board of Education's Contingent Fund.....		120 00	880 00
State Treasurer's Contingent Fund.....		106 67	1,393 33
Supreme Court's Contingent Fund.....		359 05	2,651 27
State Superintendent of Weights and Measures.....		350 00	50 00
Extraordinary Expenses Execu- tive Department.....		2,592 12	18,637 25
General Contingent Fund.....		1,909 60	9,308 15
For Fuel.....	877 48		
For arrest of fugitives from jus- tice.....	358 35		
For Postage Executive Office...	166 63		
For Postage Secretary of State..	846 56		
For Postage Auditor.....	396 68		
For Postage Treasurer.....	111 40		
For Postage Register.....	159 18		
For Postage Secretary of Board of Education.....	429 76		
For Postage Attorney General..	44 50		

EXPENDITURES—CONTINUED.

ACCOUNTS.	Excess over am't of pay to Dec. 31st, 1863.	Amount appropriated and undrawn.	Amount Expended.
For Postage Adjutant General, ..	\$ 2,205 34	.....	.....
For Attorney's Fees in State cases,	800 00	.....	.....
For repairs on State House and Grounds and Furniture and repairs in Legislative Halls, &c.,	849 89	.....	.....
For Lights,	388 55	.....	.....
For Furniture and supplies for offices and repairs, &c.,	272 95	.....	.....
For Drayage and Express,	109 50	.....	.....
For Carpeting,	676 82	.....	.....
For Labor,	165 65	.....	.....
For Miscellaneous bills,	348 91	.....	.....
	9,808 15	.....	.....

ACCOUNTS.	Amount appropriated and undrawn.	Amount Expended.
Quartermaster General's Expenses,	\$	\$ 1,807 39
Blind Asylum Support, .....	.....	15,500 00
Deaf and Dumb Institution, .....	.....	15,600 00
Hospital for Insane County Dues,	2,937 22	37,144 88
Hospital for Insane Deficiency, .....	.....	13,505 15
Hospital for Insane Trustees Expenses, .....	.....	899 45
Hospital for Insane furnishing and finishing building, .....	.....	26,180 96
Interest on Bonds issued in 1858,	7,245 00	28,280 00
Interest on School Fund Loans,	9,216 37	27,271 87
Interest on War and Defense Bonds,	11,469 12	36,577 52
Penitentiary Contingent Fund,	901 00	99 00
Penitentiary General Support,	4,620 52	13,461 02
Penitentiary Indebtedness,	246 10	1,753 90
Penitentiary Improvements,	628 50	2,636 50
Penitentiary Guard Pay,	2,253 41	10,900 06
Penitentiary Library, .....	.....	100 00
Agricultural Societies, .....	.....	11,747 85
Army Vote, .....	.....	14,763 00
Army of Protection, (for Northwes'rn Iowa,)	110 25	355 00
Allotment Commissioners, .....	.....	565 15
Capitol Building Repairs,	202 08	112 95
Des Moines River Lands,	3,050 47	949 53
Eighth General Assembly, .....	.....	5 00

AUDITOR'S REPORT.

EXPENDITURES—CONTINUED.

ACCOUNTS.	Amount ap- propriated and undrawn.	Amount Ex- pended.
Eighth General Assembly, Extra Session, ..	\$	\$ 1 00
Governor's Aids,		1,819 11
9th Gener'l Assembly members and officers,		51,843 90
9th General Assembly Postage,		3,329 75
9th General Assembly Newspapers,		6,655 62
9th Gen'l Assembly Contingent Expenses,		1,215 53
9th General Assembly Extra Session,		10,609 79
Publishing Laws in newspapers,		1,012 85
Reports of Iowa,		3,740 25
Spirit Lake Expedition,		18 00
State Bank Expenses,		1,374 00
Swamp Lands,		3,684 00
Stationery,		14,501 95
Special appropriations,		37,756 49
State Binding,		11,853 53
State Printing,		23,100 30
Teachers' Institutes,		4,850 00
Blind Asylum Building at Vinton,		10,596 25
Board of Education,	633 32	1,968 76
Commissioner of Emigration Salary,		600 00
Commissioner of Emigration office rent, ...	125 00	100 00
Mileage Agricultural College Board,		1,758 05
Total Amount of Warrants issued,		590,410 09
Interest paid on Warrants redeemed,		13,881 91
Mileage to Co. Treasurers by certificates, ...		5,976 14
Commission to Banks forwarding Revenue,		492 59
		610,760 73
Deduct for money refunded, as follows: ..		
Quartermaster General Expenses Account, ..	38 75	.....
Stationery,	15 26	.....
Capitol Building Repairs,	23 75	.....
Fuel and general contingent fund,	75 15	152 91
Total expenditures,		610,607 82

5TH—WARRANTS—(REVENUE)

Amount of Warrants outstanding Nov. 4, 1861, ..	\$103,645.07
Amount issued during the two years,	590,410.09
Total,	694,055.16

Deduct amount redeemed during the two years, . . . 675,659.64
 Leaves now outstanding, \$ 18,395.52

6TH—WAR AND DEFENSE WARRANTS.

Amount of Warrants outstanding Nov. 4, 1861, . . . \$ 97,748.31
 Amount of Warrants issued during the two years, 639,163.85
 Total, \$736,912.16
 Am't redeemed by State Treasurer, \$689,657.10
 Am't redeemed by Auditor (re-issued) 8,537.19— 698,194.29
 Leaves outstanding Nov. 2, 1863, \$ 38,717.87

WAR AND DEFENSE WARRANTS—(RE-ISSUED.)

1863. Nov. 2. Amount issued to date, \$8,737.42
 Amount redeemed by State Treasurer, . . 8,482.13
 Leaves outstanding Nov. 2, 1863, \$ 255.29

7TH—STATE INDEBTEDNESS.

The State has borrowed of the Permanent School Fund the following sums, to-wit:

On bonds payable May 1, 1854, (Chap. 58 Acts 1849) . . \$16,442.05
 " " " Sept. 15, '59, (Chap. 70 Acts 1849) . . 6,000.00
 " " " Jan. 1, 1856, (Chap. 51 Acts 1851) . . 2,353.70
 " " " July 15, 1861, (Res. 9, Ex. Sess. '56) 40,000.00
 And am't borrowed Jan. 1, '57, (Chap. 3, Acts '56-7) . . 57,500.00

Total amount of School Fund borrowed, \$122,295.75
 Iowa seven per cent. bonds payable in New York Jan.
 1, 1868, issued under Chap. 7, Acts 1858, 200,000.00

Making, \$322,295.75
 To which add am't of bonds sold under Chap. 16, Acts
 Extra Session 1861, for War and Defense Fund, . . . \$300,000.00
 Making total bonded debt, \$622,295.75

8TH—RESOURCES OF THE STATE.

STATE REVENUE.

Balance of Revenue in the State Treasury, \$ 40,754.10
 " in banks in course of payment, 12,294.45
 " of State Revenue due from counties, 298,446.17
 " of Insane Hospital dues, due from counties, . . . 26,616.78

AUDITOR'S REPORT.

Tax of 1863 reckoned on the valuation,.....	334,217.90
Estimated tax of 1864, at 2 mills.....	330,000.00
“ Railroad tax for 1864 and 1865.....	12,000.00
Balance due from War and Defense Fund for amount applied to redemption of War and Defense War- rants,.....	159,004.14

Total State Revenue resources,.....\$1,213,333.54

The accounts show the increase greater than the decrease of State Revenue, as the following statement will show, and hence no deduction is made for unavailable taxes.

ADDITIONS TO REVENUE.

Interest on Delinquent Taxes,.....	\$41,779.97
Additional Assessments,.....	10,988.83
Amount received for Peddlers' Licenses, ..	779.79
Amount from sale of Laws,	4,215.10—\$57,763.69

DECREASE OF REVENUE.

Interest paid on Auditors' Warrants,..	\$13,881.91
Taxes certified as double and erroneous, and unavailable,.....	38,124.64—\$52,006.55
Balance in favor of Revenue,.....	5,757.14

WAR AND DEFENSE FUND RESOURCES.

Balance of Federal tax due from counties,.....	\$ 68,056.38
“ in banks in course of payment,.....	2,310.37
Estimated balance due from U. S. Government for War Expenses paid by the State,.....	300,000.00

\$370,366.75

Deduct amount due State Revenue as above,.....	159,004.14
Leaves estimated War and Defense Fund Resources	211,362.61

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ERRATA.

- Page 1, chapter 1—Approved 1864, instead of 1863.
Page 8, chapter 8, sec. 3—read courts instead of court.
Page 8, chapter 8, sec. 4, 2d line—read courts instead of court.
Page 7, chapter 9—in the title read the *rate of interest*.
Page 8, chapter 9, 9th line—endorse upon *the warrant*.
Page 24, chapter 25, last line—read Des Moines, instead of Des Moines, Iowa.
Page 48, chapter 48—published in Iowa Homestead, 23d March.
Page 50, chapter 48—published in Anamosa Eureka 1st April, 1864.
Page 69, chapter 61—published in Daily State Register 3d of April, instead of March.
Page 70, chapter 62, sec. 6, last line—read roofs instead of roof.
Page 70, chapter 62, sec. 7, 3d line—read *of*, instead of upon their expenditures.
Page 71, chapter 63, title—read *a* further appropriation.
Page 71, chapter 63, sec. 1, 7th line—read cistern instead of cisterna.
Page 73, chapter 65, sec. 2, 4th line—read notices instead of notice.
Page 80, chapter 72, sec. 7, 3d line—read *in* force, instead of full force.
Page 87, chapter 81—approved March 26th, instead of 25th.
Page 89, chapter 83, last sec.—read 5, instead of 4.
Page 90, chapter 84, sec. 3, 14th line, 1st word—read *two* instead of three.
Page 93, chapter 84, sec. 16, last line—read *such*, instead of each correspondence.
Page 94, chapter 84, sec. 21, 2d line—read *Governor* instead of Government.
Page 96, chapter 85, sec. 6, 4th line—read *and* Iowa Homestead.
Page 103, chapter 90—published in Iowa Homestead 20th April.
Page 104, chapter 91, sec. 7, 2d line—read *is*, instead of has been taken.
Page 104, chapter 91, sec. 10—after the word “with” in 1st line, insert “the provisions of.”
Page 107, chapter 94, 5th line from bottom of the page—after the word “or” insert “to any.”
Page 114, chapter 98, sec. 19, next to the last line—read *in conflict*, instead of inconsistent.
Page 120, chapter 104, 2d line from the top of page—strike out the word thereof.
Page 121, chapter 104, sec. 22, 4th line—before State insert the word “Iowa.”
Page 122, chapter 104, sec. 38—read George S. Hatch.
Page 122, chapter 104, sec. 44—read J. S. Hurley.
Page 126, chapter 104, last sec.—read 52 instead of 25.
Page 148, chapter 116, sec. 1, 4th line—read *on*, instead of *in* a certain.
Page 156, chapter 122—published in Iowa State Register 27th April, 1864.
Page 179, resolution No. 11, 8th line, included in a parenthesis—read *starting*, instead of standing point.
Page 184, resolution No. 17—approved March 26th instead of 25th.

THE STATE OF IOWA, } OFFICE OF SECRETARY OF STATE. }

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

In testimony whereof, I have hererunto set my hand, and affixed
{ L. S. } the Great Seal of the State of Iowa.
Done at Des Moines, 6th day of May, A. D., 1864.
JAMES WRIGHT,
Secretary of State.