

ACTS AND RESOLUTIONS

PASSED AT THE

ADJOURNED SESSION

OF THE

FOURTEENTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA,

BEGINNING JANUARY 15, AND ENDING FEBRUARY 20, 1873.

PUBLISHED BY AUTHORITY.

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ACTS OF THE FOURTEENTH GENERAL ASSEMBLY

OF THE
STATE OF IOWA.

PASSED AT THE ADJOURNED SESSION THEREOF, BEGUN AND HELD AT THE CITY OF DES MOINES, ON THE FIFTEENTH DAY OF JANUARY, A. D. 1873.

CHAPTER I.

AN ACT to Repeal Chapter Forty-one of [the] General Laws of the Fourteenth General Assembly.

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa*, That chapter forty-one of the general laws of the Fourteenth General Assembly is hereby repealed.

SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in the Des Moines Republican and State Leader, newspapers published in Des Moines, Iowa.

Approved February 17, 1873.

I hereby certify that the foregoing act was published in the *Daily Iowa State Leader* February 19, and in the *Des Moines Daily Republican* February 18, 1873.

JOSIAH T. YOUNG, *Secretary of State*.

CHAPTER II.

AN ACT Authorizing Incorporated Cities and Towns to Lay out and Establish Market Grounds, and to take Private Property for such purpose.

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa*, That the city council, board of aldermen or trustees of any incorporated city or town, whether organized under special charter or under the provisions of chapter fifty-one of the Revision

of 1860, and the acts amendatory thereto, shall have power to lay out and establish market grounds, and to take private property for such purpose, making the owners of such property just and adequate compensation, to ascertain which, the city council, board of aldermen or trustees shall cause to be summoned twelve disinterested freeholders residing in the city, who, being duly sworn for that purpose, shall inquire into and assess the damages which would be sustained by said owners by reason of the appropriation of their property, for such market grounds, which damages they shall apportion and assess upon the real estate that will have a frontage on such market grounds, and all real estate in the vicinity of the same, the owners of which may be benefitted by the locating and establishing of such market ground, in proportion as near as may be to the benefits resulting to each; all of which they shall return under their hands to the city council, board of aldermen or trustees of said incorporated city or town, and the assessment so made, shall be collected and paid over to the person or persons whose property has been taken for the purposes aforesaid.

SEC. 2. Any person deeming himself aggrieved by said assessment or apportionment may, in thirty days from the time when such person shall receive notice in writing by the mayor or other principal officer of such incorporated city or town, of such assessment or apportionment, appeal from such assessment or apportionment to the circuit court. Any such appeal shall be perfected by the injured party giving bond to the satisfaction of the mayor or other principal officer of such city or town conditioned for the payment of all costs which may be adjudged against the appellant. But such appeal shall not prevent the city or town from taking possession of said real estate, and establishing market grounds thereon and improving the same, if said city or town shall first tender the amount of damages assessed as aforesaid, to such appellant as aforesaid, and in no case shall the city or town be liable for the costs of appeal, unless the appellant obtains a more favorable decision in the circuit court than that from which he appeals.

SEC. 3. In all cases of appeal it shall be the duty of the mayor or other principal officer of the city or town to file all papers connected with such appeal in the office of the clerk of the circuit court, on or before the first day of the next term of said court. Said appeal shall be heard and determined as other appeals are heard and determined in said court, and the court shall certify its decision to the city council, board of aldermen or trustees, by whom the same shall be carried into effect.

SEC. 4. The city or town shall in all cases pay the costs of the first assessment.

SEC. 5. Said freeholders shall each receive two dollars a day for their services.

SEC. 6. The notice herein provided for, may be served by the city marshal or any other officer authorized by law to serve notices,

and the service and return shall be the same as in cases of original notices in the district court, and attended with like consequences, except that in case of minors service shall be made on their guardian, and in case of non-residents, service may be made on any person occupying the property or any agent for the property, residing within the city, and if there be none such, then service may be made by properly mailing a copy of the notice to the address of the party, which facts the officer's return shall show.

SEC. 7. This act shall cease to be in force on and after the taking effect of the code of 1873.

SEC. 8. This act being deemed of immediate importance shall take effect from and after its publication in the *Des Moines Register* and *Des Moines Daily Leader*.

Approved February 18th, 1873.

I hereby certify that the foregoing act was published in the *Daily Iowa State Leader* February 19, and in the *Daily Iowa State Register* February 20, 1873.

JOSIAH T. YOUNG, *Secretary of State*.

CHAPTER III.

AN ACT Making Appropriations for the Per Diem and Expenses of the Fourteenth General Assembly, Adjourned Session, and for other purposes.

SEC. 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, are hereby appropriated out of any moneys in the State treasury not otherwise appropriated, to the persons and for the purposes herein named.

SEC. 2. For the payment of per diem, postage, and stationery of the members, officers and employes of the Senate and of the House of Representatives the sum of forty-two thousand dollars, the amount to be paid upon general certificates showing the amount due each member, officer and employe respectively, which certificates shall be signed respectively by the President and Secretary of the Senate, and the Speaker and Chief Clerk of the House of Representatives, and the Auditor of State shall issue warrants therefor.

SEC. 3. For payment of the chaplains of the Senate and House of Representatives, to be divided among themselves, the sum of two hundred and twenty-two dollars.

SEC. 4. For the payment of witness' and bailiffs' fees, and other expenses before the investigating committee upon State institutions, the sum of five hundred and twelve dollars, and thirty-six cents, to be paid on certificate of the chairman or clerk of said committee.

SEC. 5. For the payment of witness' and bailiffs' fees before the committee to investigate charges against S. E. Rankin, State Treasurer, the sum of one hundred and fifty dollars and eighty cents, to be paid on certificate of chairman or clerk of said committee.

SEC. 6. For the payment of the salaries of the district and circuit judges and of the district attorney of the thirteenth judicial district, the sum of six thousand, two hundred and fifty dollars.

SEC. 7. To the Secretary of the Senate and Chief Clerk of the House, for transcribing, superintending the printing, indexing, and distributing the journals, the sum of six hundred dollars each.

SEC. 8. To Wm. R. Stimpson, for paste furnished tot he adjourned session of the Fourteenth General Assembly, five dollars.

SEC. 9. For the payment of the telegraph company the amount due for telegrams ordered in the Rankin investigation, to be paid on certificate of the chairman of said committee.

SEC. 10. To Mills & Co., for stationery and drayage the sum of five dollars; for ninety-seven subscriptions for School Journals supplied to county superintendents under school law, one hundred and one dollars and five cents.

SEC. 11. To the postmaster at Des Moines for postage on transient matter, delivered to members of the Fourteenth General Assembly at the adjourned session, the amount necessary therefor to be paid upon a voucher in due form, sworn to by said postmaster.

SEC. 12. To J. H. Stevenson for twenty-six days service as clerk of code commissioners, one hundred and thirty dollars.

SEC. 13. For one-half the costs of printing the House journals of the former session of the Fourteenth General Assembly, remaining unpaid, one thousand and ninety-five dollars.

SEC. 14. To Al. Swalm, postmaster, for postage advanced to members of the Fourteenth General Assembly, one hundred and sixty-one dollars and forty-six cents.

SEC. 14½. For mileage of C. C. Wilson, member of the House from Keokuk county, thirty dollars (\$30.00); of E. R. Duffie, member of the House from Sac county, forty-two dollars (\$42.00); of A. Yerger, member of the House from Greene county, eighteen dollars (\$18.00); of D. B. Hanan, member of the House from Chickasaw county, sixty-seven dollars and fifty cents (\$67.50.); to Senator Rumble, the sum of thirty dollars (\$30.00); to Senator Lovell, the sum of sixty-six dollars (\$66.00;) for payment of deficiency in per diem of the postmaster, first session, twelve days, seventy-two dollars (\$72.00.)

SEC. 14½. For compensation of Ed Wright, chief of enrolling corps, at the rate of ten dollars per day and of extra enrolling clerks at the rate of five dollars per day; the amount necessary therefor, to be paid out of the amount appropriated in section two of this act, on certificate of Ed Wright aforesaid.

SEC. 14½. For expenses of short hand reporter in the third Senate investigating committee for three days, the sum of twenty-four

dollars. For copy furnished by said reporter, the sum of ten dollars.

SEC. 15. 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 Des Moines Republican.

Approved Feb. 20, 1873.

I hereby certify that the foregoing act was published in the *Daily Des Moines Republican* February 26, and in the *Daily Iowa State Register* February 28, 1873

JOSIAH T. YOUNG, *Secretary of State.*

CHAPTER IV.

AN ACT to Amend Chapter 175 of the Acts of the Fourteenth General Assembly, Approved April 22, 1872.

WHEREAS, There was inadvertently omitted from chapter 175 of the acts of the Fourteenth General Assembly, at the regular session thereof, approved April 22, 1872, and entitled "An act to legalize the gift, grant, sales and conveyances of certain lands located with the scrip issued by Johnson county as indemnity for swamp lands, and the acts and proceedings of the board of supervisors of said county, and of Jephtha Cowgill as agent and trustee of said county, and of the Iowa Northern Central Railroad Company, relative thereto," the additional lands hereinafter designated and embraced in the conveyance in said act referred to, and which was executed by Jephtha Cowgill, as trustee, etc., to said Aaron H. Cole; therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa*, That all of the provisions of said chapter 175 of the acts of the Fourteenth General Assembly, be, and the same are hereby extended to the additional lands conveyed to said Aaron H. Cole, and omitted from said act and described as follows:

All of fractional section four, in township ninety-eight north of range thirty-one west. All of section thirty-two, in township ninety-nine north of range thirty-one west. All of fractional section two, in township ninety-eight north of range thirty-two west. The northeast quarter of section thirty-four, south half of section thirty-five, and south half of section thirty-six, in township one hundred north of range thirty-three west, all in the county of Emmet, and State of Iowa.

And that all gifts, grants, sales and conveyances, by the said Johnson county, or by the board of supervisors thereof, or by said Iowa Northern Central Railroad Company, or by Jephtha Cowgill, as

trustee and agent of said county and company, to said Aaron H. Cole of the lands above described, and as well the proceedings prior in regard thereto, be and the same are hereby legalized and in all respects made valid, and the title and rights of said Aaron H. Cole, thereunder rendered valid and effectual to the full extent provided by the said act to which this is amendatory.

Approved February 19th, 1873.

CHAPTER V.

AN ACT to Enable the School Directors of the Independent District of Muscatine to use a portion of the Contingent Fund for school house purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa,* That the school directors of the independent district of Muscatine, in the county of Muscatine, be and they are hereby authorized to use so much of the contingent fund now in their treasurer's hands, or that may have accumulated over and above the amount needed for the proper working of that department, not exceeding ten thousand dollars (\$10,000), or so much thereof as may be necessary, to aid in the construction of a school house upon the north half of block one hundred (100) in the said city of Muscatine.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Muscatine Journal, without expense to the State.

Approved February 19, 1873.

I hereby certify that the foregoing act was published in the *Muscatine Evening Journal* February 27, and in the *Daily Iowa State Register* March 1, 1873.

JOSIAH T. YOUNG, *Secretary of State.*

CHAPTER VI.

AN ACT to Legalize the Levy of Taxes in the town of Hamburg, Fremont County, Iowa.

WHEREAS, By reason of the absence of the trustees of the town of Hamburg, in Fremont county, State of Iowa, and for want of a quorum of the council of said town, the taxes for town

purposes therein for the year 1872 were not levied until after the time prescribed by law, and until after the tax books of said county had been placed in the hands of the treasurer for the collection of taxes; and,

WHEREAS, the town council of said town have since levied a tax of ten mills on the dollar on the taxable property of said incorporated town for town purposes, and the board of supervisors of said county did, in the month of January, 1873, confirm the levy of said town council and order the auditor to place said taxes on the tax books for the year 1872, therefore,

Be it enacted by the General Assembly of the State of Iowa, That the levy of taxes in the incorporated town of Hamburg, Fremont county, Iowa, for the year 1872, and the action of the board of supervisors of said county, ordering the same to be placed on the tax books of said county, be and the same are hereby made and declared to be as legal and valid as if said levy and order had been made within the time prescribed by law.

This act, being deemed of immediate importance shall take effect from and after its publication in the Daily State Leader, a paper published at Des Moines, and the Hamburg Democrat and Fremont Times, newspapers published in the town of Hamburg.

Approved February 19th, 1873.

I hereby certify that the foregoing act was published in the *Fremont Times* February 28, and in the *Hamburg Democrat*—1873.

JOSIAH T. YOUNG, *Secretary of State.*

CHAPTER VII.

AN ACT to Legalize the Formation of the Independent School-District of Storm Lake, Buena Vista county, Iowa.

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa,* That the formation of the independent school district of Storm Lake, Buena Vista county, Iowa, as the same has existed since its organization in May, 1872, be and the same is hereby legalized and all and singular the acts of the electors and officers of said independent district, and all others properly relating to the organization and establishment of said independent school-district be, and the same are hereby legalized.

SEC. 2. That no acts of the said independent school-district, or its officers, shall be held invalid because of any defect in the organization of said independent district.

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 Storm Lake Pilot, without expense to the State.

Approved February 19, 1873.

I hereby certify that the foregoing act was published in the *Daily Iowa State Register* March 1, and in the *Storm Lake Pilot* March 5, 1873.

JOSIAH T. YOUNG, *Secretary of State.*

CHAPTER VIII.

AN ACT to Legalize the Acts of the Board of Directors of the Independent School-District of the city of Maquoketa, in Jackson county, State of Iowa.

WHEREAS, The Board of Directors of the Independent School-District of the city of Maquoketa, in the county of Jackson, State of Iowa, did neglect to estimate and assess upon said district the necessary amount for contingent purposes and teachers fund for the support of the schools in said district for the year commencing in March, 1872, until one week after the time had expired as provided by statutory enactment;

WHEREAS, The said Board of Directors did at a meeting held by them on the fourth Monday in May, 1872, estimate and assess the necessary amounts for such purpose and cause the same to be certified to the Board of Supervisors who levied the per centum necessary to raise the requisite sum so certified;

WHEREAS, Doubts have arisen as to the legality of estimating and assessing said taxes, and to the end that the same may be collected and applied as designed by said Board of Directors; therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa,* That all the proceedings had at said meeting of the Board of Directors of Independent School District of the city of Maquoketa, in Jackson county, Iowa, in May, 1872, in relation to estimating, assessing and apportioning the said taxes for school purposes, are hereby legalized as fully as if all the proceedings relating thereto were had in accordance with law.

SEC. 2. This act being deemed of importance, shall take effect and be in force from and after its publication in the *Weekly State Register*, a newspaper published in Des Moines, and the *Jackson County Sentinel*, a newspaper published in Maquoketa, Iowa, and without expense to the State.

Approved, February 19, 1873.

I hereby certify that the foregoing Act was published in the *Daily Iowa State Register*, February 26, and in the *Jackson County Sentinel*, March 6, 1873.

JOSIAH T. YOUNG, *Secretary of State*

CHAPTER IX.

AN ACT to Provide for the Publication, Indexing and Distributing the Code passed at the Adjourned Session of the 14th General Assembly.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That William H. Seevers is hereby appointed to edit the code and superintend its publication and to prepare a full and complete index and brief marginal notes thereto, and to arrange and properly number in a convenient and suitable manner the parts, titles, divisions and subdivisions, and to examine and correct the proof sheets and cause all clerical, typographical and grammatical errors and errors of punctuation, to be corrected, and to change the numbers of chapters and all references made in the code from one section or subdivision thereof to another by number, so that the same shall conform to the numbering in the code as printed.

SEC. 2. The Secretary of State is directed within ten days after the adjournment of this session, to have the enrolled bills bound in a sufficient number of volumes and deliver the same to the editor, who shall be responsible therefor and shall return the same to said Secretary on or before the first day of September, A. D. 1873.

SEC. 3. The chapters of each title shall be numbered separately, but the sections shall be numbered continuously and an appendix shall accompany such code, which shall contain the Declaration of Independence, the Constitution of this State, and of the United States, and the naturalization laws.

SEC. 4. Said editor may employ a clerk who shall be sworn to the faithful performance of his duties who shall also be proof-reader, at a compensation of not exceeding five dollars per day, to be paid from any funds in the State treasury not otherwise appropriated, the same to be paid monthly on the certificate of such editor.

SEC. 5. Said code shall be printed on paper of the same size and quality of the Revision of 1860, and if there is no such paper belonging to the State, the Secretary, Auditor and Treasurer of State shall immediately procure a sufficient quantity for the edition of the code herein provided for.

SEC. 6. Said code shall be printed by the State Printer with fresh new type of the same kind as that used in printing the Revision of 1860, and the State Binder shall bind it in the same manner and with the same kind and quality of binding; *Provided,* that five hundred copies shall be bound in two volumes and interleaved, one copy of which shall be distributed to each member of this General Assembly, and one copy to each officer thereof, the balance to be kept for the use of future General Assemblies. These copies shall be the first bound by the State Binder, and immediately upon

their completion the Secretary of State shall send them to those entitled thereto.

SEC. 7. When the State Printer has delivered any portion of said printing to the State Binder and the same has been executed to the satisfaction of the Secretary of State, he shall so certify, and upon such certificate there shall be paid such printer two-thirds the compensation allowed by law, therefor, and when any portion of said edition has been bound and delivered to such Secretary and the same has been done to the satisfaction of said Secretary, he shall so certify, and upon such certificate there shall be paid the State Binder two-thirds of the compensation allowed by law, therefor, and when said printing or binding is completed to the satisfaction of such Secretary, the residue of said compensation shall be paid.

SEC. 8. There shall be published fifteen thousand copies of said code and the Secretary of State shall immediately deliver or transmit to the Governor, two copies; to each Judge of a court of record and to each District Attorney and County officer, one copy each; to the State Historical society five copies, and shall retain in his own office one copy; deposit twenty copies in the State Library, transmit to the Law Library of the State University twenty copies; to the Library of each State or Territory of the United States one copy, and one copy to each Governor thereof; and to each member of the Fourteenth General Assembly one copy, and to each secretary and clerk thereof one copy, and to each officer of the House and Senate one copy; one copy each to the following named reporters of daily newspapers who have reported the proceedings of this session: Will Porter, Daily Leader; Ambrose Lammey and Edgar M. Hungerford, Daily Register; T. P. Keator and E. T. Cressey, Daily Republican; and R. B. Baird, Daily Journal.

SEC. 9. Of the remainder of the edition the Secretary shall divide five thousand copies among the counties of the State in proportion to the population, but giving to no county less than ten copies, and as soon as practicable transmit to the auditor of each county the number of copies to which his county is entitled, which the auditor is required to sell at three dollars a copy, and pay to the treasurer of his county the amount received by him for them on or before the fifteenth day of November of each year, and the treasurer shall pay the same into the State treasury at the time of making his next return. Each county auditor shall, upon receipt of the copies transmitted to him, execute receipts therefor in duplicate, one of which he shall immediately transmit to the Secretary of State and the other to the State Auditor.

SEC. 10. The said auditor shall also on or before the fifteenth day of November each year, make out in writing under oath, a statement of the number of copies sold by him and not before accounted for, and the number remaining on hand and the amount paid to the county treasurer, and transmit such statement to the the Auditor of State, who shall charge the county treasurer with such

amount, and the Secretary of State shall certify to the Auditor the number of copies transmitted to each county auditor and the State Auditor shall charge such county auditor therewith and subsequently credit him with such as may be sold or otherwise lawfully disposed of.

SEC. 11. When the auditor goes out of office having any such copies remaining, he shall deliver them to his successor, taking his receipt therefor in duplicate, one of which shall be sent to the State Auditor which shall be his sufficient discharge for the same; and every county officer receiving a copy shall give his receipt therefor, and shall pass the copy to his successor or deliver it to the auditor for the use of subsequent officers, and each shall be liable therefor on his official bond.

SEC. 12. The editor hereby appointed shall receive for his services, to be paid when he has delivered the code, to be prepared by him as herein contemplated, to the State Printer, the sum of two thousand dollars, including his services in the General Assembly, and the Secretary of State shall receive for the distribution of the code as aforesaid, the sum of twelve hundred dollars.

SEC. 13. It shall be the duty of the State Printer to complete the printing of the code ready for delivery to the State Binder not later than the first day of May, and it shall be the duty of said State officers to furnish the paper in due time therefor and the editor to furnish the copy as fast as possible.

SEC. 14. This act shall take effect from and after its publication in the Daily State Register and the Daily Republican, or any other two newspapers published in the State of Iowa.

Approved February 20, 1873.

I hereby certify that the foregoing act was published in the *Daily Des Moines Republican* February 25, and in the *Daily Iowa State Register* February 27, 1873.

JOSIAH T. YOUNG, *Secretary of State.*

CHAPTER X.

AN ACT to Legalize the Ordinances of the town of Newton.

WHEREAS, Under Section 1122, of the Revision of 1860, for the incorporation of towns and cities, all by-laws and ordinances of a general nature are required to be read fully and distinctly on three different days unless the rule is suspended by a three-fourths vote, and

WHEREAS, Many of the ordinances of the town of Newton have been adopted by the city council without fully complying with the

aforesaid section in relation to reading the same on three separate days and are therefore illegal; therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa*, That all the ordinances passed by the council of the said town of Newton, be and the same are hereby declared to be legal and valid in every respect.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Register, a newspaper published at Des Moines, Iowa, and in the Jasper Republican, a newspaper published at Newton, Iowa, without expense to the State.

Approved February 20, 1873.

I hereby certify that the foregoing act was published in the *Jasper Republican*, _____, and in the *Daily Iowa State Register* February 26, 1873.

JOSIAH T. YOUNG, *Secretary of State.*

CHAPTER XI.

AN ACT to Legalize the Organization of the town of Missouri Valley, Iowa, and the Acts of the Trustees, Mayor and Recorder of said town.

WHEREAS, The town of Missouri Valley, in Harrison county, Iowa, is an incorporated town, incorporated under the general incorporation laws of said State, and

WHEREAS, Doubts have arisen as to whether the organization of said incorporated town and the acts and ordinances enacted by the board of trustees of said town are legal; therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa*, That the organization of the town of Missouri Valley, Iowa, and all the official acts of the board of trustees of said town and all the ordinances enacted by said board previous to the passage of this act are hereby declared legal and valid to all intents and purposes.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Harrisonian, provided such publication shall be without expense to the State.

Approved February 20, 1873.

I hereby certify that the foregoing act was published in the *Harrisonian*, February 28, and in the *Daily Iowa State Register*, March 1, 1873.

JOSIAH T. YOUNG, *Secretary of State.*

CHAPTER XII.

AN ACT to legalize certain judicial proceedings.

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa*, That in all judicial proceedings to any of the courts of this State where a jury trial has been commenced in any case during any term of court, and where such jury may agree upon a verdict, but not until after the time for holding court in some other county in the same district, and where the jury has agreed upon a verdict and reported the same after the opening of court in another county and judgment has been rendered thereon, then and in that case such judgment shall not be deemed invalid by reason of the time of receiving such verdict and the rendition of such judgment, any law of this State to the contrary notwithstanding.

SEC. 2. That in cases provided for in the first section of this act, where the verdict has been so received and judgment has not been rendered thereon, as provided for in said section, then the time of the coming in of such verdict shall be no legal objection to the rendition of judgment thereon at the next term of the court in the county where such trial was had, but judgment shall then be rendered thereon; provided there be no other good and sufficient reason why such judgment should not then be rendered, than the time of the report of the verdict and the provisions of this section shall in all respects have a retrospective effect and operation.

SEC. 3. This act being deemed by the General Assembly of immediate importance, it is hereby authorized that the same be published in the Daily State Register and Daily Des Moines Republican, newspapers published at Des Moines, Iowa.

Approved February 20, 1873.

I hereby certify that the foregoing act was published in the *Des Moines Daily Republican* February 26, and in the *Daily Iowa State Register* March 4, 1873.

JOSIAH T. YOUNG, *Secretary of State.*

CHAPTER XIII.

AN ACT to Legalize the Formation of Independent School-Districts in Rutland township, Humboldt county, Iowa.

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa*, That the acts of the independent school districts of the township of Rutland, Humboldt county, Iowa, relative to election

and completion of organization thereof, be and the same are hereby legalized, and all acts and doings of said independent district be as legal as if said acts had been done and the organization thereof completed prior to August 1st, 1872.

SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in [the] Iowa State Register and Des Moines Republican, without expense to the State.

Approved February 20, 1873.

I hereby certify that the foregoing act was published in the *Des Moines Daily Republican* February 26, and in the *Daily Iowa State Register* March 4, 1873.

JOSIAH T. YOUNG, *Secretary of State.*

CHAPTER XIV.

AN ACT to Legalize the Incorporation of the Town of Osage, Iowa, and the Election of Officers of said Incorporation.

WHEREAS, The citizens of the town of Osage, in the county of Mitchell and State of Iowa, did apply by petition to the circuit court of said county for the appointment of commissioners to submit to the legal voters of said town the question of incorporating the same; and

WHEREAS, Said court did appoint five commissioners who afterward did call an election and submit said question to the legal voters thereof; and

WHEREAS, At said election a large majority of the votes polled were in favor of incorporating said town; and

WHEREAS, Said commissioners did afterwards call an election for the election of officers, at which election there were elected a mayor, recorder, and five trustees; and

WHEREAS, Doubts have arisen as to the legality of said act of incorporation and the election of officers, and of the legality of the ordinances enacted by the trustees of said town; therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa,* That all acts done and proceedings had to enable the town of Osage to become incorporated under chapter fifty-one of the Revision of 1860, and chapter sixty-one of the laws of the Twelfth General Assembly amendatory thereto, be, and the same are hereby declared to be valid and binding in all respects, and all such acts and proceedings are hereby legalized as fully as if the same had been in strict compliance with the provisions of law relating to the incorporation of towns and cities.

SEC. 2. That all the acts of any and all the officers of the incorporation are hereby declared legal, valid and binding in all respects.

SEC. 3. That all the ordinances enacted by the Osage board of trustees and all the official acts of said board or boards are hereby legalized.

SEC. 4. This act being deemed of immediate importance, shall take effect from and after its publication in the Daily Iowa State Register, a newspaper published at Des Moines, Iowa, and in the Mitchell County Press, a newspaper published at Osage, Iowa; Provided, The same be done without expense to the State.

Approved February 20, 1873.

I hereby certify that the foregoing act was published in the Mitchell County Press, March 6, and in the Daily Iowa State Register, March 1, 1873.

JOSIAH T. YOUNG, *Secretary of State.*

CHAPTER XV.

AN ACT to Legalize the Incorporation of the town of Logan, in Harrison County.

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa*, That all acts had in the incorporation of the town of Logan, in the county of Harrison and State of Iowa, shall be deemed and held to be regular, notwithstanding any omission which may have occurred in the publication of any notice required by law, and all irregularities in the incorporation of said town shall not effect nor in any manner impair the same.

SEC. 2. This act being deemed of immediate importance, shall take effect from and after its publication in the Western Star, and the Des Moines Republican, without expense to the State.

Approved February 20, 1873.

I hereby certify that the foregoing act was published in the Western Star, March 5, and in the Des Moines Daily Republican, February 26, 1873.

JOSIAH T. YOUNG, *Secretary of State.*

CHAPTER XVI.

AN ACT to Legalize the Organization of the Independent Sub-District of New Hampton, in Chickasaw county, Iowa, and the election of Officers therein.

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa*, That the organization of the Independent Sub-District of New Hampton, and the election of officers therein, and that all the

steps taken and things done in the organization of said Independent Sub-District of New Hampton, in Chickasaw county, Iowa, be and the same are hereby legalized and are declared as valid and binding in all respects as though the said organization had been effected and the election of officers therein had been held at the time required by law.

Sec. 2. This act being deemed of immediate importance, shall be in force from and after its publication in the Daily Iowa State Register, a newspaper published in Des Moines, Iowa, and the New Hampton Courier, published in New Hampton, Iowa, without expense to the State.

Approved, February 19, 1873.

I hereby certify that the foregoing act was published in the New Hampton Courier ———, and in the Daily Iowa State Register, February 26, 1873.

JOSIAH T. YOUNG, *Secretary of State.*

JOINT RESOLUTIONS

PASSED BY THE EXTRA SESSION OF THE FOURTEENTH GENERAL ASSEMBLY.

NUMBER I.

JOINT RESOLUTION Relative to Publication of Laws and Code.

Be it resolved by the General Assembly of the State of Iowa, That the Secretary of State shall deliver for publication no acts or resolutions passed at this adjourned session of the General Assembly, until the further order of the General Assembly, or provision of law; and the code or any part thereof shall only be published in the manner hereafter provided by the General Assembly.

Approved January 25, 1873.

NUMBER II.

JOINT RESOLUTION Relative to Commerce by Railroads.

WHEREAS, The Constitution of the United States vests in Congress the power to regulate commerce among the States, and

WHEREAS, The regulation of freight charges made by railroad companies whose lines extend from one State to another State is properly included within such powers, and

WHEREAS, The exorbitant charges made by many of the railroad companies of the United States, and particularly by those who have lines in the State of Iowa, have become grievously oppressive to the people; 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 in favor of and to vote for, some bill which will correct the existing abuses and grant the relief

so much needed, and also to secure liberal appropriation for improvement of the navigation of the Mississippi, Wisconsin, and Fox rivers.

Resolved, That in thus memorializing Congress we do not surrender the right of the General Assembly of this State to control freight and passenger tariffs on railroads within its borders.

Approved January 25, 1873.

NUMBER III.

JOINT RESOLUTION to Provide for Printing the Report of, and Evidence taken by the Rankin Investigating Committee.

Be it resolved by the General Assembly of the State of Iowa, That the Secretary of State be directed to print 600 copies of the report and evidence taken before the joint committee appointed to investigate the alleged defalcation of Samuel E. Rankin, late State Treasurer, and late Treasurer of the Agricultural College, for the use of this General Assembly.

Approved January 30, 1873.

NUMBER IV.

MEMORIAL AND JOINT RESOLUTION of the Legislature of Iowa asking Congress to pass a law granting 160 acres of land to honorably discharged soldiers and sailors of the war of the rebellion.

WHEREAS, Measures are now pending in Congress whereby honorably discharged soldiers and sailors, their widows and orphan children, may acquire homesteads on the public lands of the United States; and

WHEREAS, It has been the custom of our government after all former wars, as a token of gratitude for heroic services performed for the republic, to grant to the honorably discharged soldiers engaged therein, warrants or bounty lands, and no such grant having yet been made to the soldiers of the war of the rebellion, 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 give their earnest attention to this subject and if, in

their judgment, the bill which passed the House of Representatives in the early part of the present session, will properly guard the interests of those who by their bravery and endurance saved our country in its hour of peril, that they endeavor to secure its immediate passage and thereby strengthen our national unity by thus gratefully remembering the services of those who fought in the battles of the Union in the late war.

Resolved, That the Secretary of State is hereby instructed to furnish a copy of these resolutions to each of our Senators and Representatives in Congress.

Approved February 11th, 1873.

NUMBER V.

JOINT RESOLUTION, Appointing a Trustee for the Iowa Hospital for the Insane, at Independence.

Resolved, by the General Assembly of the State of Iowa, That Dr. John G. House, of Buchanan county, is hereby appointed a trustee of the Iowa Hospital for the Insane, at Independence, to fill the vacancy occasioned by the death of the Rev. John M. Boggs.

Approved February 13th, 1873.

NUMBER VI.

Be it resolved by the General Assembly of [the State of] Iowa, That the Governor be authorized to appoint a committee of not less than three nor more than five persons whose duty it shall be to examine the work done at Anamosa in constructing a new penitentiary, the doings of the Anamosa penitentiary commission in connection therewith, to ascertain the amount expended, whether the same has been judiciously done and the amount of money required to complete said structure; to examine also fully as to the present condition of the penitentiary at Ft. Madison, its capacity and wants, and make such report of their investigation to the next General Assembly as will enable said body to act intelligently as to the prison wants of the State.

Approved February 13, 1873.

NUMBER VII.

Be it resolved by the General Assembly of the State of Iowa, That the Governor is hereby authorized and requested to ascertain if possible, before the next meeting of the General Assembly what legislation is necessary, and what amount of money, if any, it will cost the State to secure the modification, or removal in whole, or in part, of the dams in the Des Moines river, sufficient to permit the passage of flat boats.

Approved February 17, 1873.

NUMBER VIII.

JOINT RESOLUTION in Relation to Final Adjournment of the Fourteenth General Assembly.

Be it resolved by the General Assembly of the State of Iowa, That this Assembly will continue its session until the work of the revision of the code is complete, and until an adjournment is provided for by joint resolution, anything in any former resolution to the contrary notwithstanding.

Approved February 17, 1873.

NUMBER IX.

JOINT RESOLUTION in Relation to certain claims of Iowa Officers and Soldiers.

WHEREAS, The General Assembly of the State of Iowa, by chapter 81, acts of 10th General Assembly, did provide for the payment of certain services of officers and soldiers of regiments of Iowa, raised for the United States service, and by subsequent legislation imposed the duty of consideration of said claims and allowance of the same on the Adjutant General of this State, and

WHEREAS, By the terms of said law and subsequent laws, no allowance of dues to said officers and soldiers can be made to the widow or heirs of said officers and soldiers, therefore

Resolved, By the Senate and House of Representatives of the State of Iowa, That the Adjutant General of this State, acting as

Paymaster General, in case of the death of any such officer or soldier above named, issue to his widow, if any, the certificate for amount due, and if there is no widow, to said officers or soldiers child or children, and if said officer or soldier died leaving no wife or children then said certificate shall be given to the heir or heirs at law.

Approved February 18, 1873.

NUMBER X.

Be it resolved by the General Assembly of the State of Iowa, That the capital commissioners appointed by chapter 87, of the laws of 14th General Assembly be, and they are hereby authorized to select and employ one of their own number as overseer of the work upon the capitol building, and to allow the commissioner so selected, such additional compensation as to them may seem just and proper.

Approved February 19, 1872.

NUMBER XI.

Resolved, by the General Assembly of the State of Iowa, That all resolutions, legalizing acts, and all acts of a temporary or local character, passed at this adjourned session of the Fourteenth General Assembly, shall be omitted from the code.

Approved, February 20th, 1873.

NUMBER XII.

JOINT RESOLUTION, to Enable the Governor to Procure Statistics on the subject of Railway and other Transportation.

Resolved, by the General Assembly of the State of Iowa, That the Governor of the State be hereby authorized to expend such sum as may be necessary, not exceeding one thousand dollars, in procuring statistics giving the actual cash cost of the railways of this State and throughout the United States, the actual cost of operating the same, including all necessary repairs of rolling stock and track, the actual cost of transportation in this State by railway and river

and in the United States by canal, lake, and river, and the cost of ocean freights for the past five years from the United States to the ports of Western Europe, and from the same ports to the ports of the Baltic and Black Seas, and such other facts and statistics as will give light on the subject of transportation, and thus enable the General Assembly to enact wise laws in relation to that subject, and that he report the same to the next General Assembly.

Approved, February 20th, 1873.

NUMBER XIII.

JOINT RESOLUTION in Relation to State Agent, his Duties, etc.

Be it Resolved by the General Assembly of the State of Iowa, That the joint resolution relative to the appointment of an agent to collect from the United States certain moneys due to the State of Iowa, approved February 21, 1872, and the action of the Governor thereunder in appointing Ralph P. Lowe, State Agent, be so amended as to embrace the claims of the State of Iowa on account of other lands in this State disposed of by the United States under all other warrants issued for military purposes and for Indian reservations.

Approved February 20, 1873.

NUMBER XIV.

JOINT RESOLUTION in Relation to the Corner Stone of the Foundation of the new Capitol Building.

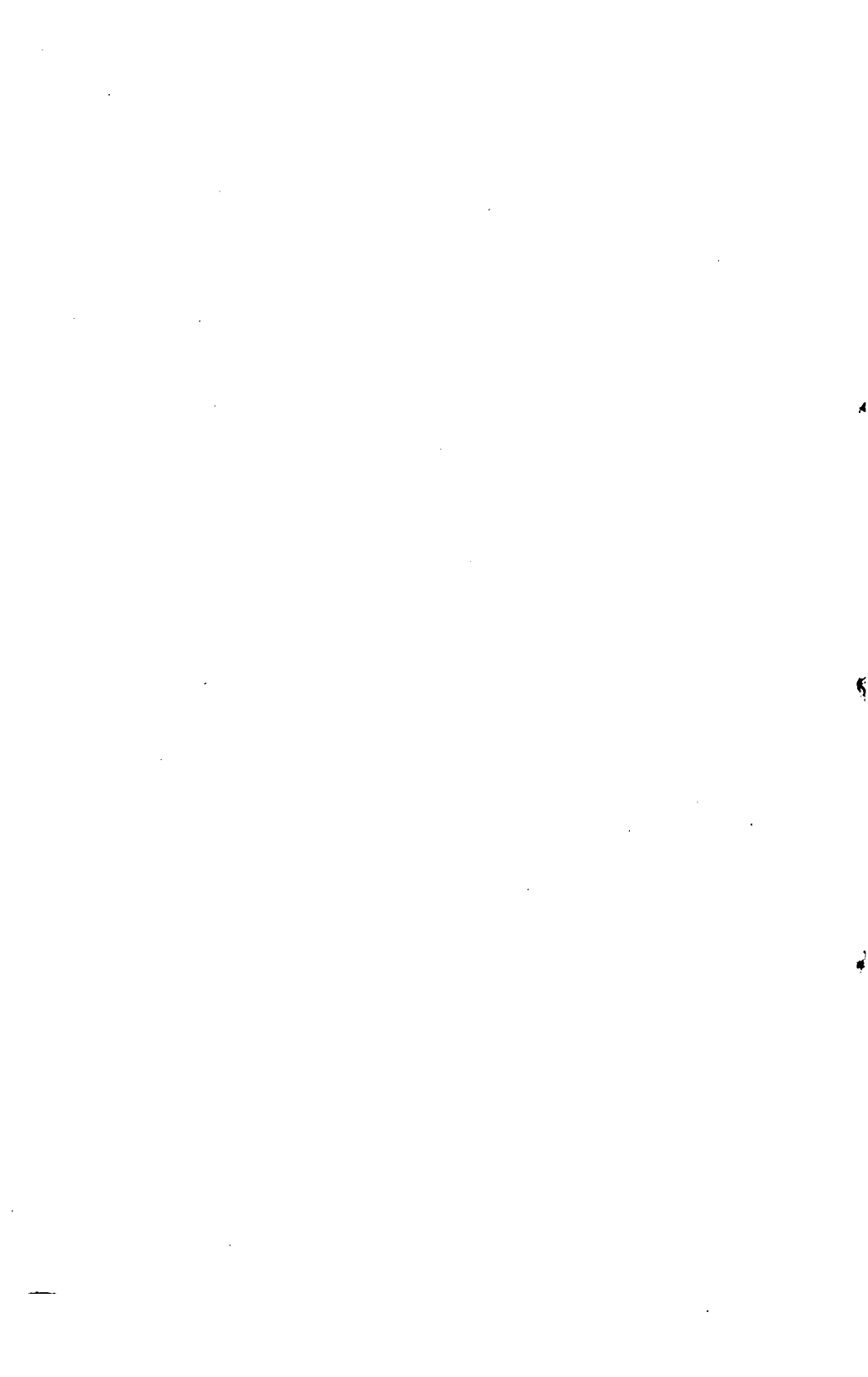
Be it Resolved by the General Assembly of the State of Iowa, That the commissioners of the new capitol building, be and are hereby directed to erase from the corner stone heretofore prepared for said building, any and all inscriptions of names, dates and figures thereon, and that there shall not be inscribed on said stone any other name[s] than that of "Iowa," and any other date than that of the year in which said stone is placed in position as corner stone.

Approved March 20, 1873.

NUMBER XV.

Resolved by the House of Representatives, the Senate Concurring, That for the purpose of facilitating the adjustment of the conflicting claims upon the State, arising under the several railroad grants of land, the swamp land grants, and the actual settlers of the State holding homesteads and pre-empting claims upon such land. **T**he Governor and [the] Register of the State Land Office are hereby **a**uthorized and required to procure as soon as practicable from the **c**ommissioners of the general land office at Washington, and also **w**hen they shall deem it necessary from the several local land offices **c**ertified lists of the lands on which there are conflicting claims under such several grants, and lists of all cancelled pre-emption entries and homestead claims or settlements, and cause the same to be filed and recorded in the office of the Register of the State Land Office, and that the necessary expenses thereof be paid out of the general contingent fund of the State.

Approved January 25, 1873.



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