

ACTS AND RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

ELEVENTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA.

WM. M. STONE, GOVERNOR,
JAMES WRIGHT, SECRETARY OF STATE,
JNO. A. ELLIOTT, AUDITOR OF STATE,
WM. H. HOLMES, TREASURER OF STATE, } CENSUS BOARD.

PUBLISHED BY AUTHORITY.

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[The following Resolution was accidentally omitted from its proper place in this volume.]

Preamble and Joint Resolution relating to William T. Shaw, late Colonel 14th Regiment Iowa Infantry Volunteers:

WHEREAS, We have learned with profound satisfaction that the order from the War Department dismissing Wm. T. Shaw, late Colonel 14th Regiment Iowa Infantry Volunteers, from the service of the United States, has been revoked by an order directing that he be honorably mustered out of said service; and,

WHEREAS, The many and meritorious services of Colonel Shaw, of which the people of Iowa will ever be proud, entitle him and the State which he so nobly represented on so many battle-fields, to a more substantial reward for the services he has performed; therefore,

Resolved by the General Assembly of the State of Iowa, That as a simple act of justice to a gallant soldier and an uncompromising patriot; and, as a further mark of the esteem with which Colonel Shaw is held by the people of the State Iowa, that our Senators in Congress be instructed and our Representatives be requested to use their influence to secure the promotion of Colonel Shaw to the rank of Brevet Brigadier-General of Volunteers, to date from the 8th day of April, 1864, the date of the battle of Pleasant Hill.

Resolved, That the Secretary of State be instructed to furnish each Member of Congress from our State with a copy of these resolutions, and also that the Adjutant-General be instructed to publish the same in his next annual report.

LAWS OF IOWA.

CHAPTER 1.

MAKING APPROPRIATION FOR TWO HEATERS, &C., PUT UP
IN THE CAPITOL BUILDING.

AN ACT making appropriation for two Lawson heaters, pipes and registers, furnished and put up in the capitol building by Fuller, Warren & Co.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That there be, and is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated the sum of nineteen hundred and two dollars, or so much thereof as may be necessary, to pay Fuller, Warren & Co. for furnishing and putting up in the capitol building two Lawson heaters, pipes and registers. \$1,902.
Fuller, Warren & Co.

SEC. 2. That upon the presentation of the bill for said services, sworn to by the said Fuller, Warren & Co., either of them or their agent, and the correctness thereof certified by the Secretary of State, the Auditor of State is hereby authorized to audit the amount of said claim, and draw his warrant for the amount thus audited. How paid.

SEC. 3. This Act shall take effect and be in force from and after its publication in the Iowa State Register and Iowa Homestead. Publication.

Approved January 23d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register on the 7th day of February, 1866, and in the Iowa Homestead on the 13th day of February, 1866.

JAMES WRIGHT, Secretary of Iowa.

CHAPTER 2.

LEGALIZING ACTS OF SCHOOL DIRECTORS OF THE CITY OF MUSCATINE.

AN ACT to legalize the action of the Board of Directors of the Independent District of the City of Muscatine, in the County of Muscatine, and State of Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the action of the Board of Directors of the Independent District of the city of Muscatine, in the county of Muscatine and State of Iowa, in levying, on the second Tuesday in April, A. D. 1865, a tax in said District for the support of schools therein, and also in levying, at the same time, a special tax in Sub-District Number One of said District, to pay off old judgments against said Sub-District, be and the same is hereby declared legal and valid, as fully and completely as though the said taxes had been levied at the regular time by law required.

SEC. 2. This Act being deemed of immediate importance, shall take effect and be in force from and immediately after its publication in the Muscatine Journal and Muscatine Courier, anything in the statutes of this State to the contrary notwithstanding; *Provided, however*, that such publication shall be at the expense of said District.

Approved January 23d, 1866.

I hereby certify that the foregoing Act was published in the Muscatine Journal on the 26th day of January, 1866, and in the Muscatine Courier on the 2d day of February, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 3.

COMPELLING WITNESSES TO APPEAR BEFORE INVESTIGATING COMMITTEES.

AN ACT providing for compelling witnesses to appear before investigating committees.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That whenever a committee, of either branch of the General Assembly, or joint committees.

mittee of both branches, is charged with an investigation requiring the personal attendance of witnesses for the purpose of giving testimony, or producing papers in evidence, any person may be compelled to appear before such committee, as a witness, by serving upon him, in the same manner that a subpoena is required by law to be served, in a civil case, in the District Court, an order naming the time and place he is required to appear, signed by the presiding officer of the House appointing the committee; or, if a joint committee, by the presiding officer of either House, and attested by the Secretary or Clerk of that branch of the General Assembly over which the officer presides who issues such order.

May compel attendance of witnesses—how.

SEC. 2. Witnesses shall be entitled to the same compensation, for attendance, in obedience to this Act, before an investigating committee, as provided by law for witnesses before the District Court, but shall not have the right to demand payment of their fees in advance.

Compensation.

SEC. 3. This Act shall be in force from and after its publication in the Iowa Daily State Register and Iowa Daily Statesman, newspapers published in Des Moines.

Publication.

Approved January 29, 1866.

I hereby certify that the foregoing Act was published in the Iowa Daily State Register on the 8th day of February, 1866, and in the Iowa Daily Statesman on the 6th day of February, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 4.

DISTRIBUTION OF CERTAIN LAWS.

AN ACT to provide for the early distribution of certain laws.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the State Printer be required to print in quarto sheets two thousand [2,000] copies of each Act passed by this General Assembly and published in the Iowa State Register, immediately after the publication aforesaid; and transmit the same to the Secretary of State; provided the aggregate cost of printing shall not exceed the sum of two hundred and fifty dollars [\$250.00].

Transmit to Sec. State.

Cost net to exceed \$250.

SEC. 2. The Secretary of State shall within ten days after the receipt of the printed sheets from the

Sec. State to distribute—how.

State Printer proceed to distribute the same by mail to the clerks of the District Courts of the several counties in the State, *pro rata*, according to population. But each county shall receive at least ten copies.

Clerk District
Court—laws
filed by.

SEC. 3. It is hereby made the duty of the clerks of the District Courts, of the several counties in the State to file, from time to time, as they may receive them, the printed laws in sheets, as aforesaid; five [5] copies for the use of the District Court, and the county officers; and to distribute the remaining copies to the several Justices of the Peace within their respective counties.

To distribute.

Publication.

SEC. 4. This Act being deemed by the General Assembly of immediate importance shall be in force from and after its passage and publication in the Daily State Register and Iowa Homestead, published at Des Moines.
Approved January 29th, 1866.

I hereby certify that the foregoing Act was published in the Iowa Daily State Register on the 8th day of February, 1866, and in the Iowa Homestead on the 13th day of February, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 5.

SHERIFFS MAY ADMINISTER OATHS.

AN ACT to authorize Sheriffs to administer oaths in certain cases.

Sheriff may
administer
oaths.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Sheriffs and their Deputies, shall have power to administer oaths in all cases of the appraisement of property, on an attachment or execution or any proceeding connected therewith, and also, to administer oaths in all other cases, where Sheriffs are authorized by law to select commissioners or appraisers or empanel jurors for the purpose of appraising, or of viewing premises or property.

When.

Approved January 29th, 1866.

CHAPTER 6.

AMENDING SECTION 800 OF THE REVISION.

AN ACT to amend Section 800 of the Revision of 1860.

SECTION 1. *Be it enacted by the General Assembly* Section 800, *of the State of Iowa,* That Section 800, of the Revision after "State." ion of 1860, be and the same is hereby amended, by inserting after the word "State," in the third line of Words supplied. said Section the words, "or any National Bank in this State."

SEC. 2. This Act being deemed of immediate Publication. importance, shall take effect and be in force from and after its publication in the Iowa State Register and Iowa Homestead.

Approved January 30th, 1866.

I hereby certify that the foregoing Act was published in the Iowa Daily State Register on the 8th day of February, 1866, and in the Iowa Homestead on the 13th day of February, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 7.

MILEAGE—ELEVENTH GENERAL ASSEMBLY.

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

SECTION 1. *Be it enacted by the General Assembly* of the State of Iowa, That the following sums of Money appropriated. money, or so much thereof as may be necessary, are hereby appropriated for the purpose herein after designated.

SEC. 2. For the payment of the mileage of the members of the Senate, including Ex-Lieutenant-Governor Eastman and Lieutenant-Governor Gue, and contesting gentlemen holding certificates of election, the sum of two thousand six hundred and seventy-nine dollars [\$2,679.] Senate, \$2679

SEC. 3. For the payment of the mileage of the members of the House of Representatives the sum of five thousand five hundred and ninety-two dollars House, \$5,592. [\$5,592.]

How paid.

SEC. 4. The money thus appropriated shall be paid, by the Treasurer of State, upon warrants drawn by the Auditor of State, who shall issue his warrants to the members of the Senate and House, including Ex-Lieutenant-Governor Eastman and Lieutenant-Governor Gue, and the contesting gentlemen holding certificates of election in the Senate, for the amount due to each, as shown by the report of the committee on mileage, of that 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, *provided* that no person shall receive mileage by virtue of this act, except as provided by sections two and three of said act.

President, Speaker, Secretary, and Clerk—duties of.

Publication.

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 published in Des Moines, Iowa.

Approved February 3d, 1866.

I hereby certify that the foregoing Act was published in the Iowa Daily State Register on the 9th day of February, 1866, and in the Iowa Homestead on the 13th day of February, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 8.

POSTAGE.

AN ACT making appropriation for postage for the Eleventh General Assembly.

\$2,000.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That there is hereby appropriated the sum of two thousand dollars, for the payment of postage stamps, purchased by the Secretary of State of the postmaster at Chicago, for the use of the General Assembly.

P. M. at Chicago.

Auditor to draw warrant

SEC. 2. The Auditor of State is hereby directed to issue a warrant on the State Treasurer in favor of the Secretary of State, for the amount herein appropriated.

Publication.

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

portance, shall take effect and be in force from and after its publication in the Daily State Register and Iowa Homestead.

Approved February 3d, 1866.

I hereby certify that the foregoing Act was published in the Iowa Daily State Register on the 9th day of February, 1866, and in the Iowa Homestead on the 13th day of February, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 9.

COURTS—FIFTH JUDICIAL DISTRICT.

AN ACT fixing the times of holding Courts in the Fifth Judicial District of the State.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the times for holding the several District Courts in the Fifth Judicial District of this State, shall hereafter be as follows:

In the county of Polk, on the first Monday in February, and the second Monday in July of each year. Polk Co.

In the county of Warren, on the second Monday in March, and the third Monday in August, of each year. Warren Co.

In the county of Madison, on the 4th Monday in March, and the first Monday in October, of each year. Madison Co.

In the county of Adair, on the second Monday after the fourth Monday in March, and the third Monday in October, of each year. Adair Co.

In the county of Guthrie, on the third Monday after the fourth Monday in March, and on the second Monday in September, in each year. Guthrie Co.

In the county of Dallas, on the fourth Monday after the fourth Monday in March, and on the first Monday in September, in each year. Dallas Co.

In the county of Carroll, on the third Monday in September, in each year. Carroll Co.

In the county of Greene, on the Thursday after the third Monday in September of each year. Greene Co.

In the county of Audubon, on the fourth Monday in October of each year. Audubon Co.

In the county of Cass, on the fifth Monday after the fourth Monday in March, and first Monday in October of each year. Cass Co.

SEC. 2. Provided that nothing in the first section of

Shall not
affect Polk
county.

Warren Co.
will, when.

Suits, &c.,
deemed pend-
ing in.

Not to be held
invalid by
reason of.

Special terms

Judge may
appoint.

Notice--how
given.

To be held
valid.

Publication.

this Act contained, shall affect or repeal the law now in force, so far as the same provides for Courts in the county of Polk, on the second Monday in January, 1866, and the county of Warren, on the fourth Monday in February, 1866, but as to said counties, this Act shall take effect after the expiration of said terms.

SEC. 3. All suits, pleadings and processes now pending, or returnable to any of the District Courts in the counties heretofore mentioned shall be deemed pending in, and returnable to the terms herein fixed, and no such suit, plea, process, recognizance, indictment, or other proceeding shall be quashed, or held to be invalid, by reason of any change in the terms of Courts hereby made.

SEC. 4. In addition to the terms of Courts herein provided for, it shall be competent for the Judge of the Fifth Judicial District, to appoint a special term of Court once in each year, whenever he shall deem it necessary, in the counties of Greene, Carroll and Audubon, or either of them, by giving notice thereof to the Clerk of said Court, four weeks next before the same is to be held, and said special term when so appointed, shall be of the same force and validity, in all respects, as though appointed by law.

SEC. 5. This Act being deemed of immediate importance, shall take effect, and be in force from and after its publication in the Iowa State Register, published at Des Moines, and the Winterset Madisionian, published at Winterset.

Approved February 7th, 1866.

I hereby certify that the foregoing Act was published in the Iowa Daily State Register on the 9th day of February, 1866, and in the Winterset Madisionian on the 15th day of February, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 10.

AN ACT TO PREVENT THE IMPORTATION AND SALE OF DISEASED HORSES, &C.

AN ACT to prevent the importation, running at large, and sale of Horses, Mules, or Asses, diseased with Nasal Gleet, Glanders, or Button-farcey.

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

of the State of Iowa, That it shall be unlawful for the **owner** of any horse, mule, or ass, or any person having the same in charge, knowingly to import, or bring into this State, any horse, mule, or ass, affected by the diseases known as Nasal Gleet, Glanders, or Button-farcey; and any person so offending, shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine of not less than fifty dollars, nor more than five hundred dollars, and in default of payment, shall be imprisoned for any period not to exceed twelve months; or by both fine and imprisonment at the discretion of the Court.

Unlawful to import horses &c., when diseased.
Punished—how.

How declared a misdemeanor.

SEC. 2. Any person, being the owner of horses, mules, or asses, or having the same in charge, that are known to be diseased with Nasal Gleet, Glanders, or Button-farcey, that shall suffer the same to run at large upon any common, highway, or uninclosed land, or use, or tie the same in any public place, or off his or their own premises, or who shall sell, trade or offer the same for sale or trade, knowing the same to be so diseased, shall be guilty of a misdemeanor, and shall, on conviction, be punished by a fine of not less than fifty dollars, nor more than five hundred dollars, and, in default of payment, shall be imprisoned for any period not to exceed twelve months, or by both fine and imprisonment, at the discretion of the Court.

Owners suffering certain diseased animals to run at large, or selling or trading such animals, guilty of misdemeanor—to be punished—how.

SEC. 3. All fines recovered under the provisions of this Act, shall be paid into the County Treasury, for the benefit of the School Fund.

Fines, how disposed of.

SEC. 4. Nothing in this Act shall be so construed as to prevent any person that may be injured by the importation, selling, trading, allowing to run at large, or exposing in public places, of horses, mules, or asses, known to be diseased with Nasal Gleet, Glanders, or Button-farcey, from recovering damages in a civil action, against any person or persons, who may so import, sell, trade, allow to run at large, or otherwise expose in public places, or outside of their own premises, any such animals.

Persons injured by offenses against this act may recover damages in civil action.

SEC. 5. Should any horse, mule, or ass, reasonably supposed to be diseased with Nasal Gleet, Glanders, or Button-farcey, be found running at large, without any known owner, it shall be lawful for the finder thereof, to take the horse, mule, or ass, so found, before some Justice of the Peace, who shall forthwith cause the same to be examined by some veterinary surgeon, or other person skilled in such diseases, and if, on examination, it is ascertained to be so diseased, it shall be

Diseased animals running at large—how disposed of.

Expenses—
how de-
frayed.

competent for such Justice of the Peace to order such diseased animal to be immediately destroyed and effect- ively put out of the way; and the necessary expenses accruing under the provisions of this section shall be defrayed out of the County Treasury.

Publication.

Sec. 6. This Act being deemed of immediate im- portance, 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 February 23, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register, February 25th, 1866, and in the Iowa Homestead on the 7th day of March, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 11.

THIRD JUDICIAL DISTRICT.

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

Former Act
amended.

3d District.

Council
Bluffs.

Glenwood.

Sidney.

Clarinda.

Bedford.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That an Act entitled "An Act to define the times of holding Courts in the Third Judicial District," in this State, approved January 25, 1864, be so amended as to read as follows: That the District Court within and for the Third Judicial District, in the State of Iowa, shall be held at the times and places herein designated:

At Council Bluffs City, in Pottawattamie county, on the fourth Monday in January and July of each year.

At Glenwood, in Mills county, on the third Monday after the fourth Monday in January and July of each year.

At Sidney, in Fremont county, on the fifth Monday after the fourth Monday in January and July in each year.

At Clarinda, in Page county, on the seventh Monday after the fourth Monday in January and July in each year.

At Bedford, in Taylor county, on the eighth Monday after the fourth Monday in January and July in each year.

At Mt. Ayr, in Ringgold county, on the first Thursday after the eighth Monday after the fourth Monday in January and July in each year.

At Leon, in Decatur county, on the ninth Monday after the fourth Monday in January and July in each year.

At Osceola, in Clark county, on the eleventh Monday after the fourth Monday in January and July in each year.

At Afton, in Union county, on the first Thursday after the twelfth Monday after the fourth Monday in January and July in each year.

At Quincy, in Adams county, on the thirteenth Monday after the fourth Monday in January and July in each year.

At Red Oak Junction, in Montgomery county, on the first Thursday after the thirteenth Monday after the fourth Monday in January and July in each year.

SEC. 2. All suits, pleadings, processes, and proceedings pending in any of said Courts, and returnable at the term now fixed by law, shall be deemed pending and returnable at the term 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 in the times of holding Courts hereby made.

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

Approved February 23, 1866.

CHAPTER 12.

BAIL BONDS.

AN ACT to amend Section 4993 of the Revision of 1860, in relation to Bail Bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Section 4993, of the Revision of 1860, be amended, by adding after the word "undertaking," in the last line of said section, the following words: "Provided, that when the undertaking requires the defendant to appear before a Justice of the Peace or at the Court of limited jurisdiction, or before an Examining Magistrate, it shall be the duty of

Sec. 4993 of Code amend-

Justice, &c., said Justice, or Court, or Examining Magistrate, upon
to take forfeiture of bonds. the forfeiture of the undertaking, and within 30 days
thereafter, to file the same, together with a copy of all
his official entries in relation thereto, in the office of
the Clerk of the District Court of the county; and
thereupon, it shall be the duty of the District Attorney
to proceed to collect the same by civil action in the
District Court of said county, or any other Court of
said county, having jurisdiction equal to the penalty of
said bond.

To file same, &c.; in office of District Clerk.
Dist. Att'y to proceed to collect the same—where and how.

Approved February 23d, 1866.

CHAPTER 13.

ADJUTANT GENERAL'S REPORT.

AN ACT providing for the distribution of the Adjutant General's Report for 1864 and 1865.

Secretary of State to furnish. To distribute. To be distributed to U. S. Army. Officers from Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Secretary of State shall furnish the Adjutant General with three hundred copies of the Adjutant General's Report for the year 1864, also three hundred printed copies of said report for the year 1865, for distribution to those who have been, or are now, officers in the United States army from this State, and who have not received a copy of the same.

Approved February 23d, 1866.

CHAPTER 14.

EXTENDING POWERS OF AUDITOR.

AN ACT extending the powers of the Auditor of State.

Auditor to perform certain duties.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Auditor of State, in addition to the duties now imposed on him by law, shall be authorized, empowered and required to perform all the duties heretofore imposed on the Board of Audit-

ing Commissioners, created by Chapter 10 of the Acts of the Extra Session of the Eighth General Assembly of the State, and on the Auditing Commissioner by Chapter 111, Acts of the Tenth General Assembly of the State of Iowa; *Provided*, that the claims shall be presented and audited at the Auditor's office.

SEC. 2. The Auditor of State, under this Act, shall have no power to consider and act upon any military claims which have heretofore been passed upon and rejected by said Board of Auditing Commissioners, or by said Auditing Commissioner. Claims, when presented. Powers repealed.

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

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

Approved, February 23, 1866.

I hereby certify that the foregoing Act was published in the Daily State Register, February 25th, 1866, and in the Iowa Homestead, March 7, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 15.

PRINTING GOVERNOR'S MESSAGE.

AN ACT to provide for the printing and distributing of the Governor's Biennial Message.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That it shall be the duty of the Governor of the State of Iowa, to cause to be printed by the State Printer, five thousand copies, in the English language, of his Biennial Message, for distribution among the members of the General Assembly. Governor's Message printed in the English language. For distribution in the Assembly.

SEC. 2. The printed copies above provided for shall be ready for distribution immediately after the delivery of the Governor's Biennial Message to the General Assembly. When to be ready for distribution.

SEC. 3. The distribution to the two branches of the Legislature shall be in the following proportion, to-wit: to the Senate two thousand copies, and to the House of Representatives three thousand copies. How many to each branch.

Approved Feb. 23, 1866.

CHAPTER 16.

COURTS IN BENTON COUNTY.

AN ACT to amend Chapter 45 of the Acts of the Tenth General Assembly, entitled "An Act to amend an Act entitled an Act to change the time of holding Courts in the Eighth Judicial District of the State of Iowa, approved February 4, 1862.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section 1 of Chapter 45 of the Acts of the Tenth General Assembly of the State of Iowa, fixing the time of holding Courts in Benton county, be so amended as to read as follows: At Vinton, in Benton county, on the first Monday of March, and the first Monday of October.

Sec. 1, Chap. 45, amended—how.

Publication.

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 Iowa State Register and Iowa Homestead, newspapers published at Des Moines.

Approved February 23, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register on the 27th day of February, 1866, and in the Iowa Homestead on the 7th day of March, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 17.

SALINE LANDS IN APPANOOSE COUNTY.

AN Act making provision for the settlement of all liabilities of the State and University, growing out of the sale of certain lands in Appanoose county, sold as Saline lands.

Sec. 36 believed to be Saline land when sold.

WHEREAS, The following lands, to wit: Sec. No. 36, in township No. 70, north of range No. 17, west of the 5th principal meridian, situated in the county of Appanoose, was considered and believed to be a part of the Saline lands, belonging to this State, and whereas the most of the land in said section was, during the year 1853, 1854 and 1862, sold to divers citizens, by the officers having authority to sell the Saline lands in said county, as a part thereof; and whereas said section constitutes no part of said Saline lands, and does not, and

never did belong to the State of Iowa, and said sales were made erroneously and without authority of law, and confer no title to the land, and said purchasers having petitioned thereto: Erroneously sold, no title conferred.

SECTION 1. *Therefore be it enacted by the General Assembly of the State of Iowa,* That upon presentation of any contract, (or proof thereof, in case of loss) for the sale of said land in section No. 36, township No. 70, north of range No. 17, west, executed by the officer or officers having authority to sell the Saline lands, in Appanoose county, as Saline lands, or any certificate of final payment, or patent from the State, for any of said lands, issued in pursuance of any such contract, to the Governor of the State, with proof satisfactory to him, of the amount of money paid upon any tract or tracts of said lands, he shall make a complete statement, showing the amount of money so paid, and the time when each sum of money was paid, and upon the delivering up of any such contract, certificate or patent, to the Governor, or in case of loss, upon proper proof, he shall deliver the statement aforesaid, by him signed to the holder of such contract, certificate or patent. Upon presentation of any contract for sale of any of Sec. 36, or any certificate or patent Governor to make a statement—shall deliver same to holder.

SEC. 2. Upon presentation of said statement so made and signed by the Governor as aforesaid to the Auditor of State, by the holder, the Auditor shall audit the amount due, as shown by said statement, and shall draw his warrant, upon the Treasurer of the State, for the amount so audited. Auditor to draw on Treasurer.

SEC. 3. There is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, the sum of four hundred and fifty dollars, or so much thereof as may be necessary, to pay any claims audited under this Act. \$450 appropriated.

SEC. 4. The contracts, certificate and patents surrendered under this act, shall be marked "*Canceled*," and shall together with the proofs relating thereto, be deposited and filed in the State Land Office. Contracts, &c., to be canceled.

SEC. 5. No person presenting such contract, certificate or patent, and receiving the money thereon, as herein provided, shall be prohibited, in any manner, from receiving, under color of title or otherwise, for any improvements made upon the land included in such contract, certificate or patent, and the receiving of the money on such contract shall not in any manner affect or prejudice any legal rights of the party receiving it, which he may have against any other party; *Provided*, that he shall have no further claim against the State by reason of such contract; but the surrender of such con- Persons receiving money relinquish no legal right, but the surrender of the contract, &c., to discharge the State and University.

tract, certificate or patent, and the receiving of the money thereon, as herein provided, shall discharge the State and Iowa State University from all further liability upon such contract.

Publication. 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, at Des Moines, and the Loyal Citizen, at Centerville, Iowa.
Approved, March 3, 1865.

I hereby certify that the foregoing act was published in the Iowa State Register on the 7th day of March, 1866, in the Loyal Citizen on the 14th day of March, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 18.

COURT IN CASS COUNTY.

AN ACT to amend Chapter Nine of the Laws of the Eleventh General Assembly.

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 1 of Chapter Nine of the Laws of the Eleventh General Assembly, approved February 7th, 1866, be amended as follows: so much of said Act as provides for court in the county of Cass is hereby repealed, and the following enacted in lieu thereof: In the county of Cass court shall be held on the Thursday after the second Monday after the fourth Monday in March, and on the Thursday after the third Monday in October of each year.

Sec. 1, Chap. 9 of these laws amended.

Court in Cass county.

When held.

Sec. 2, Chap. 9, to apply.

SEC. 2. That section three of the act of which this is amendatory shall apply to the courts held in pursuance of this act.

Publication.

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, published at Des Moines, and the Winterset Madisonian, published at Winterset.

Approved March 3d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register, March 8th, 1866, and in the Winterset Madisonian March 15th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 19.

COURTS—NINTH DISTRICT.

AN ACT to fix the time of holding Courts in the Ninth Judicial District.

SECTION 1. *Be it enacted by the General Assembly* Dist. Court of the State of Iowa, That the terms of the District 9th District Court in the Ninth Judicial District of this State, shall be held as follows:

First—In the county of Delaware, on the third Mon- Delaware. day in April, and on the fourth Monday in October.

Second—In the county of Buchanan, on the second Buchanan. Thursday after the third Monday in April, and on the third Monday in October.

Third—In the county of Black Hawk, on the fifth Black Hawk. Monday after the third Monday in April, on the third Monday in September and on the first Monday of January. The Court may, at its first term in said county held under this Act, designate, by an order duly entered upon the record, one of said terms, as a term, to be held each year, for the trial of equity cases, and entering judgments by default, and determining such other cases and motions that do not require a jury, after which order no jury shall be summoned for said term, and after said order shall be made, said terms so ordered, shall not apply to or in any manner affect criminal actions.

Court designate term for equity cases.
No jury summoned.
Not to effect criminal actions.

Fourth—In the county of Grundy, on the fourth Grundy. Monday of September.

Fifth—In the county of Dubuque, on the first Mon- Dubuque. days in February and June, and second Monday in November.

SEC. 2. No suits, pleas, indictments or proceedings Suits, &c., of any character, civil, criminal, or special, shall abate, pending, not be quashed, discontinued, or affected in consequence of affected. the change of times of holding said Courts; all processes or notices, issued at any time before this Act when return- takes effect, shall be considered as returnable at the first able. term of the Court, in said counties respectively, which shall be held, next after the taking effect of this Act.

SEC. 3. All Acts and parts of Acts inconsistent with Repeal. this Act, are hereby repealed. This Act shall be in force from and after its publication in the Dubuque Publication.

Times and Dubuque Herald, daily papers published in Dubuque.

Approved March 6th, 1866.

I hereby certify that the foregoing Act was published in the Dubuque Times, March 17, 1866; in the Dubuque Herald, March —, 1866; and in the Daily State Register, March 22, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 20.

AMENDING SECTION 10, CHAPTER 22, LAWS 10TH GENERAL ASSEMBLY.

AN ACT to amend Section 10, of Chapter 22, of the Acts of the Tenth General Assembly.

Sec. 10, Chap. 22, laws 1860 amended—how. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the words "by law" at the end of Section 10, Chapter 22, of the Acts passed at the regular session of the Tenth General Assembly, be and the same are hereby stricken out, and the words "by the General Assembly," inserted instead.

Publication. 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 Iowa Homestead, newspapers published at Des Moines, Iowa.

Approved March 9th, 1866.

I hereby certify that the foregoing Act was published in the Daily State Register, March 11, 1866, and in the Iowa Homestead, March 21, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 21.

CHANGING TIME OF HOLDING COURTS IN LEE COUNTY.

AN ACT to amend an Act, entitled an Act to define the time of holding Courts in the several Judicial Districts of this State—passed March 23d, 1858.

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

of the State of Iowa, That so much of the Act, of which this is amendatory, as prescribes that a term of the District Court, of the First Judicial District, shall be held at Keokuk, in Lee county, commencing on the first Monday in September of each year, be, and the same is hereby repealed, and in lieu, stead and place thereof, there shall hereafter be held at Keokuk, in said county of Lee, a term of said District Court, commencing on the second Monday of September of each year.

Dist. Court in Lee Co., time of holding changed.

How.

SEC. 2. All writs, pleadings, processes and proceedings pending in or returnable to said District Court, at Keokuk, at its term as heretofore prescribed, to commence on the first Monday of September, shall be deemed to be pending in and returnable to said Court, at Keokuk, commencing on the second Monday of September, as is hereinbefore provided.

Writs, pleadings, &c., how affected thereby.

SEC. 3. This Act being deemed of immediate importance, shall be in force on and after its publication in the Daily Keokuk Gate City and Daily State Register, newspapers published in this State.

Publication.

Approved March 12th, 1866.

I hereby certify the foregoing Act was published in the Daily State Register March 15th, 1866, and in the Daily Keokuk Gate City, March ..., 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 22.

AN ACT SUPPLEMENTAL TO CHAPTER 108 LAWS OF THE TENTH GENERAL ASSEMBLY.

AN ACT supplemental to Chapter 108 of the Laws of the Tenth General Assembly.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That all moneys received by the Register of the State Land Office, as provided by Section 13 of Chapter 108 of the Laws of the 10th General Assembly, shall be paid over to the State Treasurer, who shall pay out the same as follows: 1st, The expenses of such classification, appraisement, advertisement and sale; 2d, sums due the State for moneys advanced or due other parties as mentioned in Section 9 of the Act

Register pay certain money to Treasurer, who shall pay out the same—how.

to which this Act is supplemental ; 3d, he shall pay the warrants provided for in Section 2 of this Act, *pro rata*, as such moneys shall be received.

\$170,000.00 **appropriated.** SEC. 2. That there is hereby appropriated out of the money thus to be paid into the State Treasury the sum of one hundred and seventy thousand dollars, or so much thereof as may be necessary for the payment of the claims of the following persons, or their assignees :

To whom. James J. Kinnersly, Jonas Houghton, Adam Hine, Wm. Baker, R. Jackson for heirs of A. Miller, Wm. Armstrong, Edwin Manning, John Parker, H. D. Stewart, Van Buren county ; Meek & Bros., Joseph Benning, George Grey, D. Kennedy, S. Dwight Eaton, Peter Tobie, Thomas H. Harlan, Guy Wells, J. P. Gray, Robert P. Gray, Felix Deck, John Stafford, J. Benning, Administrator, Wm. McCowan, Isaac P. Gray, Gray & Co., Wells, Chedester & Co., Green, Bragg & Co., E. T. Colton, Meek & Sons, O. H. P. Scott, H. K. Love & Co.; and the Auditor of State is hereby required to draw warrants therefor upon the written application of James J. Kinnersly and the other parties mentioned in this section, or their assignees, which warrants shall be payable out of the moneys mentioned in Section 1 of this Act, and shall draw interest at the rate of seven per cent. per annum, provided such warrants shall not be construed as rendering the State liable to pay the said warrants except out of the aforesaid Fund.

Auditor to draw warrants therefor.

From what fund paid.

To draw interest at 7 per cent.

State not liable.

Application for warrants—how made. SEC. 3. The written application for said warrants shall specify the amount of warrants that shall be issued in the name of each of said parties, or their assignees, the correctness of which shall be evidenced by the certificate of the Register of the State Land Office.

Warrants receivable for certain lands. SEC. 4. The warrants issued under the provisions of this Act shall be receivable in payment for lands sold under the provisions of the Act to which this Act is supplemental.

D. M. R. R. Co. may pay warrants—conditions. SEC. 5. The Des Moines Valley Railroad Company may at any time pay any of the warrants mentioned in this Act upon the like condition that they are authorized by the Act to which this is supplemental, to pay off the claims therein mentioned ; and if the said company shall be unadvised of the whereabouts of such warrants they may pay the funds for the redemption thereof into the State Treasury, from which time interest shall cease to accrue on such warrants : Provided, however, that no part of the lands mentioned in

No lands conveyed until warrants are paid.

this Act, or in the Act to which this is supplemental, shall be conveyed to said Railroad company until all of said warrants shall have been paid.

SEC. 6. When the funds for the redemption of said warrants shall be received by the State Treasurer, he shall give notice thereof in the manner now required to be given for the redemption of outstanding warrants. Treasurer to redeem said warrants—how.

SEC. 7. That after the lands mentioned in section 4 of the Act to which this Act is supplemental, shall have been offered for sale, under the provisions of said Act, for the space of three months and remain unsold, it shall be competent for the Register of the State Land Office with the advice and approval of the Census Board, to sell such lands at a less price per acre, if by said Board deemed advisable, provided the said lands should not be sold at a price less than \$1.25 per acre, and provided said Register shall first give thirty days' notice by publication in the State Register, and the Iowa North-West, of the time of said sale, at such reduced price. Register may sell at a less price—when. Shall not be sold for less than \$1.25 per acre. Register give notice of sale.

SEC. 8. All persons who may at the date of the passage of this Act be in actual occupation and possession of any portion of said lands, shall have a prior right to purchase the same at \$2.50 per acre, not exceeding 160 acres to any one settler. Prior right to buy.

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 State Register and Iowa Homestead, newspapers published at Des Moines, Iowa. Publication.

Approved March 12th, 1866.

I hereby certify the foregoing Act was published in the Iowa State Register, March —, 1866, and in the Iowa Homestead, March 21, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 23.

ELIAS TOPLIFF'S OFFICIAL ACTS LEGALIZED.

AN ACT to legalize certain official acts of Elias Topliff, late School Fund Commissioner of Alamakee county, and for the relief of the Administrators of the estate of said Topliff and of their grantees.

Whereas, On the 30th day of April, A. D. 1852,

Preamble. Elias Topliff, then being School Fund Commissioner of Alamakee county, contracted with and sold to Elias Topliff certain lands, being a part of the 500,000 acres granted and selected as school lands ; and

Whereas, The said Topliff paid the interest upon said contracts to the time of his death ; and

Whereas, Since his death said administrators have paid the full amount due upon each of said contracts, as fully appears by the certificates of the Clerk of the District Court of said county ; and

Whereas, The Register of the State Land office entertains doubts as to the authority of said Topliff, as such School Fund Commissioner, to sell said lands to himself as aforesaid. Therefore,

Certain acts declared valid.

Governor and Register required to convey certain school lands, &c.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the aforesaid official acts of Elias Topliff, late School Fund Commissioner of Alamakee county, are, and that the same are hereby made and declared legal and valid, and that the Governor and the Register of the State Land office are authorized and required to convey, by patent, to the administrators or to the assignees of said Topliff, the aforesaid school lands, upon presentation to said Register of a certificate of the Clerk of the District Court of the proper county, certifying that the principal and the interest accruing thereon has been paid in full by said assignees or administrators.

Approved March 9th, 1866.

CHAPTER 24.

EARNINGS OF MARRIED WOMEN.

AN ACT to protect the earnings of Married Women.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the separate earnings of any married woman, whose husband, through idleness, intemperance, mental or bodily infirmity, imprisonment or involuntary absence, does not support and provide for the family, or who has deserted his wife, shall be held and possessed by her, in her own right, exempt from liability for the debts of her husband, and from any right or claim thereto set up by him, adverse to that of the wife ; but such earnings are liable for the

Separate earnings of the wife exempt—when. Not support the family. Not liable for husband's debts.

When liable.

separate contracts of the wife, and for family expenses and the education of the children; *Provided*, That nothing herein contained, shall interfere with any homestead right which she may possess, or be so construed as to prevent her from claiming the benefit of Sections No. 3304, 3305 and 3307, of the Revision of 1860.

SEC. 2. Property, purchased by the wife, with such earnings, is also exempt from the husband's debts and control, to the same extent as the earnings of the wife.

SEC. 3. It shall not be necessary for the wife to file or record any notice of her claim with the Recorder of deeds or elsewhere, in order that she, or her heirs, executors, administrators or assigns, may obtain the benefits of the provisions of this Act.

Approved March 12th, 1866.

CHAPTER 25.

AMENDING ACT TENTH GENERAL ASSEMBLY IN RELATION TO RELIEF FUND.

AN ACT to amend Chapter 89, of the Acts of the Tenth General Assembly, entitled, An Act for the relief of the families of Soldiers and Mariners in the service of the United States.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Board of Supervisors, in each of the counties in this State, may, at their regular meetings in June, 1866, or at any meeting thereafter, transfer so much of the relief fund, of their respective counties, as is not needed for the purposes, for which the same was levied, to any other county fund, which they may elect, and the same shall be paid out, as the Board of Supervisors of each county may direct.

SEC. 2. That in counties where the relief fund is not sufficient to meet the demands upon the same, the Board of Supervisors may levy, for the years 1866 and 1867, a tax of not more than one mill on the dollar, upon the taxable property in their county, for the purpose of increasing said relief fund.

SEC. 3. All moneys, raised under the provisions of this Act, belonging to the relief fund, shall be expended under the provisions of the Act to which this is amendatory.

Conflicting
sections re-
pealed.
Publication.

SEC. 4. Sections 2 and 3, and all other parts of the Act to which this is amendatory, in conflict with the provisions of this Act, are hereby repealed.

SEC. 5. 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 at Des Moines.

Approved March 12th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register on the —th day of March, 1866, and in the Iowa Homestead on the —th day of March, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 26.

CORRECTION OF NAME.

AN ACT to amend Section 1, of Chapter one hundred and twenty-eight (128) of the Acts of the Tenth General Assembly.

Section
amended.

"Putnam"
struck out.
"Patterson"
inserted.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Section 1, of Chapter one hundred and twenty-eight, of the Acts of the Tenth General Assembly of the State of Iowa, approved April 5th, 1864, be, and the same is hereby amended by striking out the word "Putnam," in the third line of said section, and inserting Patterson.

Approved March 15th, 1866.

CHAPTER 27.

RELATING TO THE DUTIES OF COUNTY TREASURERS.

AN ACT to repeal Section 2, of Chapter 43, of the Acts of the 10th General Assembly, and Section 3, of Chapter 17, of the Acts of the regular session of the 9th General Assembly, relating to the duties of County Treasurers.

Sec. 2, Chap.
43, laws 10th
Gen. Assem-

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Section 2, of Chapter 43, of the Acts of the Tenth General Assembly, and Sec-

LAWS OF IOWA.

tion 3, of Chapter 17, of the Acts of the regular session of the Ninth General Assembly, be and the same are hereby repealed, and the following be enacted instead thereof:

bly, a. ———
3, Chap. 17,
laws 9th Gen.
Assembly,
amended.

SEC. 2. The Treasurers of the several counties shall each keep an account, showing the amount of taxes received by them in specie, and the amount received in paper currency, which shall be examined the same as other accounts of said Treasurers.

Treasurer to
keep account
—to be exam-
ined as other
accounts.

SEC. 3. This act being deemed of immediate im- portance by the General Assembly, shall take effect from and after its publication in the Iowa State Register, and Iowa Homestead, papers published in Des Moines, Iowa.

Publication.

Approved March 15th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register, March 20, 1866, and in the Iowa Homestead on the 28th day of March, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 28.

RELATING TO WILLFUL TRESPASS.

AN ACT to amend Section 4324, of the Revision of 1860, in relation to willful trespass.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section 4324 of the Revision of 1860 be, and the same is hereby amended, by adding at the end thereof, the following words, viz.: If in any case, the value of the property so cut down, carried away, or otherwise taken, shall not exceed the sum of fifty dollars, then the person so offending shall be fined, not exceeding one hundred dollars, or imprisoned in the county jail not exceeding thirty days.

Sec. 4324 of
Code amend-
ed—how.

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

Publication.

Approved March 15th, 1866.

I hereby certify that the foregoing Act was published in the Daily State Register March 20th, 1866, and in the Iowa Homestead March 28th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 29.

RELIEF OF CERTAIN RESIDENTS OF HARRISON COUNTY.

AN ACT to secure to certain persons, residents of Harrison county, their homes, at the price of \$1.25 per acre, of lands known as the excess 500,000 acre grant.

Certain persons permitted to purchase certain lands at \$1.25 per acre. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That certain persons, hereinafter named, be permitted and are hereby entitled to purchase of this State, at \$1.25 per acre, such lots and parcels of land as are described opposite their respective names, to-wit:

- Dan'l Brown. Daniel Brown, the s w $\frac{1}{4}$, sec. 18, tp. 79, range 43.
- Isaac Bedsaul. Isaac Bedsaul, the e $\frac{1}{2}$ of n w $\frac{1}{4}$, section 33, tp. 80, range 43.
- Oliver M. Bedsaul. Oliver M. Bedsaul, the e $\frac{1}{2}$ of s e $\frac{1}{4}$, and the e $\frac{1}{2}$ of n e $\frac{1}{4}$, sec. 28, tp. 80, range 43.
- Isaac F. Bedsaul. Isaac F. Bedsaul, the w $\frac{1}{2}$ of n e $\frac{1}{4}$, and the w $\frac{1}{2}$ of s e $\frac{1}{4}$, sec. 28, tp. 80, range 43.
- A. W. Locking. A. W. Locking, the w $\frac{1}{2}$ of s e $\frac{1}{4}$, and n e $\frac{1}{2}$ of s e $\frac{1}{4}$, and e $\frac{1}{2}$ of s w $\frac{1}{4}$, sec. 7, tp. 79, range 43.
- William McDonald. Wm. McDonald, the w $\frac{1}{2}$ of s e $\frac{1}{4}$, and s w $\frac{1}{4}$ of n e $\frac{1}{4}$, and e $\frac{1}{2}$ of n w $\frac{1}{4}$, sec. 18, tp. 79, range 48.
- John Mathews. John Mathews, the s w $\frac{1}{4}$ of s w $\frac{1}{4}$, of sec. 7, and n w $\frac{1}{4}$ of n w $\frac{1}{4}$, sec. 18, tp. 79, range 43, and the n e $\frac{1}{4}$ of n e $\frac{1}{4}$, sec. 24, tp. 79, range 44.
- Ezra Vincent. Ezra Vincent, the s e $\frac{1}{4}$ of s e $\frac{1}{4}$, sec. 7, and the e $\frac{1}{2}$ of n e $\frac{1}{4}$, and n w $\frac{1}{4}$, sec. 18, tp. 79, range 43.
- Josiah Crum. Josiah Crum, the n w $\frac{1}{4}$, sec. 28, tp. 80, range 43.
- John Thompson. John Thompson, s e $\frac{1}{4}$ of s e $\frac{1}{4}$, sec. 12, tp. 79, range 44.
- Matilda P. Ratliff. Matilda P. Ratliff, the 40 acres on which she now resides. *Provided*, That such designated persons, who wish to avail themselves of the benefit of this Act, do so within one year after its passage.
- Must purchase within one year. SEC. 2. *And be it further enacted*, That the payments on said lands, when purchased according to the provisions of this Act, shall be at the time and in like manner, as provided by law, for the payments on other school lands in this State.
- Payments, &c., to be made as for other school lands.

Repeal.

SEC. 3. All Acts, or parts of Acts, inconsistent with this Act, are hereby repealed.

Approved March 15th, 1866.

CHAPTER 30.

DEFINING THE DUTIES OF REGISTER STATE LAND OFFICE.

AN ACT defining the duties of the Register of the State Land Office.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Register of the State Land Office is hereby authorized, empowered and required, to correct all uncontested errors and discrepancies, in names of grantees and in the descriptions of tracts of land, conveyed by the State to any parties, found upon the record in said office, upon proper record evidence that such errors exist. Register of State Land Office may correct errors &c.—when.

SEC. 2. That said Register be required to attach a marginal note to each conveyance, briefly setting forth the errors to be corrected, and the reason for such correction, and record the same with the original deed, attaching his name and the date of correction. Must attach marginal note to be recorded, dated and signed.

SEC. 3. That such correction, when made, in accordance with the foregoing provisions, shall have all the force and effect, in law, as a deed, made out originally correct. Such correction, of what force.

SEC. 4. All Acts and parts of Acts, conflicting with this Act, are hereby repealed. Conflicting acts repealed.

SEC. 5. This Act, being deemed of immediate importance, shall take effect after its publication in the Iowa Homestead and Iowa State Register, papers published in Des Moines. Publication.

Approved March 15th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register March —, 1866, and in the Iowa Homestead March 28, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 31.

SPECIAL TERM OF THE DISTRICT COURT IN LEE COUNTY.

AN ACT authorizing a special term of the District Court in Lee county.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Judge of the District

Special term of Dist. Court may be held in Lee Co. When jury to be summoned. Publication.

Court of the First Judicial District is hereby authorized to hold a special term of said Court, at Keokuk, in Lee county, in this State, commencing on the fourth Monday in May of this year, for the trial of all causes then pending, except such as shall have been brought to a subsequent regular term. A petit jury shall be summoned for said term.

SEC. 2. This Act shall take effect and be in force from and after its publication in the Daily Iowa State Register, and the Constitution of Keokuk.

Approved March 15th, 1866.

I hereby certify that the foregoing Act was published in the Daily Iowa State Register March 20th, 1866, and in the Constitution, of Keokuk, March 22d, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 32.

LEGALIZING ARTICLES OF INCORPORATION OF "NORWEGIAN LUTHER COLLEGE."

AN ACT to legalize the Articles of Incorporation of the Norwegian Luther College of Decorah, Iowa.

Preamble. WHEREAS, On the 1st day of February, A. D. 1865, Herman Amberg Reess of Leeds in the State of Wisconsin, Thore Pederson of Calmar, Iowa, and Gulbrand T. Lommen, of Decorah, Iowa, did form themselves into a body corporate, under the name of the Norwegian Luther College of Decorah, Iowa; and

WHEREAS, By Article 3d of the Articles of Incorporation, it was provided that the members of the said corporation should consist of the pastors of the Norwegian Evangelical Lutheran congregations connected with the Norwegian Evangelical Lutheran Synod of Wisconsin, Iowa, and other States, and the chosen representatives of the said congregations at their Synodical Meetings chosen in accordance with the discipline and usages of the above named Synod; and

WHEREAS, The said Synod has never been known by the name inserted in the said Articles, but is known as the Synod of the Norwegian Evangelical Lutheran Church of America;

SECTION 1. Now therefore be it enacted by the General Assembly of the State of Iowa, That the said Ar-

Articles of Incorporation shall confer upon the members of the Synod of the Norwegian Evangelical Lutheran Church of America, the right of membership in the said corporation as intended by the said incorporators in the same manner and to the same extent as if the words "the Synod of the Norwegian Evangelical Lutheran Church of America" had been inserted in place of the words "the Norwegian Evangelical Lutheran Synod of Wisconsin, Iowa and other States." And that the Articles of Incorporation under which the said Norwegian Luther College of Decorah, Iowa, was organized, and all Acts performed and interests acquired by the said body corporate be and the same are hereby declared legal and valid to the same extent as if the said Articles of Incorporation had been made in strict conformity to the statutes relating thereto, and no informality, irregularity or illegality in the formation of said corporate body or in the proceedings touching the said Articles of Incorporation, shall in any manner, invalidate any rights acquired, acts performed, or obligations assumed by the said corporation.

Membership conferred upon "the Synod of the Norwegian Evangelical Lutheran Church of America."

Acts valid.

SEC. 2. This Act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and Iowa Homestead, papers published at Des Moines, Iowa, without expense to the State.

Publication.

Approved March 16th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register March 20th, 1866, and in the Iowa Homestead March 28th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 33.

CHANGE OF NAME OF INDEPENDENT DISTRICTS.

AN ACT changing the corporate name of Independent School District Townships.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the corporate name of all Independent School Districts now, or hereafter to be formed, shall be "The Independent School District of _____" (adding the name of the city, village or town where established, as the case may be;) and all con-

Change of name.

Conveyances to be in force. conveyances made to any such Districts, whether described by the corporate name heretofore or herein established, or by any other description, are hereby declared to have the same force and effect as if such conveyances described the grantee therein by its technical corporate name.

Approved March 16th, 1866.

CHAPTER 34.

LEGALIZING THE PUBLICATION OF THE LAWS, &C., OF CERTAIN TOWNS.

AN ACT to amend Section 1133 of the Revision of 1860, in relation to incorporation of towns and cities, and to legalize the publication of the by-laws and ordinances of certain towns and cities heretofore passed, and not published according to law, and to legalize acts done under, and by virtue of such ordinances.

Sec. of Code amended.

Where no newspaper, by posting—where.

Take effect.

Former by-laws legalized.

Acts done, &c., legalized

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section No. 1133, of the Revision of 1860, be, and the same is hereby amended, by adding thereto the following, viz.: Provided, however, that, if no such newspaper is published within the limits of the incorporation, then, and in that case, such by-laws and ordinances may be published by posting up three copies thereof, in three public places within the limits of the incorporation, two of which places shall be the post-office and the Mayor's office of such town or city; and such by-laws and ordinances shall take effect and be in force at the expiration of five days after they have been so published.

SEC. 2. *Be it further enacted*, That all by-laws and ordinances heretofore passed by any incorporated town or city in the State of Iowa, and published by posting up three copies thereof, within the limits of the corporation, are hereby legalized and declared legal and binding upon such incorporation, the same as if they had been published in a newspaper, as provided and required by said Section 1133, of the Revision of 1860: and that all acts done in pursuance of, and under, and by virtue of such by-laws and ordinances, so passed and published, are hereby legalized and declared legal and valid, the same as if the said by-laws and ordinances in pursuance, and by virtue of which the said acts were done, had been published as required by law.

SEC. 3. This Act being deemed by the General Assembly of immediate importance, it 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 16th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register March 28th, 1866, and in the Iowa Homestead March 28th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 35.

LEGALIZING THE LEVY OF TAXES IN M'GREGOR.

AN ACT to legalize the acts of the Council of the City of McGregor, in relation to the levy of taxes.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the levy of taxes, by the City Council of the City of McGregor, made for the year 1865, be and is hereby legalized and made valid, in every respect, and for all purposes.

Levy of 1865
made valid.

SEC. 2. This Act being deemed by the General Assembly of the State, of immediate importance, shall take effect, and be in force, from and after its publication, in the McGregor Weekly News, a newspaper in McGregor, and in the State Register, a newspaper published at Des Moines.

Approved March 16th, 1866.

I hereby certify that the foregoing Act was published in the State Register on the 22d day of March, 1866, and in the McGregor Weekly News on the —th day of —, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 36.

IN RELATION TO CHARLESTON TOWNSHIP, LEE COUNTY.

AN ACT to annex the Township of Charleston, in the county of Lee, to the Townships of Jackson, Montrose, Des Moines and Van Buren, in said county, for Judicial purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the township of Charleston of the State of Iowa, be and is hereby annexed.

Charleston
tp. annexed.

ton, in Lee county, be and the same is hereby annexed to the townships of Jackson, Montrose, Des Moines, and Van Buren, townships in said county for judicial purposes, and, that all acts or parts of acts, which apply to the townships of Jackson, Montrose, Des Moines and Van Buren, townships for judicial purposes, shall in the same manner apply to the township of Charleston.

For what purpose.

Shall be prosecuted—where.

SEC. 2. *And be it enacted*, That all criminal and civil cases arising in the township of Charleston, and hereafter commenced, and pending in court under any of the provisions of law now in force, shall be prosecuted to final judgment in the courts in which the same was instituted unless the same is removed by change of venue in the manner now provided for by law.

Repeal.

SEC. 3. *And be it enacted*, That all laws or parts of laws inconsistent with the provisions of this Act, are hereby repealed.

Publication.

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 Keokuk Constitution, papers published in the State of Iowa.

Approved March 20th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register, March 22, 1866, and in the Keokuk Constitution, March 24, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 37.

DEBTS DUE THE SCHOOL FUND.

AN ACT authorizing the Auditor to collect certain debts due the School Fund.

Notes received by Jas. D. Eads, who were in U. S. service—Sec. 3, Chap. 94, laws 10th G. Assembly.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That any of the makers, endorsers, or sureties of any of the notes received by James D. Eads, for money loaned by him out of the Permanent School Fund, who were in the military service of the United States, until after the time granted in Section 3, of Chapter 94 of the Laws of the 10th General Assembly, had expired, shall be permitted to pay and discharge such notes by paying the principal

with six per cent. interest per annum from the date of such notes (including what has been paid, if any,) within one year from the passage of this Act.

SEC. 2. Whenever any of such notes shall be paid by any other than the maker, the Auditor shall assign the same without recourse on the State, and deliver it with the mortgage security, if any, to the person so paying the same. Duty of Auditor.

Approved March 20th, 1866.

CHAPTER 38.

SECURING TITLE TO LANDS TO CERTAIN PERSONS.

AN ACT to secure to certain persons, residents of Wayne county, Iowa, their homes, at the price of \$1.25 per acre, of the lands known as the excess of the 500,000 acre grant.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That certain persons, residents of Wayne county, Iowa, and hereinafter designated, be permitted and are hereby entitled to purchase of the State of Iowa, at the price of one dollar and twenty-five cents per acre, the lots and tracts of land, set opposite their respective names, to-wit: Nancy W. Brower, the n. e. $\frac{1}{4}$ of the n. w. $\frac{1}{4}$, of Sec. 32, T. 68, R. 23; Joseph Skipper, the n. $\frac{1}{2}$ of the s. e. $\frac{1}{4}$ and the s. e. $\frac{1}{4}$ of the s. e. $\frac{1}{4}$ of Sec. 14, T. 67, R. 23; James Coddington, the s. e. $\frac{1}{4}$ of the s. e. $\frac{1}{6}$ of Sec. 19, T. 67, R. 21—all lying and being in Wayne county, Iowa; *Provided,* That the person or persons, herein designated, avail themselves of the benefit of this Act, within one year after its passage. Certain persons entitled to purchase.

SEC. 2. That payments on said lands, when purchased according to the provisions of this Act, shall be made at the time and in the manner prescribed by law, for payments on other school lands in this State. Payment. How made.

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

SEC. 4. This Act being deemed by the General Assembly of immediate importance, shall take effect, from and after its publication in the Daily State Register, a newspaper published at Des Moines, Iowa, Publication.

and in the Corydon Monitor, a newspaper published at Corydon, Iowa.

Approved March 21st, 1866.

I hereby certify that the foregoing Act was published in the Daily State Register on the 23d day of March, 1866, and in the Corydon Monitor March 29th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 39.

LEGALIZING CERTAIN ACTS CONCERNING THE CITY GOVERNMENT OF KNOXVILLE.

AN ACT to legalize the City Election of the City of Knoxville, and the reorganization of the City Government, and the official acts of the City Council of said City.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the election of City officers, held in the said City of Knoxville, and the reorganization of the City Government of said city in April A. D. 1864, be and the same is hereby legalized, and all the official acts of the City Council, of the City of Knoxville, since said election, be and are hereby declared of as full force and validity, as though the said election had been held at the time fixed by, and conducted, in all respects, according to the forms of law.

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

Approved March 22d, 1866.

I hereby certify that the foregoing Act was published in the Iowa Daily State Register on the 25th day of March, 1866, and in the Iowa Homestead on the 4th day of April, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 40.

REPEALING ACT IN RELATION TO AGRICULTURE IN JOHNSON COUNTY.

AN ACT to repeal Chapter forty-one of the Acts of the Fifth General Assembly, entitled An Act to encourage Agriculture and Mechanic Arts in Johnson county—Approved July 20th 1855.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Chapter forty-one, of the Acts passed at the regular session of the Fifth General Assembly of the State of Iowa, entitled An Act to encourage Agriculture and Mechanic Arts, in Johnson county, Iowa, be and the same is hereby repealed.

Approved March 22d, 1866.

Chapter 41.
Repealed.
Fifth General
Assembly.

CHAPTER 41.

DISPENSING WITH LOCKS IN DAMS ON DES MOINES RIVER.

AN ACT dispensing with locks in dams, and draws in bridges, on the Des Moines River.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That all laws and parts of laws, requiring locks to be constructed and maintained in dams, and draws to be constructed and maintained in bridges, built across and over the Des Moines river, be, and the same are hereby repealed.

Approved March 22d, 1866.

Laws requir
ing locks and
draws to be
built in dams
and bridges
over the Des
Moines river.
Repealed.

CHAPTER 42.

LEGALIZING THE INCORPORATION OF THE CITY OF INDEPENDENCE.

AN ACT to legalize the proceedings had to incorporate the city of Independence, Buchanan County, Iowa, and to legalize the acts of the officers of said city.

WHEREAS, Doubts have arisen as to whether the pro-

Preamble. proceedings had to incorporate the city of Independence, Buchanan county, Iowa, have been strictly complied with, in respect to notice and description of property in notice; therefore,

Proceedings, election, acts of Mayor and Council, &c., legalized. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all proceedings had under Chapter 51 of the Revision of 1860, for the purpose of incorporating said city; all elections of officers under said acts of incorporation, and all acts of the Mayor and Councilmen done under and by virtue of said acts of incorporation, are hereby legalized and made binding, as fully as if the stipulations of the statute had been fully and strictly complied with.

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

Approved, March 22d, 1865.

I hereby certify that the foregoing Act was published in the State Register March 25th, 1866, and in the Independence Bulletin —, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 43.

RELATING TO THE INSTITUTION FOR THE BLIND.

AN ACT to provide for the education and support of the Blind.

Ordinary ex-penses. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That, to meet the ordinary expenses of the Institution for the education of the Blind, including furniture, books, maps, music, musical instruments, and the compensation of the principal, matron, teachers, and employees of said institution, there is hereby appropriated the sum of five thousand dollars per annum or so much thereof as may be necessary.

\$5,000.00 appropriated.

Salary of Principal, of

Matron and teachers.

SEC. 2. The Principal of the above Institution, shall be entitled to receive out of the above money appropriated, the sum of seven hundred dollars per annum.

SEC. 3. The Trustees shall pay such salary, as in their judgment, is just, to the Matron and Teachers employed in said Institution, not in any case to exceed the sum of five hundred dollars.

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 Institution.

SEC. 5. For the purpose of meeting current expenses, there is hereby appropriated, out of the State Treasury, forty dollars per quarter, for each pupil in said Institution.

SEC. 6. The Principal of said Institution 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 of each pupil. He shall also make a report of the studies pursued and trades taught in said institution, together with a complete statement of the expenditures, and also the number, kind and value of articles manufactured and sold.

SEC. 7. When the pupils of said Institution 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, and said Principal shall, at the same time, remit duplicate of such account to the Auditor of State, who shall credit the same to account of the Asylum for the Blind, and charge it to the proper county.

SEC. 8. The above appropriation including account of clothing furnished pupils, shall be drawn quarterly on the order of the Trustees of the institution, made on the Auditor of the State, who shall draw his warrant in the name of such institution on the Treasurer, as ordered by the Trustees.

SEC. 9. That so much of Chapter 54, of the Acts of the Tenth General Assembly, approved March 19th, 1864, as conflicts with this Act, be and the same is hereby repealed.

SEC. 10. This Act being deemed by the General Assembly of immediate importance shall be in force from and after its passage and publication in the Daily State

Steward, compensation and duties of.
Current expenses—appropriation for.

Principal report to Gov.—when.

Contents of report.

Clothing—how furnished.
Duties of Principal.

Duty of Co. Treasurer.

Duty of Auditor of State.

Appropriation—how drawn.

Repeal.

Publication.

Register and Iowa Homestead, newspapers published in Des Moines.

Approved March 22d, 1866.

I hereby certify that the foregoing act was published in the Iowa State Register on the 25th day of March, 1866, in the Iowa Homestead April 4th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 44.

CONTINUING THE INCORPORATION OF THE TOWN OF SIGOURNEY.

AN ACT declaring the continuation of the Incorporation of the Town of Sigourney and legalizing the Election of Officers thereof.

Preamble. WHEREAS, on the 9th day of October, 1858, as appears by the records in the Office of the Secretary of State, the Town of Sigourney, by virtue of a compliance with the provisions of Chapter 157 of the Laws of the Seventh General Assembly, became an incorporated Town; and WHEREAS, prior to the first Monday of March, A. D. 1866, by reason of a failure to elect or appoint officers at the proper time, all the municipal offices of said town had become vacant; and WHEREAS, on the first Monday of March, A. D. 1866, the legal voters of said town did, at a place therein previously fixed by notice, meet and choose Judges and a Clerk of Election, who were duly sworn, and did there elect municipal officers of the said incorporated town; therefore,

Corporation continued. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the said incorporation of the town of Sigourney shall be deemed to have continued from the date of its said organization, and to still exist, notwithstanding the failure to elect officers therein. And the election of officers thereof on the first Monday of March, A. D. 1866, is hereby legalized, and made binding, notwithstanding any irregularities which may have occurred in the holding of said election.

Election of officers legalized. Publication. SEC. 2. This Act, being deemed of immediate im-

portance, shall take effect from and after its publication in the Iowa State Register and Sigourney News.
Approved March 22d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register March 27th, 1866, and in the Sigourney News April 4th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 45.

DISTRICT COURTS—ELEVENTH DISTRICT.

AN ACT fixing the times of holding Courts in the Eleventh Judicial District.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the terms of the District Courts in the Eleventh Judicial District for each year shall be as follows: Dist. Court
11th District,
time fixed for
holding.

Commencing at Marshalltown, in Marshall county, on the first Monday in April and September; Marshall.

At Nevada, in Story county, on the third Monday in April and September;

At Boonsboro, in Boone county, on the fourth Monday in April and September; Boone.

At Fort Dodge, in Webster county, on the second Monday after the fourth Monday in April and September;

At Webster City, in Hamilton county, on the third Monday after the fourth Monday in April and September;

In Wright county, on the fourth Monday after the fourth Monday in April and September;

In Franklin county, on the fifth Monday after the fourth Monday in April and September;

And in Hardin county, on the sixth Monday after the fourth Monday in April and September.

SEC. 2. All writs, processes, proceedings and actions pending in, or returnable to any of said Courts, at the times now fixed by law for the terms of said Courts, shall be deemed pending and returnable respectively at the terms as fixed by this Act, and no suit, writ, notice, recognizance, indictment or other proceeding shall be quashed or held invalid by reason of the provisions of Suits pending
—where re-
turnable.

Suits pending
not affected.

this Act, or of the changes herein made in the times of holding the Courts in said District.

Repeal.

SEC. 3. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Publication.

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 State Register and Iowa North West.

Approved March 23d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register March 24th, 1866, and in the Iowa North West March 27th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 46.

ACKNOWLEDGMENT OF DEEDS IN FOREIGN COUNTRIES.

AN ACT concerning the acknowledgment of deeds in foreign countries, and to repeal Section 2244 of the Revision of 1860.

Deeds made in a foreign country, how proved.

Acknowledgment—how authenticated.

Credit due to such acknowledgment.

Publication.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That any deed, or other conveyance of lands within this State, which is executed without the United States, may be acknowledged or proven before any Ambassador, Minister, Secretary of Legation, Consul or Charge d' Affaires of the United States, or before any officer of a foreign country, who is authorized by the laws thereof to take acknowledgments of conveyance of real estate. But the certificate of acknowledgment by a foreign officer, must be authenticated by some Ambassador, Minister, Secretary of Legation, Consul or Charge d' Affaires of the United States, whose official written statement, that full faith and credit is due to the certificate of such foreign officer, shall be deemed sufficient evidence of the qualification of said officer, to the acknowledgments, and of the genuineness of his signature or seal, if he has any.

SEC. 2. 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 24th, 1866.

I hereby certify that the foregoing Act was published in the State Register March 27th, 1866, and in the Iowa Homestead April 4th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 47.

RELATING TO BOARD OF TRUSTEES OF THE AGRICULTURAL
COLLEGE AND FARM.

AN ACT to repeal Sections 1715, 1716 and 1739 of the Revision of 1860, and Section 6 of Chapter 121 of the Acts of the Tenth General Assembly, in relation to the Boards of Trustees of the Agricultural College and Farm.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the State Agricultural College and Farm shall be under the management of a Board of Trustees, composed of one member elected from each Judicial District. The Governor, and the President of the State Agricultural College and Farm, shall be *ex-officio* members of the Board. State Agr'l College and Farm. Board of Trustees, how constituted.

SEC. 2. The present session of the General Assembly shall elect in Joint Convention, all of said Board of Trustees, six of whom shall serve for the term of two years, and the other six for the term of four years from the 1st day of May, 1866, and the General Assembly, at each biennial session thereafter, shall elect one half of said Board of Trustees, who shall serve for four years, from the 1st of May, after their election. The Board of Trustees elected by the Eleventh General Assembly, shall at their first meeting under this Act, which shall be on the first Thursday of May for the year 1866, at the Capital of the State, determine by lot, their several terms of service, and every succeeding year, they shall hold their annual meetings on the second Monday of January, at the Capital of the State. Any vacancies in the Board of Trustees, caused by death, removal from the District or the State, resignation or failing to qualify within sixty days after their election, may be filled by a vote of a majority of the members of said Board. How elected—how long serve. First Board shall determine their several terms of service—how. Annual meeting—where held. Vacancies—how filled.

SEC. 3. The Board of Trustees shall elect a Treasurer, at their annual meeting in each year, who shall receive and keep all the moneys, arising from the sale of the products of the farm, or from any other source, and give bonds in such sum as the Board of Trustees may require. He shall pay over all moneys, upon the warrant of the President and countersigned by the Secretary. He shall render, annually, in the month of January, to the Board of Trustees, and as often as may be required by the said Board, a full and true statement of all the moneys received and disbursed by him. Shall elect a Treasurer—duties of.

Former laws repealed. SEC. 4. Sections 1715, 1716, 1739, of Chapter 67 of the Revision of 1860, and Section 6 of Chapter 121 of the Acts of the Tenth General Assembly, and all acts and parts of acts in conflict with the provisions of this Act are hereby repealed.

Publication. SEC. 5. 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 Homestead, papers published at Des Moines.

Approved March 24th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register March 27th, 1866, and in the Iowa Homestead March 28th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 48.

ABOLISHING OFFICE OF ASSISTANT-ADJUTANT-GENERAL.

AN ACT to repeal Chapter 38 of the acts of the Extra Session of the Ninth General Assembly, being an Act entitled "An Act to create the office of Assistant Adjutant-General, and defining his duty," and to amend Section 14 of Chapter 84, of the Acts of the Tenth General Assembly, being an Act entitled "An Act to organize the Militia."

Chapter repealed. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Chapter 38 of the Acts of the Extra Session of the Ninth General Assembly, being an Act entitled "An Act to create the office of Assistant Adjutant-General, and defining his duties," be and the same is hereby repealed, and the office of Assistant

Office A. A. G. abolished. Adjutant-General abolished.

Sec. amended words struck out. SEC. 2. *Be it further enacted,* That Section 14 of Chapter 84, of the Acts of the Tenth General Assembly, being an Act entitled "An Act to organize the Militia," be and the same is hereby amended by striking out all of the fourth and fifth lines of said section, being the words, "One Assistant Adjutant-General, with the rank of Colonel of Cavalry, and said Assistant Adjutant-General," and insert "*And.*"

"And" inserted.

Publication.

SEC. 3. This Act being deemed by the General Assembly of immediate importance, it shall take effect and be in force from and after its publication in the Weekly

State Register and Iowa Homestead, newspapers published at Des Moines, Iowa.

Approved March 24th, 1866.

I hereby certify that the foregoing Act was published in the Iowa Weekly State Register April 4th, 1866, and in the Iowa Homestead April 4th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 49.

APPEALS TO THE SUPREME COURT.

AN ACT regulating appeals to the Supreme Court in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That it shall not be necessary, in order to authorize the Supreme Court of this State, to review and reverse, on appeal, a judgment of the District Court, on the ground of errors of law, committed by the Judge of the Court below, on the trial, that a motion for a new trial, on these grounds, shall have been made in such Court below. Motion for new trial not necessary.

SEC. 2. In any cause tried in the District Court, where the parties thereto waive a Jury, and try the same to the Court, it shall not be necessary, in order to secure to either party, feeling aggrieved, the right to appeal that the Court shall find the facts and conclusions of law, and make the same a part of the record in such case; nor shall it be necessary for such party to file a motion for a new trial; but in all such cases the Supreme Court shall, on appeal, hear and determine the same in all respects as if such finding of facts, and conclusions of law, appeared of record, or a motion for a new trial had been made, whenever it shall appear from the certificate of the Judge trying the same, or the agreement of the parties thereto, or their attorneys of record, or, in case the evidence is all taken by deposition, from the certificate of the Clerk of such District Court, that the transcript contains all the evidence introduced by the parties on the trial of the cause in the Court below. Supreme Court hear and determine, when.

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

SEC. 4. This Act being deemed of immediate importance shall take effect and be in force from and after Publication.

the publication of the same in the Iowa State Register and Iowa Homestead, newspapers published at Des Moines.

Approved March 24th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register, March 27th, 1866, and in the Iowa Homestead, April 4th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 50.

LEGALIZING THE SURVEY AND PLAT OF LEWIS, CASS COUNTY.

AN ACT to legalize the Acts of the Board of Supervisors of Cass county, in relation to the survey and plat of the town of Lewis in said county.

Preamble. WHEREAS, The original plat of the town of Lewis in Cass county, has been lost or destroyed, and no record thereof made upon any of the books of record in said county; and,

WHEREAS, The Board of Supervisors of said county, have caused a new survey and plat of said town to be made, and have approved the same; and,

WHEREAS, Said new survey and plat have been recorded in the proper records of said county; therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Act of the Board of Supervisors of Cass county in this State, in causing the survey and plat of the town of Lewis in said county to be made, as approved by said Board on the 30th day of January, 1866, and as recorded in book "F," on pages 369, 370, 371 and 372, of the records of said county, be, and the same are hereby legalized.

Plat substituted for may be used in evidence. SEC. 2. The plat and survey of said town of Lewis legalized by the first Section of this Act, shall be substituted for, and in the place of the lost or destroyed plat and survey of said town, as mentioned in the preamble of this Act, and such substituted plat and survey, or a certified copy thereof may be used and received in evidence in place of all former surveys and plats of said town of Lewis.

Publication. SEC. 3. This Act being deemed, by the General Assembly, of immediate importance, shall take effect and be in full force from and after its publication in

the Weekly Iowa State Register, published at Des Moines, and the Weekly Nonpareil, published at Council Bluffs, without expense to the State of Iowa.

Approved March 24th, 1866.

I hereby certify that the foregoing Act was published in the Weekly Iowa State Register, April 4th, 1866, and in the Weekly Nonpareil at Council Bluffs, April 7th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 51.

LEGALIZING CERTAIN CONVEYANCES.

AN ACT legalizing conveyance of Real Estate to "The St. Charles Cemetery Association."

WHEREAS, Doubts have arisen as to the validity of the title to certain real estate purchased by "The St. Charles Cemetery Association," for cemetery purposes, owing to the conveyance having been made before the Articles of Incorporation of said Association were filed in the Office of the Secretary of State; therefore, Preamble.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all conveyances of Real Estate made to "The St. Charles Cemetery Association," for cemetery purposes, after the execution of the Articles of Incorporation of said association, be, and the same are hereby declared legal and binding, to the same extent as if the said articles had been filed in the office of the Secretary of State at the date of such conveyance. Conveyances declared binding.

Approved March 24th, 1866.

CHAPTER 52.

PROVIDING JUSTICES OF THE PEACE WITH REVISION 1860.

AN ACT to provide Justices of the Peace with a copy of the Revision of 1860.

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

Clerk District Court to furnish Justices Revision of 1860. *of the State of Iowa*, That it shall be the duty of the Clerk of the District Court of each organized county in the State, to furnish each Justice of the Peace in his county, who may not be already supplied therewith, a copy of the Revision of 1860, and to take the receipt of the Justice therefor; and such receipt shall be a sufficient voucher for the Clerk in his settlement with the Auditor of State; *Provided*, said distribution can be made without causing a re-print of the Revision.

Proviso.

Clerk draw upon Sec. of State.

SEC. 2. Should the number of copies of the Revision in the possession of any Clerk, at the time of the taking effect of this Act, be insufficient to supply the Justices of his county, he is hereby authorized to draw upon the Secretary of State for the requisite number, who shall, as soon as practicable, transmit to said Clerk the required number, and shall certify to the Auditor of State the number of copies so transmitted; and the Auditor shall charge such Clerk therewith, and subsequently credit him with such as may be disposed of, as provided in the first section of this Act.

Auditor to charge Clerk.

Justices failing to deliver over Revision in certain cases.

SEC. 3. If any Justice of the Peace so receiving a copy of the Revision, shall fail to transmit to his successor in office, or in case of his removal from the township, or the resignation of his office, to deliver to the Clerk of the District Court, such copy, together with all other Statutes received by him by virtue of his office, he shall be liable to a fine of ten dollars, to be collected of him or his sureties, by an action in the name of the State, upon information of the Clerk or the successor of such Justice; and such fine shall be paid into the County Treasury by the Clerk, and accounted for by him to the Auditor of State in the same manner as money received by him on sale of the Revision.

Liable to fine of \$10—how collected.

Such fine—how accounted for.

In case of death, said books disposed of—how.

SEC. 4. In case of the death of a Justice before the expiration of his term of office, the said books shall be placed in the hands of the Clerk of the District Court, and be by him turned over to the successor of such Justice when elected and qualified.

Approved March 24th, 1866.

CHAPTER 53.

PROVIDING JUSTICES WITH DOCKETS.

AN ACT providing dockets for Justices of the Peace.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That it shall be the duty of the Board of Supervisors of each county, to furnish to each Justice of the Peace, of their county, a well bound blank record book of not less than four quires, with index, suitable for a docket, upon the certificate of such Justice that the same is necessary for the business of his office.

Board of Supervisors to furnish J. P. with blank record book; When.

SEC. 2. The said dockets so furnished, shall be paid for out of the county fund, on the order of the Board of Supervisors.

How paid for

Approved March 24th, 1866.

CHAPTER 54.

RELIEF OF MAJOR DAVID J. WAGGONER.

AN ACT for the relief of Major David J. Waggoner.

WHEREAS, Upon solicitations made and inducements held out by the Executive and other citizens of this State, Major David J. Waggoner, of Fulton county, Illinois, undertook the capture of Joseph M. Brice, who, with one John J. Crans, had, about the 1st of January, 1865, murdered, in Taylor county, Iowa, James Mullen, a respectable citizen of this State; and

Preamble.

WHEREAS, After several weeks of zealous effort, at great risk, and the expense of about \$600, he succeeded in arresting the said Brice, at Okaman, in the State of Minnesota, on the 30th of May, 1865, and proceeded to deliver him to the officers of the State for trial, for which he has not been remunerated; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, There be, and is hereby, appropriated \$1,000 appropriated. out of the general revenue of the State, the sum of one thousand dollars, to compensate the said David J. Waggoner for his services and the money by him expended in apprehending and securing for trial the said Joseph

Auditor to draw warrant therefor. M. Brice, and the Auditor of State is hereby authorized to issue his warrant in favor of said David J. Waggoner for said sum.

Publication. SEC. 2. This Act being deemed of immediate importance shall take effect, and be in force, from and after its publication in the Iowa State Register and Iowa Homestead, newspapers published at Des Moines. Approved March 24th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register March 27th, 1866, and in the Iowa Homestead April 4th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 55.

THE BACK PAY OF THE FIRST IOWA CAVALRY.

AN ACT to secure the back pay due the 1st Iowa Cavalry.

Preamble. WHEREAS, A large proportion of the men and officers of the 1st Iowa Cavalry are justly entitled to pay from the Government of the United States for their services from the date of enlistment to the date of their muster into the service of the United States, but have never received the same, therefore,

Fitz Henry Warren authorized to go to Washington, when duties. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Fitz Henry Warren, former Colonel of said regiment, be and he is hereby authorized and empowered to proceed to Washington City, in the District of Columbia, as soon after the adjournment of the present General Assembly as practicable, and to take such steps as may, in his opinion, be necessary to secure the payment from the General Government, of such sums as may be found due to the members of said regiment.

\$400 appropriated, for what purpose. Auditor to draw warrant. SEC. 2. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of four hundred dollars, or so much thereof as may be necessary in carrying out the provisions of this Act, and the Auditor is hereby authorized to draw his warrant upon the Treasury in favor of Fitz Henry Warren, for the amount of the expenses actually incurred by him in complying with the provisions herein made.

SEC. 3. This act being deemed of immediate im-
 portance 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. Publication.

Approved March 26th, 1866.

I hereby certify that the foregoing Act was published in the
 Iowa State Register March 28th, 1866, and in the Iowa Homestead
 April 4th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 56.

DISTRICT COURT IN WINNESHEIK COUNTY.

AN ACT to amend Chapter 98, of the Acts of the Tenth General
 Assembly, entitled An Act providing for the formation of the
 Twelfth Judicial District, and fixing the time 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, That Section fifteen of Chap-
 ter 98, of the acts of the Tenth General Assembly of
 the State of Iowa, is hereby amended to read as fol-
 lows, to-wit: At Decorah, in the county of Winne-
 sheik, on the third Monday after the third Monday in
 May, on the fourth Monday after the second Monday
 in September, and on the fourth Monday after the
 third Monday in January. Former law
amended.
Court in
Winnesheik
county.
When.

SEC. 2. This act being deemed of immediate im-
 portance by the General Assembly, shall take effect
 and be in force from and after its publication in the
 Iowa State Register and Decorah Republic. Publication.

Approved March 26th, 1866.

I hereby certify that the foregoing Act was published in the Iowa
 State Register, March 28th, 1866, and in the Decorah Republic,
 _____, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 57.

SALARIES OF DISTRICT AND SUPREME JUDGES.

AN ACT fixing the Salaries of the District and Supreme Judges.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That from and after the last day of December, 1866, the salary of each Judge of the District Court shall be eighteen hundred dollars per annum; provided that the salary of none of said Judges shall, by the operation of this Act, be increased during the time such Judge holds his office, under and by virtue of the election or appointment under which he now holds such office.

Salary Dist.
Judge \$1800.

Proviso.

After Jan. 1,
1866, salary
Supreme
Sudge \$2300.

Repeal.

Publication.

SEC. 2. That from and after the 1st day of January, 1866, the salary of each Judge of the Supreme Court shall be, and the same is hereby fixed at the sum of twenty-three hundred dollars per annum.

SEC. 3. All acts in conflict herewith are hereby repealed.

SEC. 4. This Act being deemed of immediate importance by the General Assembly, shall take effect from and after its publication in the Iowa State Register and Iowa Homestead, newspapers published at Des Moines.

Approved March 26th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register March 28th, 1866, and in the Iowa Homestead April 4th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 58.

ALLOWING THE UNION AGRICULTURAL SOCIETY TO PURCHASE CERTAIN SCHOOL LAND.

AN ACT to enable the Union Agricultural Society to purchase certain school land.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Union Agricultural Society of the counties of Clinton, Scott, Cedar, Jones

and Jackson, is hereby empowered to purchase of the Union Agr'l Board of Supervisors of Clinton county, Iowa, the Society may southeast quarter of the northeast quarter of section purchase cer- sixteen, in township eighty-one, north of range one, tain land. east of the fifth principal meridian, at the sum of five Description. dollars per acre. Price.

SEC. 2. This Act, being deemed of immediate im- Publication. portance, shall take effect and be in force from and after its publication in the State Register and Clinton County Advocate, free of expense to the State.

Approved March 26th, 1866.

I hereby certify that the foregoing Act was published in the State Register March 28th, 1866, and in the Clinton County Advocate _____, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 59.

LEGALIZING THE ACTS OF BOARD OF SUPERVISORS OF WASHINGTON COUNTY IN REFERENCE TO CERTAIN BRIDGES.

AN ACT to legalize the Acts of the Board of Supervisors of Washington county.

WHEREAS, The Board of Supervisors of Washington county, Iowa, did during the year 1865, contract with one John W. Crawford, for the construction of two bridges in said county over English river, one at Was- Preamble. sonville, and one at Richmond; and,

WHEREAS, The cost of each of said bridges exceeded according to the said contracts the sum of two thousand dollars; and,

WHEREAS, The proposition therefor was not by said Board of Supervisors, submitted to the legal voters of the county, as provided for by sub-division 23 of Section 312, Revision of 1860; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all the Acts of the Board of Supervisors of Washington county, Iowa, in contract- ing for the erecting of said bridges as recited in the preamble hereto, are hereby legalized and confirmed and shall have all the binding force and effect that such Acts and contracts would have had if said Board of All acts legal- ized.

To be of what force and effect. Supervisors had proceeded according to the provisions of sub-division 23, of Section 312, Revision of 1860.

Publication.

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 State Register, a newspaper published at Des Moines, and the Washington Press, a newspaper published in Washington, Iowa, without expense to the State.

Approved March 26th, 1866.

I hereby certify that the foregoing Act was published in the State Register March 28th, 1866 and in the Washington Press ——— — 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 60.

AUTHORIZING THE COUNTY JUDGE OF DES MOINES COUNTY TO COMPLETE CERTAIN RECORDS.

AN ACT to authorize the County Judge of Des Moines county to record and complete the record of proceedings had before his predecessor in office.

Preamble.

WHEREAS, H. C. Ohrt, late County Judge in and for Des Moines county, failed to keep any record of his proceedings, after May 4th, 1863. Therefore,

Co. Judge authorized to make certain record.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the County Judge of said county, as such Judge, be, and hereby is, authorized to make up and sign a record of said proceedings, and, for that purpose, he is authorized to summon before him such witnesses as may be necessary to obtain evidence, in regard to dates and such other information as may be essential, such evidence to be in writing, and preserved with the files of the cases in which the same was taken, and to do, and perform, all other acts in the premises that may be necessary to the making up of said records in the most perfect and complete manner.

Such evidence, how taken and preserved.

May summon witnesses.

Such record, its validity.

SEC. 2. His record, so made, shall be *prima facie* evidence of its validity.

Compensation.

SEC. 3. That the Board of Supervisors, of said county, shall allow a suitable compensation for the services of said County Judge, by him performed, under this act.

The descriptive book thus:

Name of grantee.	Date of instrum't.	Description of Land.
.....
.....
.....

The index book thus:

Names of grantees.	Pages of Transfer book.
.....
.....
.....

Book of plats. SEC. 3. The Recorder shall keep a book of plats, showing the number of lot and block, or township and range, divided into sections and sub-divisions as occasion may require; and he shall designate on said plats each piece of land or town lot, and mark in pencil the name of the owner thereon in a legible manner. Said plats shall be lettered or numbered so that they may be conveniently referred to by the memoranda of the transfer book; and shall be drawn on a scale of not less than four inches to the mile.

Designate each tract.

Scale.

Duty of Recorder. SEC. 4. Whenever a deed of unconditional conveyance of real estate is presented for record, it shall be the duty of the Recorder, after filing the same for record and previous to recording the same, to enter in the index book, in alphabetical order, the name of the grantee, and opposite thereto the number of the page of the transfer book on which such transfer is made; and upon the transfer book he shall enter, in the proper columns, the name of the grantee, the name of the grantor, the date of filing, date of instrument, the character of the instrument, the description of the property, and the number or letter of the plat on which the same is marked; and, also, the number of the page of the description book, if it becomes necessary to enter the description therein.

What shall be entered on book.

Irregular description. SEC. 5. If the land or town lot is described in the deed by metes and bounds, he shall enter the same upon the descriptive book as follows: 1st, The name of the grantee; 2d, A minute description of the land.

Entered minutely.

SEC. 6. After the Recorder has made the entries contemplated in the last two preceding sections, he shall endorse upon the deed the following words: "Entered for taxation this.....day of..... A. D.....," with the proper date inserted; and shall sign his name thereto. For every such transfer the Recorder shall be entitled to receive fifteen cents from the person presenting the deed.

Endorsement

On deed.

SEC. 7. As a basis for said transfer, the Recorder shall take the tax books of the year 1865 and copy into said transfer book the name of the owner of each piece of land or town lot, as shown on said tax books; and in order to accomplish the same, it is hereby made the duty of the Treasurer to designate on the tax list opposite each piece of land or town lot, the name of the owner thereof, as shown by the last payment of taxes, for which the Board of Supervisors shall allow as compensation fifteen cents per hundred words.

Tax book of 1865.

Duty of Treasurer.

Compensation.

SEC. 8. The Recorder shall correct the transfer books from time to time, as he shall find them incorrect.

Recorder shall correct.

SEC. 9. The Clerk of the Board of Supervisors in each county shall, on the second Monday of January, A. D. 1867, and every two years thereafter, furnish (in books provided by the Board of Supervisors, and ruled and headed as now required by law) each Township Assessor in his county, a complete list of all the real estate in his township, subject to taxation, together with a plat or plats of the same; and said list shall be so arranged as to present the owner's name in alphabetical order, and each piece shall be designated in its proper place on said plat or plats and checked by the Assessor as the valuation is placed upon it.

Duty of Clerk

Assessor to be furnished with lists.

Assessor check plat.

SEC. 10. It shall be the duty of each Township Assessor, to place the valuation upon each tract of land or town lot in his township, and return the same, together with the personal property, to the Clerk of the Board of Supervisors, as now required by law. The Assessor shall also note any errors he may find in the assessment lists furnished him by the Recorder, and report the errors to the Recorder, who shall correct the same on transfer books and assessment lists, if upon examination, he finds it necessary.

Assessor to value land.

Personal property.

Note errors.

Recorder to correct.

SEC. 11. In order to carry out more fully the provisions of this Act, it is hereby made the duty of the Auditor of State to furnish county Recorders with all such forms and instructions as he may see fit; and the

Duty of Auditor of State.

said Recorder shall observe and carry out such forms and instructions.

Repeal.

SEC. 12. All Acts and parts of Acts inconsistent with this Act, are hereby repealed.

Approved March 26th, 1866.

CHAPTER 62.

COURTS IN TWELFTH JUDICIAL DISTRICT.

AN ACT fixing the time of holding Court in the Twelfth Judicial District.

Additional term of Court in Bremer county.

When begun. How long continued.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That in addition to the terms of said Court now appointed by law to be held in the county of Bremer, in said District there shall be held in and for said county, a term of said court, to be begun on the first Monday of January, in each and every year, with power to said court to continue said session until the business then pending therein shall be disposed of.

Approved March 26th, 1866.

CHAPTER 63.

LEGALIZING ACTS OF R. N. CRESAP.

AN ACT to legalize the official acts of Roger N. Cresap, a Notary Public, of Van Buren county, Iowa.

Preamble.

WHEREAS, The commission of Roger N. Cresap, a Notary Public, of Van Buren county, expired in November A. D. 1865; and, *Whereas,* The said Roger N. Cresap, performed official acts as Notary Public, after the time his commission expired said Cresap acting in good faith and not knowing that his commission had expired; therefore,

Acts as Notary legalized.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all of the official acts of the said Roger N. Cresap, by him performed as a Notary

Public, after the expiration of his commission as aforesaid, be and the same are hereby legalized.

Approved March 26th, 1866.

CHAPTER 64.

ACTS OF TREASURER OF JASPER COUNTY LEGALIZED.

AN ACT to legalize and make valid the Acts of the County Treasurer of Jasper county, Iowa, in collecting the taxes on the tax list of said county, for the year 1860.

WHEREAS, Section 748 of the Revision of 1860 requires that the Clerk of the Board of Supervisors shall attach, under the direction of said Board, his warrant to the tax list under his hand, and official seal of said Board, requiring the Treasurer to collect the taxes therein levied, according to law; and,

WHEREAS, Section 809 of the Revision of 1860 required all the duties to be performed by the Clerk of the District Court, that were to be performed by the Clerk of the Board of Supervisors prior to the organization of said Board; and,

WHEREAS, The County Judge of Jasper county, Iowa, attached his warrant to the tax list of 1860, for said county, and whereas, there was no other warrant attached; and,

WHEREAS, The Treasurer of Jasper county, Iowa, proceeded to collect the taxes on said tax list for 1860, and sold lands for the delinquent taxes of said year, and performed all other acts necessary for the collection of said taxes, disbursing all moneys to the different funds for which the taxes of 1860, were levied, and making deeds for lands sold for the delinquent taxes of 1860. Therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all the acts of the Treasurer of Jasper county, Iowa, in collecting the taxes returned to the Treasurer's office on the tax list for the year of 1860, be and the same are hereby made valid, and of the same force and effect as they would have been had the warrant of the Clerk of the District Court been attached, instead of that of the County Judge. Acts of Treasurer made valid.

SEC. 2. That all certificates of tax sales, and all deeds executed, or hereafter to be executed on certificates of

Certificates, &c., for delinquent taxes of 1860, legalized. sales for the delinquent taxes of the year of 1860, are hereby legalized and made valid, and of the same force and effect as they would have been, had the warrant of the Clerk of the District Court been attached to the said tax list of 1860.

Approved March 26th, 1866.

CHAPTER 65.

IOWA STATE UNIVERSITY.

AN ACT granting to the Iowa State University certain property in Iowa City.

Preamble. WHEREAS, The Territory of Iowa heretofore donated to "The Mechanics Mutual Aid Association, of Iowa City," the west half of block, sixty (60,) in Iowa City in section 10, township 79, range 6, on condition "that the premises so donated shall be occupied and used for literary purposes, alone; and the said deed shall be void, and the said premises revert to the Territory when the said premises shall be occupied or used by said corporation, or their successors or assignees in any other way or manner, or for any other than literary purposes, (Acts of January 4th, 1842, p. 4; of January 29th, 1844 p. 79); and

WHEREAS, Said corporation has long since ceased to exist, and said property is not used or occupied by it for literary purposes, or any other purpose, and has been used for other than literary purposes, whereby the same has reverted to the State. Therefore,

Certain property granted to the State University. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the aforesaid described property be, and the same is hereby granted in fee simple unto the Iowa State University, to be enjoyed, held, owned and disposed of, the same as the other property belonging to the said University: *Provided,* That the State of Iowa, shall not be rendered liable to any party or parties, for any claim whatsoever.

State not liable.

Approved March 26th, 1866.

CHAPTER 66.

COAL MINES.

AN ACT to amend Chapter 91 of the laws passed by the Tenth General Assembly, entitled "An Act granting a right of way to open and drain coal mines."

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Chapter 91 of the laws passed by the Tenth General Assembly, entitled "An Act granting the right of way to open and drain coal mines," be and the same is hereby amended in the title thereof, as to read as follows: "An Act to provide for acquiring, by the owners of coal lands, the right of way to open and drain such lands, and to construct wagon roads or railway tracks thereto." Former act amended in title.

SEC. 2. Whenever in the said Chapter the words "wagon road" occurs, there shall be and is hereby inserted immediately following such words, the additional words "or railway track," to the end that the same right and means shall exist to procure a right of way for a railway track to such mines, as in case of wagon roads. "Or railway track" to be inserted after "wagon road."

Approved March 26th, 1866.

CHAPTER 67.

SALARIES OF CERTAIN STATE OFFICERS.

AN ACT fixing the salaries of certain State Officers.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That from and after the taking effect of this Act, the salary of each of the following officers, viz.: Treasurer of State, Register of the State Land Office, Superintendent of Public Instruction and Attorney General, shall be, and the same is hereby, fixed at the sum of one thousand five hundred dollars per annum, provided, that after the taking effect of this Act, no mileage or per diem shall be allowed the Attorney General. Salary of Treasurer, Register, Supt. Public Inst., Att'y General—\$1500. Proviso.

SEC. 2. All Acts inconsistent herewith are hereby repealed.

Publication. 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 Iowa State Register and Iowa Homestead, newspapers published at Des Moines.

Approved March 27th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register March 30th, 1866, and in the Iowa Homestead April 4th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 68.

CERTAIN ACCOUNTS OF THE AUDITOR AND TREASURER.

AN ACT relating to accounts in the office of Auditor of State and Treasurer of State.

Auditor and Treasurer to close "Federal Tax and War Fund" accounts. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Auditor of State and Treasurer of State be, and they are hereby authorized to close the several accounts in their respective offices with the "Federal Tax" and "War and Defense Fund," and carry the several balances to the appropriate revenue accounts.

Auditor issue warrants. SEC. 2. The Auditor is authorized to issue warrants on the Revenue Fund of the State, instead of the War and Defense Fund, on account of bills audited by him
How charged for war expenses, as provided for by an Act of the 11th General Assembly, but he shall continue as heretofore to charge such warrants to a separate expense account.

Publication. SEC. 3. This Act, being deemed of immediate importance, shall take effect by publication in the Iowa State Register and Iowa Homestead.

Approved March 27th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register, March 30th, 1866, and in the Iowa Homestead April 4th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 69.

AMENDING CHAPTER TWENTY-FIVE, LAWS EXTRA SESSION
NINTH GENERAL ASSEMBLY.

AN ACT to amend Section one, of Chapter twenty-five of the laws of the Extra Session of the Ninth General Assembly.

SECTION 1. *Be it enacted by the General Assembly* Former law of the State of Iowa, That Section 1, of Chapter twen- amended. five, of the laws of the Extra Session of the Ninth General Assembly, be amended by striking out of said section one, the words "heretofore granted by the General Assembly," and that the same be and are hereby repealed.

SEC. 2. This act being deemed of immediate im- Publication. portance shall take effect from and after its publication in the Iowa State Register and Iowa Homestead.

Approved March 29th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register, March 31, 1866, and in the Iowa Homestead on the 4th day of April, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 70.

RELATING TO THE NOTES AND MORTGAGES RECEIVED BY
JAMES D. EADS.

AN ACT to provide for the collection and settlement of the notes and mortgages received by James D. Eads, for money loaned by him out of the Permanent School Fund, and of judgments thereon.

SECTION 1. *Be it enacted by the General Assembly of* Persons liable the State of Iowa, That the persons liable to the State able upon upon any of the notes or obligations taken by James notes taken D. Eads, for money loaned by him out of the Perma- by J. D. Eads may pay. nent School Fund, while he was Superintendent of Public Instruction of the State, who shall pay to the State on or before the first day of January, 1867, the full amount of the principal of such notes, with interest thereon at six per cent. per annum from the date of said notes, shall be released from all further liability released. upon the same. Upon what conditions released.

When full amount can't be realized.

Dist. Attorney—duties of.

Proviso.

Publication.

SEC. 2. Whenever the full amount of any judgment or decree rendered in favor of the State upon any of said notes and mortgages cannot be realized out of any other property of the defendant or defendants in such judgment or decree, the District Attorney having charge of such judgment or decree, may compromise so much of such judgment as may remain due and unpaid after sale of such mortgaged property thereunder, with the defendant or defendants thereto, upon such terms and conditions as in his judgment may best promote the interest of the State, provided that such compromise and settlement shall be approved by the State Census Board.

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

Approved March 29th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register, March 31, 1866, and in the Burlington Hawk-Eye _____, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 71.

RELATING TO SALE AND LEASE OF LANDS BELONGING TO STATE AGRICULTURAL COLLEGE.

AN ACT authorizing and regulating the sale and lease of lands belonging to the Iowa State Agricultural College.

Trustees authorized to sell certain lands.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Trustees of the Iowa State Agricultural College and Farm, are hereby authorized to sell or lease all of 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 Mechanic Arts," approved July 2d, 1862, which grant was accepted by the General Assembly of the State of Iowa, September 11th, 1862, upon the following conditions, regulations and restrictions, to-wit: None of said lands shall be sold for a less sum than fifty per cent. above the price that each piece of said lands respectively was appraised

Condition of sale.

Price.

at, by the Trustees of the Agricultural College and Farm, in the year 1865, but may be sold by the purchaser paying one-fourth at the time of sale, and the balance at any time within ten years from the day of sale, the purchaser to pay eight per cent. interest per annum, annually in advance on the deferred payment. And a failure to pay the interest or the principal within sixty days after it becomes due, the purchaser shall forfeit all claim to said land, as well as that portion of principal and interest he had paid to the Agricultural College.

SEC. 2. That any of said lands may be leased in amounts not to exceed 160 acres, to any one man, for any term not exceeding ten years, the lessee to pay eight per cent. per annum in advance upon the price of said land, which is hereby declared to be fifty per cent. additional to the price at which each piece of said lands respectively, were appraised by the Trustees of the Iowa State Agricultural College and Farm, in the year 1865, and the said lessee shall have the privilege of purchasing said land at or before the expiration of the lease, at the above described advance price. The lessee failing to pay the interest on said lease within sixty days from the time the same becomes due, shall forfeit his lease, together with the amount of the interest he has paid, and the improvements thereon.

SEC. 3. The money arising from the sale of said lands, shall be paid into the State Treasury, which shall be invested by the State Treasurer, in bonds of the State of Iowa, or United States Registered bonds, as directed by the Act of Congress, granting said lands. And the moneys arising from the interest on the leases of said lands, shall be paid over to the Trustees of the Iowa State Agricultural College and Farm, to be loaned by said Board of Trustees, on good and sufficient security, until needed to defray the expenses of the College.

SEC. 4. The Trustees of the Iowa State Agricultural College and Farm, are hereby endowed with all necessary authority to appoint agents, or do any other Acts to carry out the provisions of this Act as well as the provisions of Chapter one hundred and seventeen, of the laws of the Tenth General Assembly; and all parts or provisions of Chapter one hundred and seventeen, of the Acts of the Tenth General Assembly, conflicting with this Act, are hereby repealed.

SEC. 5. This Act being deemed by the General Assembly of immediate importance, it shall be in force

Times of
payment.

Interest, fail-
ure to pay.

Leases, terms
of

Lessee may
purchase, on
what terms.

Failure to
pay interest
on lease.

Money aris-
ing from sale
—how ap-
plied.

Money aris-
ing from
leases—how
applied.

Trustees—
power of.

Repeal.

Publication.

from and after its publication in the Iowa State Register, published at Des Moines, Iowa, and the Iowa North West, published at Fort Dodge, Iowa.
Approved March 29th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 1st, 1866, and in the Iowa North West April —th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 72.

LEGALIZING THE RECORD OF CERTAIN DEEDS.

AN ACT to legalize the record of certain deeds and conveyances in Lee county, and to provide for the recording at Fort Madison, of all such instruments affecting lands in those parts of T. 67, N. R. 4, W., and the E. $\frac{1}{2}$ of T. 67, N. R. 5, W., which are upon the Half Breed Tract.

Deeds, &c., which have been recorded.

Concerning Half-breed tract—description.

Legalized.

How received by Courts.

Deeds, &c., of, heretofore recorded.

Recording deemed sufficient.

What notice.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the record of all deeds, conveyances, mortgages, and all other instruments of writing required under the law to be recorded, and which have been heretofore recorded in the Recorder's office at Fort Madison, affecting real estate upon those portions of the Half Breed Tract in Lee county which are in T. 67, N. R. 4, W., and the east half of T. 67, N. R. 5, W., being all thereof that is east of the section line running north and south between sections 3 and 4, 9 and 10, 15 and 16, 21 and 22, 27 and 28, 33 and 34, T. 67, N. R. 5, W., be and the same are hereby legalized and declared valid, and shall be considered and deemed by all Courts of this State legal and effectual as though the same had been in compliance with the provisions of law.

SEC. 2. That all deeds, conveyances, mortgages, and other instruments in writing, affecting any real estate situated upon any portion of said Half Breed Tract, described in Section 1st of this Act, which have been heretofore recorded in the Recorder's office at Fort Madison, shall be considered and taken as having been sufficiently recorded, and the record thereof as aforesaid shall be considered such notice as the legal recording of such instruments imports, under the laws of Iowa, and all duly certified copies of such records shall

be admitted in evidence in all Courts of this State, as though no question of the legality of such record has or does exist. Copies, how received by the Courts.

SEC. 3. That hereafter, all deeds, conveyances, mortgages, and other instruments in writing, affecting any lands upon any of said portions of the Half Breed Tract, described in the 1st section of this Act, namely: T. 67, N. R. 4, W., and the east half of T. 67, N. R. 5, W., being all thereof that is east of the section line running north and south between sections 3 and 4, 9 and 10, 15 and 16, 21 and 22, 27 and 28, 33 and 34, T. 67, N. R. 5, W., shall be filed and recorded in the Recorder's office in Fort Madison. Such deeds, &c., hereafter Description. Where filed and recorded.

Approved March 29th, 1866.

CHAPTER 73.

GEOLOGICAL SURVEY.

AN ACT providing for the completion of the Geological Survey of the State of Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That for the purpose of completing the Geological Survey of the State, Charles A. White, of Johnson county, is hereby appointed State Geologist, and shall hold his office for the term of two years, or until his successor is appointed. C. A. White appointed State Geologist. Term of office.

SEC. 2. The State Geologist shall be authorized to appoint a competent assistant and also a skillful analytical and experimental Chemist, who shall report to the State Geologist the analysis of such soils, rocks, coals, oars and other mineral substances, as he may submit to him for that purpose. He shall also have power to employ such further assistance as he may deem necessary to prosecute promptly and efficiently the field work connected with the Survey. All persons employed by him shall be under his direction, and subject to removal by him. All the specimens of minerals, fossils, rocks, soils, coals, ores or other geological or mineral substances of any value or interest to either the practical or amateur geologist, and any drawings or sketches of the same obtained or made by said State Geologist, as well as the copy-right of the reports and all books printed therefrom, shall belong to the State, and no specimen May appoint Assistant and Chemist—duties of. Further assistance. Specimens, drawings, copy-right of reports, books, &c., to belong to the State—shall not be disposed of.

- copy, draft or part of the same shall be given away or sold, or permitted to be carried away contrary to the provisions of this Act. And the State Geologist, or any of his assistants or employees or any other person who shall violate any provision of this section, shall be deemed guilty of a misdemeanor.
- Violation of this section.** SEC. 3. It shall be the duty of the State Geologist, and his assistants to carry on with as much expedition as practicable the Geological and mineralogical survey of the State, including observations and examinations of the soil for agricultural purposes. He may also include in his report such matters as pertain to physical geography and such other matters as properly and usually pertain to a survey of this kind; it being expressly required of the State Geologist and his assistant that these duties be performed in such a manner as to give to the people of the State the greatest amount of practical information in relation to its resources.
- Survey—how carried on.** SEC. 4. It shall be the duty of the State Geologist, on or before the first Monday of January of each year, to prepare a report of said survey, and its progress, accompanied by such maps and drawings as may be necessary to illustrate the same, and transmit them to the Governor, who shall lay a copy of such reports before the General Assembly. That the Geologist shall, as far as practicable, use such words in his reports as are in common use and that he shall accompany each volume of his reports with a glossary. It shall also be his duty to prepare, from time to time during the progress of the survey, communications for publication in the newspapers of the State, provided it shall be done without expense to the State, embodying such information in reference to the character and quality of the soil, deposits of coal, minerals and other valuable substances, as he may deem of general interest and importance to the public.
- Report, what to contain.** SEC. 5. It shall be the duty of the State Geologist to cause collections to be made of rocks, soils, fossils, coals, ores and other mineral substances, discovered or examined, which shall be disposed of as follows, to-wit: all rare specimens of which duplicates cannot be found and all specimens from which descriptions or illustrations are drawn for publication, shall be deposited in the Cabinet of the State University. A full series of the best of such specimens as more particularly exemplify the economic geology of the State shall be deposited in the Cabinet of the State Agricultural College. All other specimens shall be distributed to the Cabinets
- Duties—how performed.**
- When to prepare his report.**
- Such report, by what accompanied.**
- Duty of Gov. in relation thereto.**
- State Geologist shall use such words as are in common use.**
- Shall prepare a glossary.**
- To prepare communication for newspapers—containing what.**
- Shall cause collections to be made, of what.**
- Same—how disposed of.**
- Same.**

of all other organized institutions of learning in the State, giving preference to the State University, the State Agricultural College, and the Medical College at Keokuk. Preference to certain Institutions.

SEC. 6. For the purpose of carrying out the provisions of this Act, the sum of six thousand five hundred dollars is hereby annually appropriated for the term of two years, out of such moneys in the treasury as are not otherwise appropriated. This fund shall be drawn from time to time for the purposes of the survey on requisitions signed by the State Geologist, and approved by the Census Board. The salary of the State Geologist shall be two thousand dollars annually, and the salary of his assistant shall be fixed by the State Geologist, in such amounts not exceeding fifteen hundred dollars annually, and for such periods as he may deem proper; but which shall not exceed the term of his own appointment. The rate of pay of all other persons employed by the State Geologist, shall be fixed by him; but shall not exceed the usual price paid for the kind of labor performed, nor in any case shall it exceed four dollars per day. Appropriation, \$8,500.
How drawn.
Salary State Geologist.
Salary Assis- ant.
Pay of other persons.

SEC. 7. All Acts and parts of Acts in contravention of the provisions of this Act, are hereby repealed, and all appointments made under the provisions of said Acts, are hereby annulled. Repeal.

SEC. 8. This Act 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. Publication.

Approved March 30th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register, April 1st, 1866, and in the Iowa Homestead, April 2d, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 74.

CREDITING STORY COUNTY WITH CERTAIN MONEY.

AN ACT to credit the county of Story with certain sums of money.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Auditor of State be and he is hereby authorized and directed to place to the

Auditor to give credit. \$266.
 Proof. credit of the county of Story, in its accounts with the State, as follows: Two hundred and sixty-six dollars and fifteen cents as State Funds; provided that proof satisfactory to him be adduced that by the burning of the Court House of said county, on the night of December 31st, A. D. 1863, certain moneys were consumed, and that the sum aforesaid is the *pro rata* amount due to the fund above mentioned.

Publication. SEC. 2. This Act shall take effect and be in force from and after its publication in the State Register and Iowa Homestead, papers published at Des Moines, Iowa.

Approved March 30th, 1866.

I hereby certify that the foregoing Act was published in the State Register April 3d, 1866, and in the Iowa Homestead April 11th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 75.

AMENDING SEC. 129, CHAP. 9, LAWS 10TH G. A.

AN ACT to amend Section 6 of Chapter 129, of the Acts of the Tenth General Assembly.

Section amended. \$2,000.
 Balance paid by county. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section 6, of Chapter 129, "Acts of the Tenth General Assembly" be amended by adding to said section, the following words, provided in counties having two County-Seats, where the annual aggregate fees do not reach two thousand dollars, the balance of said sum to be paid by the county.

Publication. SEC. 2. 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, without expense to the State.

Approved March 30th, 1866.

I hereby certify that the foregoing Act was published in the Daily State Register April 3d, 1866, and Iowa Homestead April 11th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 76.

LEGALIZING CERTAIN ACTS INDEPENDENT SCHOOL DISTRICT
OF CLINTON.

AN ACT to legalize the elections and Acts of the Independent School District of Clinton City.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That, all the elections and Acts of the Independent School District of the City of Clinton, be and the same are hereby legalized, any informality or irregularity in the notice for the annual meetings or time at which said meetings were held to the contrary notwithstanding. Election legalized.

SEC. 2. This Act being deemed of immediate importance, shall be in force from and after its publication in the State Register published at Des Moines, and the Clinton Herald, published at the city of Clinton, without expense to the State. Publication.

Approved March 30th, 1866.

I hereby certify that the foregoing Act was published in the State Register April 3d, 1866, and in the Clinton Herald April — 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 77.

MORNING SUN.

AN ACT to legalize the Election held by the legal voters of the town of Morning Sun, Louisa county, Iowa, to form an Independent School District, and the official acts of the officers of said District.

WHEREAS, In the month of April 1865, the legal voters of the town of Morning Sun, in the township of Morning Sun, in Louisa county, Iowa, by virtue of Section 85, 86, 87, and 88 of Chapter one hundred and seventy-two, [172], of the laws of the Ninth General Assembly of the State of Iowa, decided by ballot to form an Independent School District of said Town and certain territory contiguous thereto, which said territory had prior thereto been designated by the Trustees. Preamble.
District formed.

tees of said township as provided in section 85 of said chapter 172, and,

Officers elect-
ed.

WHEREAS, A majority of the legal voters of said town, at said election voted in favor of a separate organization or Independent District, and afterwards by virtue of Section 86, of said Chapter 172; met and elected by ballot the officers designated in said section 86, which said officers so elected, qualified according to law, and entered upon the discharge of their several duties, employed teachers and furnished them with rooms and necessary appliances for conducting their schools, and performed all other acts required of them by law, and,

No. inhabi-
tants.

WHEREAS, It was ascertained after the District was so formed, the officers elected and qualified and contracts made as heretofore stated, that there was but two hundred and seventy-seven inhabitants within the surveyed limits of said town, and four hundred and sixty inhabitants in the District so formed, and,

WHEREAS, Certain disputes have arisen with regard to the legal existence of said Independent School District, whether if not legalized may not embarrass the citizens thereof, and,

WHEREAS, There are at this time over three hundred inhabitants within the surveyed limits of said town of Morning Sun, therefore,

Acts legal-
ized.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the election held by the legal voters of the town of Morning Sun, in Louisa county, Iowa, in the month of April A. D. 1865, to form themselves into an Independent School District, and all the official acts of the officers under said organization be and the same are hereby legalized and confirmed.

Publication.

SEC. 2. This Act being deemed of immediate importance by the General Assembly, the same 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 30th, 1866.

I hereby certify that the foregoing act was published in the Daily Iowa State Register on the 6th day of April, 1866, in the Iowa Homestead April 17th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 78.

CONGREGATIONAL CHURCH.

AN ACT to amend an Act entitled "an Act to incorporate the Board of Trustees of the Congregational Church and Society of Burlington" Approved February 12th, 1844.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Congregational Church and Society of Burlington, Iowa, are hereby authorized to hold estate, real, personal, and mixed, to an amount not exceeding one hundred thousand dollars.

Title.
Congrega-
tional Church
Limits.

SEC. 2. That the Trustees of said Church and Society shall, subject to the ratification of the Church and Society, have power to sell, convey and lease pews and other property of the Society, and to reserve in the deeds of sale of said pews, the right of assigning any or all pews each year for the support of such Church and Society, and to provide by reasonable rules, or by-laws for the forfeiture of pews for non-payment of such assessments.

May rent
pews.

SEC. 3. This Act being deemed of immediate importance shall take effect, from and after its publication in the Iowa State Register, and Burlington Hawk-Eye, the same to be published at no expense to the State.

Publication.

Approved March 30th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register, April 13th, 1866, and in the Burlington Hawk-eye — — 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 79.

SETTLEMENT WITH U. S.

AN ACT providing for the adjustment of certain land claims with the General Government.

WHEREAS, The excess of land certified to the State over and above the amount it was entitled to receive under the Act of Congress of September 4, 1841, known as the 500,000 acre grant, has not been re-con-

500,000 acres.

veyed nor satisfaction therefor rendered to the General Government; and

Acts. WHEREAS, The lands falling to the State, under the Joint Resolutions of Congress of March 3d, 1861, entitled "Joint Resolutions to quiet titles in the State of Iowa," and under the Act of Congress entitled "An Act confirming a land claim in the State of Iowa and for other purposes," approved July 12th, 1862, have not yet been certified or approved to the State; and

Unsettled. WHEREAS, The claims of the State against the United States, arising under the Swamp Land Grant, remain to a very great extent in an unsettled and unsatisfactory condition; and

WHEREAS, The interests of the State, and her grantees demand a speedy settlement of all said matters; therefore

J. A. Harvey. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Josiah A. Harvey, Register of the State Land Office be, and he is hereby appointed a Commissioner on behalf of the State of Iowa, to adjust with the General Government all the matters and claims aforesaid.

Early settle-
ment. SEC. 2. Said Commissioner shall proceed to Washington City, and present said claims to the Department of the Interior, and urge the same to settlement as early and as speedily as may be consistent with the interest of the State, and he is hereby authorized to adjust the said excess of the 500,000 acre grant, by permitting the United States to retain out of the indemnity land falling to the State under said Act of Congress of July 12th, 1862, an amount equivalent to such excess, *Provided,* That nothing herein contained shall be construed to be a relinquishment of the claim of the State under the said 500,000 acre grant to the 12813 51-100 acres selected as a part of such grant, and subsequently rejected from a supposed conflict with the Act of Congress approved August 8th, 1846, known as the Des Moines River Grant, and the said Commissioner is hereby

Proviso. instructed to secure a restoration of said selections as a part of the 500,000 acre grant, and a confirmation of the title of the State thereto, as a part of such grant.

Instructions. SEC. 3. As soon as the claim or claims, or matters of difference, under any one of said acts, shall be adjusted, said Commissioner shall report the same to the Census Board, setting forth the terms and mode of adjustment, and said Board shall examine and pass upon said adjustment, so presented, and the approval of a majority of said Board shall make the settlement

Census Board

Approval.

of said matters, or claims final and binding upon the State of Iowa. Such approval shall be in writing signed by the members of said Board, agreeing thereto, and attested by the great seal of the State of Iowa.

SEC. 4. Said Commissioner shall receive as his compensation two dollars per day for the time actually engaged in the discharge of the duties by this Act imposed, with his necessary expenses in attending to the same, and his account for such time and expenses made out from time to time, or at the conclusion of his services as such Commissioner, and sworn to by him, shall be presented to the Census Board for allowance and if approved and allowed by them, the Auditor of State shall draw his warrant on the State Treasurer, who shall pay the same out of the General Revenue of the State.

Expenses.

How paid.

SEC. 5. The amount of expenses incurred and paid out of the Treasury, as provided in the preceding section, in carrying out the provision of this Act, shall be approved by the Census Board, as nearly as practicable, *pro rata*, among the parties receiving, or entitled to receive, the benefits resulting from the adjustment of said several matters with the General Government, and the amount thus apportioned shall be paid into the State Treasury by such parties respectively before they shall be entitled to receive the proceeds or benefits of such settlement.

Apportioned.

SEC. 6. All indemnity scrip received from the General Government and all swamp lands patented to the State shall be conveyed to the counties to which they belong, and all money and indemnity scrip received from the Government shall be placed under the control of the Board of Supervisors of the several counties to which they belong, leaving the counties thereof through their respective Boards of Supervisors to settle with their grantees.

Scrip and lands conveyed to counties.

Supervisors to control.

SEC. 7. 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.

Publication.

Approved March 30th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 13th, 1866, and in the Iowa Homestead.

JAMES WRIGHT, Secretary of State.

CHAPTER 80.

INTEREST ON STATE BONDS.

AN ACT to provide for the payment of the Bonds of the State of Iowa maturing January 1, 1868, and to issue State Bonds to the permanent School Fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That for the purpose of providing funds for the payment of the bonds of this State, falling due January 1, 1868, the Census Board shall sell to the best advantage possible, in the judgment of said Board, the United States bonds now in the State Treasury, amounting to one hundred thousand dollars, more or less, and the proceeds thereof, together with such sums as may be paid into the said Treasury under Chapter 118 of the Acts of the Tenth General Assembly, are hereby appropriated to the payment of the said State bonds, and such further amount as with such proceeds shall be sufficient to pay said bonds, is hereby appropriated out of any money in the Treasury not otherwise disposed of, and the said Census Board shall, while fixing the rate of State tax, take into consideration the sum hereby appropriated from the said Treasury, and shall direct a levy of State tax, not exceeding the limit now fixed by law, as will be sufficient for the above purpose, if, in their opinion, an increased levy be necessary.

SECTION 2. For the amount of the said United States bonds thus sold, or school moneys used by virtue of this Act, the Treasurer of State shall issue registered bonds of this State, countersigned by the Auditor of State, and by the Governor, with the Seal of the State attached, to the permanent School Fund, payable twenty years after date of such issue, bearing interest at the rate of eight per cent. per annum, payable on the first days of January and July of each year; such bonds shall express upon their face, by writing across their face, or otherwise, that they are not transferrable.

Approved March 30th, 1866.

Bonds Jan. 1, 1868.
Census Board to sell U. S. bonds.

Proceeds to pay interest.

Appropriation.

Census Board to provide.

Increase levy if necessary.

Treasurer to issue bonds to School Fund.

Rate of interest.

When payable.

Bonds not transferrable.

CHAPTER 81.

LIBRARY OF CONGRESS.

AN ACT donating laws, legislative journals, reports and documents of the State of Iowa to the Library of Congress.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That it is hereby made the duty of the Secretary of State to furnish to the Library of Congress two copies of all laws, legislative journals, Supreme Court reports, and reports of State officers of the State of Iowa, hereafter published, immediately upon the publication thereof, and also, as soon as may be, two copies of such laws, journals and reports heretofore published, and not furnished to said Library.

Duty of Secretary. Library of Congress, Laws and Journals, Supreme Court and other reports. Publications.

Approved March 30th, 1866.

CHAPTER 82.

ADJUTANT-GENERAL'S REPORT, 1867.

AN ACT providing for the publication and distribution of the Adjutant-General's Report for January, 1867.

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, 1867, which report shall be a continuance of the history of Iowa Regiments, and certain reports in relation to the condition, location, and numbers of arms, and accouterments, and amount of ammunition in the State, together with such other matters as may be in the opinion of the Adjutant-General of public interest, particularly to discharged soldiers.

Adjutant General. Report 1867. Arms and ammunition. Public interest.

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, shall be delivered to the Secretary of State.

State Printer.

SEC. 3. The Secretary of State shall distribute said reports as follows: One hundred copies to the Governor of the State, for exchange with the Governors of other States, and for his own use; ten copies to the

Distribution.

Lieut. Gov.
Eastman.

Historical
Society.
Orphans'
Homes.
Co. officers.

Township
Clerks.

Adjutant-
General.

State officers.

11th General
Assembly.

Balance kept
by Secretary.

Sec'y to send
as soon as
bound.

Lieutenant-Governor; five copies to Ex-Governor Eastman; one hundred copies to the State Library, to be used so far as is necessary for exchange with other State Libraries, and the balance of said one hundred copies to be kept in the State Library; fifty copies to the State Historical Society; five copies to each of the Soldiers' Orphans' Homes; one copy to each County Judge, Clerk of the District Court, Recorder, Treasurer, Sheriff, and Superintendent of Common Schools, 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 over to his successor in office.

SEC. 5. The Adjutant-General shall be furnished with fifteen hundred copies, to be distributed among such officers discharged or otherwise, as may be by him deemed best for public service and for exchange with Adjutant-Generals and Quartermaster-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, State Treasurer, Register of State Land Office, Superintendent of Public Instruction, and Judges of the Supreme Court; four copies to each member of the present General Assembly, and one copy to each sworn 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.

SEC. 6. The Secretary of State, is hereby directed to forward said reports in accordance with the distribution herein designated at the expense of the State, so soon as said reports are printed and bound.

Approved March 30th, 1866.

CHAPTER 83.

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 fourth and fifth paragraphs of Section 1 of Chapter 16½ of the Acts of the Ninth General Assembly, be amended to read as follows: In the county of Clinton, on the first Mondays of March and September, and the fourth Monday of November, in each year. In the county of Jackson on the first Tuesdays after the fourth Mondays of March, and September and the first Tuesday after the second Monday of December, in each year.

SEC. 2. 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, recognizance, 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.

Approved March 30th, 1866.

CHAPTER 84.

STATE UNIVERSITY.

AN ACT making an appropriation to complete and repair the buildings of the State University.

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, for the purpose of completing the Chapel Building, including the heating apparatus, the sum of thirteen thousand dollars.

SEC. 2. There is hereby further appropriated for the purpose of putting a slate roof on the main University building, the sum of three thousand dollars.

SEC. 3. There is hereby further appropriated for the purpose of putting a heating apparatus in the main building, the sum of two thousand dollars.

SEC. 4. There is hereby further appropriated the sum of fifteen hundred dollars, for the purpose of putting heating apparatus in the south building or boarding hall.

SEC. 5. There is hereby further appropriated the sum of fifteen hundred dollars, for the purpose of repairing and repainting the University buildings.

Provision. SEC. 6. Should the amount hereby appropriated for any of the objects named be insufficient for either of said objects, the surplus accruing from any other purpose appropriated for in this Act, may be used to supply such deficiency.

How drawn. SEC. 7. The money hereby appropriated shall be expended under the direction of the Board of Trustees, and may be drawn from the State Treasury on their order, as the same shall be required for the purposes aforesaid.

Publication. SEC. 8. 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 31st, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 6th, 1866, and in the Iowa Homestead April 11th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 85.

INSANE ASYLUM APPROPRIATION.

AN ACT making further appropriations 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 to the Hospital for the Insane, out of any money in the Treasury not otherwise appropriated, the sum of twenty-seven thousand one hundred and fifty dollars for the following purposes, viz.: For the construction of reservoir with necessary pumps, pipes, &c., ten thousand dollars; for digging drain, seven hundred dollars; for reconstructing sewers, two thousand five hundred dollars; for painting and repairing roofs, one thousand eight hundred dollars; for repainting wards, eight hundred and fifty dollars; for furniture, two thousand five hundred dollars; for grounds, fencing and shrubbery, one thousand five hundred dollars; for apparatus for lighting, one thousand eight hundred dollars; for replacing worn-out steam pipes, four thousand dollars; for contingent expenses, one thousand five hundred dollars.

Amount.

Purposes.
Reservoir, \$10,000.
Drain \$700.
Sewers, \$2,500.
Repairs, \$1,800.
Furniture, \$2,500.
Shrubbery.
Apparatus.
Steam pipes.

SEC. 2. 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 upon and during the progress of the works; and when material or furniture shall have been purchased for the completion or use of the building, or for repairs, vouchers shall be taken and copies thereof sent to the Auditor of State, with such orders for warrants or money as the Trustees may sign.

How drawn.

Proviso.

Vouchers required.

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

Publication.

Approved March 31st, 1866.

I hereby certify that the foregoing Act was published in the Daily Register April 17th, 1866, and Iowa Homestead April —th, 1866.
JAMES WRIGHT, Secretary of State.

CHAPTER 86.

ASYLUM FOR THE BLIND APPROPRIATIONS.

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, three thousand dollars to be applied to the building of a barn, wood sheds, sewers, and improving the land belonging to the Asylum for the blind.

Appropriation.

SEC. 2. And there is hereby appropriated an additional sum of three thousand dollars for the purpose of heating said Asylum, with hot-air furnace, and apparatus.

Heating apparatus.

SEC. 3. 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 as the work progresses.

How drawn.

SEC. 4. Said money hereby appropriated shall be

For what expended for the purposes herein stated under and by
 expended. direction of the Board of Trustees.

Publication. SEC. 5. This Act, being deemed of immediate im-
 portance by the General Assembly, the same shall
 take effect upon its publication in the Daily State Reg-
 ister and Vinton Eagle.

Approved March 31st, 1866.

I hereby certify that the foregoing Act was published in the Daily
 State Register April 14th, 1866, and in the Vinton Eagle April —,
 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 87.

RELATING TO TAXES FOR BRIDGES.

AN ACT to amend Sections 710 and 312 of the Revision of 1860.

Former act amended. SECTION 1. *Be it enacted by the General Assembly
 of the State of Iowa,* That subdivision four of Sec-
 tion 710 of the Revision of 1860, is hereby amended
 so as to read as follows, to-wit: For making and repair-
 ing bridges not more than three mills on the dollar.

Words stricken out. SEC. 2. Subdivision 23 of Section 312 is hereby
 \$5,000 in- amended by striking out the words "two thousand dol-
 serted. lars" and inserting in place thereof the words Five
 thousand dollars, provided that this act shall not au-
 thorize the purchase of real estate exceeding two thous-
 and dollars in value without the previous approbation
 of the legal voters of the county, as provided in the
 provision hereby amended.

Publication. SEC. 3. This Act shall take effect and be in force
 from and after its publication in the Iowa State Regis-
 ter, and the Iowa Homestead.

Approved March 31st, 1866.

I hereby certify that the foregoing Act was published in the Iowa
 State Register April 11th, 1866, and in the Iowa Homestead
 April 18th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 88.

CLERK SUPREME COURT.

AN ACT providing for the election of a Clerk of the Supreme Court.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Section 2646 of the Revision of 1860 be, and the same is hereby repealed and the following section be substituted in lieu thereof: That at the next general election, and every four years thereafter, a Clerk of the Supreme Court shall be elected by the qualified electors of the State, whose term of office shall commence on the first Monday in January after said election, and continue four years, and until his successor shall be elected and qualified—the present incumbent to hold his office until his successor is elected and qualified, unless removed by the Supreme Court. The Judges of the Supreme Court shall have power to fill by appointment all vacancies in the office of Clerk of the Supreme Court, and the person so appointed shall hold his office until the 1st day of January succeeding the next general election thereafter, and until his successor is elected and qualified.

Law repealed
Clerk to elect.
Length of term.
Present clerk
Vacancies filled.
How long serve.

Approved March 30th, 1866.

CHAPTER 89.

REPORTER SUPREME COURT.

AN ACT providing for the election of a Reporter of the Decisions of the Supreme Court.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Section one of Chapter twenty-two, of the laws of the Tenth General Assembly, be, and the same is hereby repealed, and that the following section be substituted in lieu thereof:

Act repealed

SEC. 2. At the next general election, and every four years thereafter, there shall be elected, by the qualified electors of this State, a Reporter of the decisions of the Supreme Court, whose term of office shall commence on the first Monday in January next after said election,

Reporter elected.
Term commences.

Length of
term.
Incumbent.
Removal.

and continue four years and until his successor shall be elected and qualified. The present incumbent to hold his office until his successor is elected and qualified, unless removed by the Supreme Court.
Approved March 30th, 1866.

CHAPTER 90.

HARRISON COUNTY.

AN ACT to legalize the acts of the Board of Supervisors of Harrison county in conveying certain swamp lands to soldiers as bounties.

Title. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all the acts of the Board of
Harrison Co. Supervisors of Harrison county, in this State, in con-
Swamp land conveying certain swamp lands belonging to said county
to soldiers. to certain soldiers as bounties for enlistment in the
Legalized. volunteer service of the United States during the war
of the Rebellion, be and the same are hereby legalized,
and that all deeds of conveyance of swamp lands made
Enlistments by said Board of Supervisors to the soldiers so enlist-
confirmed. ing, and in consideration of such enlistment, be and
the same are hereby legalized and confirmed, any Act
or law of the State of Iowa to the contrary notwith-
standing.
Approved March 31st, 1866.

CHAPTER 91.

AMENDS SECTION 3304, CHAPTER 125, REVISION 1860.

AN ACT to amend Sec. 3304, Chap. 125, of the Revision of 1860.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That at the end of Section 3304, of the Revision of 1860, there be added the following:
To a printer there shall also be exempt a printing press and the types, furniture, and material necessary for the use of such printing press and a newspaper office con-
Law amend- ed.
Exemption of printers.

nected therewith, not to exceed in all the value of twelve hundred dollars. Limit of value.

Approved March 31st, 1866.

CHAPTER 92.

SOLDIERS' ORPHANS.

AN ACT regarding Soldiers' Orphans.

SECTION 1. *Be it enacted by the General Assembly* Name of corporation.
of the State of Iowa, That if within four months from the end of this session of the General Assembly, the "Iowa Soldiers' Orphans' Home," an incorporation of that name and style, shall duly and legally convey and transfer, and duly deliver all its property, real and personal, including all its things in action, to a Board of Trustees, for them and their successors, which Board shall have been appointed by this General Assembly, and whose name and style shall be the "Board of Trustees of the Iowa Soldiers' Orphans' Home," then and upon that event, and when the same shall be by said Board determined to have transpired, the sections of this Act, numbered 2 to 12 inclusive, shall be held to be of force and validity, and not otherwise. Condition of transfer.

SEC. 2. The "Board of Trustees of the Iowa Soldiers' Orphans' Home" shall consist of one person from each Congressional District and one from the State at large, who shall be appointed by the General Assembly for two years and until their successors are elected and qualified. Board, of whom consist.

SEC. 3. Said Board shall govern and manage said Home, and shall have power to enact laws and rules for the regulation of all its concerns, and power also to alter the same, from time to time as shall seem to them proper; and shall also have full power to carry on and manage all the affairs of the said Home. Same, powers of.

SEC. 4. The members of said Board shall each receive the same mileage, going to and returning therefrom, as members of the General Assembly. Mileage.

SEC. 5. Said Trustees shall, before entering upon the discharge of their duties, take and subscribe an oath or affirmation to support the Constitution of the United States and of this State, and also faithfully to Oath of office.

LAWS OF IOWA.

discharge the duties required of them by law and the by-laws that may be established.

First meeting
—when.

SEC. 6. Their first meeting shall be at Davenport, at such time as shall be announced to them by that member whose name stands first in list of members as chosen by the Assembly, and he shall make such call when it shall be announced to him by the President of the Association called the "Iowa Soldiers' Orphans' Home," that said Association is ready to conform to the provisions of Section 1 of this Act.

Who Presi-
dent.

General pow-
ers.

SEC. 7. Said Board shall have all the powers of reception, transmission and succession which belong to an incorporation, and shall choose a President, Treasurer, and Secretary from their own body, and determine the bonds to be given.

Tax, how
levied.

SEC. 8. The Census Board, when fixing the rate of State tax to be levied each year as required by Section 743 of the Revision of 1860, and Chapter 24 of the Acts of the extra session of the Ninth General Assembly, shall include in the rate so fixed three eighths of one mill on the dollar, tax for the support, education and maintenance of the Soldiers' Orphans; and the Board of Supervisors of the several counties shall levy the said tax as a part of the State tax for each year, which shall be collected and paid into the State Treasury as other State tax; and whenever any State tax shall be received at the State Treasury from County Treasurers, the State Treasurer shall apportion the same between the revenue fund proper and the Orphans' Home fund provided for in this Act, in proportion to the rate of tax levied for each of said funds, and shall receipt for the same accordingly. And if it shall appear to the Census Board in 1867, or any year thereafter, that the amount realized by the levy of the tax aforesaid, for the purposes aforesaid, is more than is necessary for the purposes aforesaid, they shall direct the levy of any such tax as may be sufficient therefor.

Amount.

How collect-
ed.

Expenses of
transmission.

SEC. 9. The expenses of the transmission of orphans to the Home, and of the board and management, shall be paid out of the said Orphan fund.

Tax, how
drawn.

SEC. 10. That the money arising from the tax provided for by this Act, shall only be drawn from the Treasury for the purpose of defraying the expenses incurred in the support of Soldiers' Orphans, and at no greater rate than eight and one-third dollars per month for each orphan actually supported in the Iowa Soldiers' Orphans' Home; and upon the presentation to the

\$8.33.
Maximum
amount per
head.

Auditor each month of a sworn statement of the number of orphan children supported by the said institution for the preceding month, and approved by the Census Board, it shall be the duty of the Auditor to draw his warrant upon the Treasurer, payable out of the funds aforesaid, to the Treasurer of the said Board, for the sum of eight and one-third dollars per month for each child; provided, that in estimating the number of children for any month the whole number of different children shall not be included, but only the average number for the entire month. Proviso.

SEC. 11. That if it shall be found necessary to the successful operation and support of the Iowa Soldiers' Orphans' Home, for the year 1866, and till the tax provided for by this Act is realized to anticipate any portion thereof, then it shall be competent for the President to draw his order or orders, countersigned by the Secretary, upon the Auditor for such sums as shall be by the Board found necessary, not exceeding in the aggregate twenty-five thousand dollars; and upon the approval of such orders by the Census Board, endorsed thereon, it shall be the duty of the Auditor to draw his warrant upon the Treasurer for such sums, payable out of any money in the Treasury not otherwise appropriated, which sums shall be returned to the Treasury out of the funds provided to be raised by this Act. How supported in 1866.

SEC. 12. Said Board shall make a full and minute report of all the disbursements of the Home, and of its condition, financial and otherwise, to each regular session of the General Assembly. Board, reports of.

SEC. 13. That the assessor of each ward and township in this State, before the first Monday in June, A. D. 1866, and when he is making the assessment in each year thereafter, for the term of two years, shall take an enumeration of all the children of deceased soldiers who were in the military service of the Government of the United States, from his ward or township, naming the company, regiment, battery, battalion, or organization to which the deceased soldiers belonged, and make accurate return to the Board of Supervisors of his county, designating the name, age, and sex of all the children belonging to the family of the deceased, for which the assessor shall receive the same compensation as for other services. Assessors—duties of.

SEC. 14. It shall be the duty of the Board of Supervisors to revise said enumeration list of orphans from time to time, by adding thereto or striking therefrom, as they may deem proper. Supervisors.

- Duties of Clerk Board** **SEC. 15.** It shall be the duty of the Clerk of the Board of Supervisors to furnish to the assessors of the several townships in his county such blanks as may be necessary for taking the aforesaid enumeration.
- Same.** **SEC. 16.** The Board of Supervisors of the several counties shall have control of the county orphan funds, and shall use the same for the maintenance and education of the orphans aforesaid, in such manner and in such sums as the exigencies of the case may demand, and for no other purpose.
- Same.** **SEC. 17.** The Board of Supervisors may levy a tax not to exceed one-half mill on the dollar, in any one year, on all the taxable property in their county, provided that there are any such orphans in their county needing such aid, and shall apply said fund in manner as hereinbefore directed.
- Same, duties of in relation to guardian.** **SEC. 18.** If the children of the deceased soldiers aforesaid have no natural or other guardian, or are neglected, the Board of Supervisors may appoint some suitable person in the township, whose duty it shall be to see that said children are cared for according to the spirit and intent of this Act.
- Name of fund.** **SEC. 19.** The funds raised under the provisions of Section 17, shall be called the "Soldiers' County Orphan Fund," and shall be levied, collected and paid out in the same manner as other county funds.
- Provisions of this act, how construed.** **SEC. 20.** The provisions regarding this county tax shall not be so construed as to prevent the orphans, or any number thereof, from their respective counties, to attend any Orphans' Home in this State.
- Publication.** **SEC. 21.** This Act being deemed of immediate importance by the Legislature, 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 31st, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 2d, 1866, and in the Iowa Homestead April 2d, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 93.

GENERAL APPROPRIATION.

AN ACT making appropriation 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. Appropriation.

SEC. 2. For the salary of the Governor, for the term of two years ending December 31st, A. D. 1867, the sum of five 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 two thousand dollars. Governor.

SEC. 3. For the salary of the Secretary of State for the term of two years, ending December 31st, A. D. 1867, the sum of twenty-six hundred dollars; 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 two thousand dollars, and for a deficiency in the appropriation for 1865, the sum of two hundred and fifty dollars. Secretary of State.

SEC. 4. For the salary of the Auditor of State, for the term of two years, ending December 31st, 1867, the sum of twenty-six hundred dollars, and for the payment of a deputy in the office of Auditor of State, for the term of two years, as aforesaid, the sum of two thousand dollars, also, five hundred dollars of the Auditor's contingent fund already appropriated and unexpended for the payment of extra labor in the office, arising from the auditing of war and defense accounts. Auditor of State.

SEC. 5. For the salary of the Treasurer of State, for the term of two years, ending December 31st, A. D. 1867, the sum of two thousand nine hundred and sixty-four dollars, 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 two thousand dollars, and for a deficiency in the appropriation for 1865, the sum of two hundred and fifty dollars. Treasurer of State.

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

Register of State Land Office. State Land Office, for the term of two years, ending December 31st, A. D. 1867, the sum of two thousand nine hundred and sixty-four dollars, 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 two thousand dollars, and for a deficiency for 1865, the sum of two hundred and fifty dollars.

Supt. Public Instruction. SEC. 7. For the salary of the Superintendent of Public Instruction, for the term of two years, ending December 31st, 1867, the sum of two thousand seven hundred and fifty dollars, and for the payment of a clerk in said office, the sum of two thousand dollars, and for a deficiency for 1865, the sum of two hundred and fifty dollars, provided said clerk shall act as State Librarian.

Judges Supreme Court. SEC. 8. For the salaries of the Judges of the Supreme Court, for the term of two years, ending December 31st, A. D. 1867, the sum of eighteen thousand four hundred dollars, and to pay the deficiency of last appropriation the sum of six hundred and sixty-six dollars and sixty-seven cents, or so much thereof as may be necessary, 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.

Att'y General. SEC. 9. For the salary of the Attorney General, for the term of two years, ending December 31st, A. D. 1867, the sum of two thousand nine hundred and fifty dollars, or so much thereof as may be necessary.

Dist. Judges. SEC. 10. For the salaries of the District Judges for the term of two years ending December 31st, A. D. 1867, the sum of thirty-seven thousand and two hundred dollars.

District Attorneys. SEC. 11. For the salaries of the District Attorneys, for the term of two years ending December 31st, A. D. 1867, the sum of fourteen thousand five hundred and eleven dollars.

Adjutant General. SEC. 12. For the salary of the Adjutant General for the term of two years ending December 31st, A. D. 1867, the sum of four thousand dollars, 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, or so much thereof as may be necessary.

SEC. 13. For the salary of the Warden of the Penitentiary for the term of two years, ending December 31st, A. D. 1867, the sum of two thousand dollars. Warden Penitentiary.

SEC. 14. For the salary of the Deputy Warden of the Penitentiary, for the term of two years, ending December 31st, A. D. 1867, the sum of fifteen hundred dollars. Deputy Warden.

SEC. 15. For the salary of the clerk of the Penitentiary, for the term of two years, ending December 31st, A. D. 1867, the sum of fifteen hundred dollars. Clerk.

SEC. 16. For the salary of Chaplain of the Penitentiary, for the term of two years, ending December 31st, A. D. 1867, the sum of one thousand dollars. Chaplain.

SEC. 17. For the salary of the Physician of the Penitentiary, for the term of two years, ending December 31st, A. D. 1867, the sum of seven hundred and thirty-two dollars. Physician.

SEC. 18. For the payment of the Guards in the Penitentiary, for the term of two years, ending December 31st, A. D. 1867, the sum of thirteen thousand dollars, in addition to the amount already appropriated. Guards.

SEC. 19. For the general support of the Penitentiary for the term of two years, ending December 31st, 1867, the sum of fifteen thousand dollars, or so much thereof as may be necessary. General support.

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. 1867, the sum of three thousand four hundred and seventy dollars, to be expended under the direction of Census Board. Janitor and night watch.

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, 1867, the sum of eleven thousand five hundred 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. Contingent fund.

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 To report.

Assembly, and all such items, before being audited, shall be certified to be correct by the officer having control of such appropriation.

Monthly pay-
ment.

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 services actually rendered.

Interest on
\$200,000.

SEC. 24. For the payment of semi-annual installments of interest, express charges and exchange to become due on 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 forty dollars, 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 to
school fund.

SEC. 25. For the payment of two annual installments of interest on school fund loans, to become due, the sum of five thousand one hundred and one and 37-100 dollars, to be drawn from the State Treasury only when necessary to pay said interest as it may become due.

Interest on
war and de-
fense bonds.

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-two thousand two hundred and ten dollars, 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.

Governor's
contingent.

SEC. 27. Of the unexpended appropriation made by Sec. 27 of Chapter 32, of the Acts of the Tenth General Assembly, there is hereby placed under the control of the Governor, for extraordinary expenses of the Executive office, and for the liquidation of unpaid claims contracted under said appropriation by said Chapter, two thousand dollars, 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, provided that no money appropriated in said Section 27, of Chapter 32, of the Acts of the Tenth General Assembly, shall be expended for any purpose whatever, except the amount provided in this section.

Expenses in
paying bonds

SEC. 28. For the payment of expenses in paying bonds in New York, five hundred dollars, or so much thereof as may be necessary, to be drawn from the State Treasury only when necessary for said expenses.

Publication.

SEC. 29. This act being deemed of immediate im-

portance, shall take effect from and after its publication in the Iowa State Register and Iowa Homestead, newspapers printed at Des Moines, Iowa.

Approved April 2d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 6th, 1866, and Iowa Homestead April 18th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 94.

SPECIAL APPROPRIATIONS.

AN ACT making appropriations for the per diem and the expenses of the Eleventh 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, 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 the per diem of the members, officers, and employees of the House of Representatives the sum of thirty thousand, six hundred dollars, or so much thereof as may be necessary. The said amount to be paid on the report of the Ways and Means Committee, which report shall be certified by the Speaker and Chief Clerk of the House and the President and Secretary of the Senate, and the Auditor of State shall issue a warrant for the amount so paid.

SEC. 3. For the payment of the per diem of the members, officers, and employees of the Senate, the sum of seventeen thousand, one hundred dollars or so much thereof as may be necessary, to be audited, and paid, as provided for in Section 2 of this Act.

SEC. 4. To E. H. Stiles, M. M. Walden, and J. H. Brown, for expenses incurred as a Penitentiary Committee, to visit and report upon the condition of the Penitentiary at Fort Madison, fifty-seven dollars each. One hundred and seventy-one dollars.

SEC. 5. L. W. Ross, G. G. Bennett, and A. Boomer, for expenses incurred as a Legislative Committee to visit and report upon the condition of the Asylum for the Insane at Mount Pleasant, forty three dollars 50-100 each. One hundred and thirty—and fifty cents.

- State University Committee. SEC. 6. To J. F. McJunkin, A. S. Belt, and A. L. McPherson, for expenses incurred as a Legislative Committee to visit and report upon the condition of the State University, and the Asylum for the Deaf and Dumb, at Iowa City, \$39 00-100 each. One hundred and seventeen dollars.
- Blind Asylum Committee. SEC. 7. To H. C. Henderson, D. G. Goodrich, and C. Close, for expenses incurred as a Legislative Committee to visit and report upon the condition of the Blind Asylum at Vinton, \$48 00-100 each. One hundred and forty-four dollars.
- Orphans' Home Committee. SEC. 8. To A. M. Larimer, L. W. Hart, R. M. Burnett, and H. M. Thomson, for expenses incurred as a Legislative Committee to visit and report upon the condition of the Orphans' Home at Cedar Falls, and Davenport, \$111 00-100 each. Four hundred and forty-four dollars.
- Agr'l College Committee. SEC. 9. To J. B. Powers, John Russell, and R. S. Finkbine, for expenses incurred as a Legislative Committee to visit and report upon the condition of the Agricultural College and Farm in Story county, \$15 00-100 each. Forty-five dollars.
- P. M. SEC. 10. To L. W. McEldery for eighty-six days' service as Postmaster to the Eleventh General Assembly, at four dollars and fifty cents per day, the sum of three hundred and eighty-seven dollars.
- Ass't P. M. SEC. 11. To L. P. Baker, for eighty-six days' service as Assistant Postmaster, at four dollars per day, the sum of three hundred and forty-four dollars, and the additional sum of one hundred and seventy-two dollars for expenses incurred in carrying the mail to and from the Capitol.
- Com'rs to lease convict labor. SEC. 12. To J. C. Walker and Edward Johnson, for services rendered as Commissioners to lease the convict labor of the Iowa Penitentiary, \$25 each. Fifty dollars.
- To pay judgment. SEC. 13. To George Shedd, in full of principal, interest, and costs of a judgment rendered December 11th, 1863, in the District Court of Lee county, in favor of said Shedd, and against Edward A. Layton, as Warden of the Iowa Penitentiary, the sum of one hundred and twenty-three dollars and seventy cents.
- D. Beach. SEC. 14. To David Beach, for services as Assistant Surgeon of the 4th Regiment Iowa Infantry, the sum of seventy-six dollars and seventy cents.
- Speaker's Chair. SEC. 15. To J. Simington, for chairs for the President of the Senate, and the Speaker of the House, the sum of fifty-five dollars.

SEC. 16. To R. A. Smith, for lumber used in building a stockade fort at Spirit Lake, the sum of three hundred and fifty-one dollars and ninety-eight cents. R. A. Smith.

SEC. 17. To C. S. Wilson, for translating and printing the Governor's Message into the Holland language, the sum of one hundred and twenty-nine dollars and sixty cents. C. S. Wilson.

SEC. 18. To Hibberd and Spencer, for knives and erasers, the sum of three hundred and one dollars and eighty-five cents. Knives and erasers.

SEC. 19. To the United States Express Company, for transportation, the sum of four dollars and seventy-five cents. Express Co.

SEC. 20. To N. B. Baker, Adjutant General, for commutation for fuel and quarters, the sum of four hundred and ninety-four dollars and sixty-three cents. N. B. Baker.

SEC. 21. To the Chicago and North-Western Railroad Company, for transportation of volunteers, the sum of eight dollars and seventy-nine cents. C. & N. W. R. R. Co.

SEC. 22. To D. A. Poorman, for a diagram of the House of Representatives, the sum of ten dollars. D. A. Poorman.

SEC. 23. To Robert E. Ridley, for lumber used in the stockade at Estherville, the sum of two hundred and sixty dollars. R. E. Ridley.

SEC. 24. To the Chicago and Alton Railroad Company, for the transportation of Iowa volunteers, the sum of eighteen dollars and eighteen cents. C. & A. R. R. Co.

SEC. 25. For the relief of Perry Tullis, a disabled Iowa Volunteer, the sum of five hundred and sixty dollars. P. Tullis.

SEC. 26. To E. C. Byers, a volunteer, whilst in the State service, the sum of thirty-five dollars. E. C. Byers.

SEC. 27. To David Hunter, for the pay of himself and assistant, eighty-six days as fireman, at five dollars per day—four hundred and thirty dollars. D. Hunter.

SEC. 28. To Abraham Jacobson, for services in translating the Biennial and Inaugural messages of the Governor into the Norwegian language, the sum of fifty dollars. Jacobson.

SEC. 29. To M. C. Wright, as clerk of the warehouse, eighty-six days at four dollars per day, the sum of three hundred and forty-four dollars. M. C. Wright.

SEC. 30. To Mills & Company, for stationery for the use of the General Assembly furnished to the Secretary of State and the Chief Clerk of the House, the sum of four hundred and fifty-nine dollars and ninety-two cents. Mills & Co.

SEC. 31. To Wesley Redhead, for stationery for the W. Redhead.

use of the General Assembly, furnished to the Secretary of State and Chief Clerk of the House of Representatives, the sum of nine hundred and eighty dollars and forty-five cents.

Postage. SEC. 32. For the payment of the postage of the Eleventh General Assembly, the sum of ten thousand five hundred and twenty-one dollars and fifteen cents.

Postage, &c. SEC. 33. For the payment of the postage of the Eleventh 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 five hundred dollars, or so much thereof as may be necessary.

Getchell & Tichenor. SEC. 34. To Getchell & Fletcher, for lumber for repairs to Capitol building, the sum of four dollars and fifty-nine cents.

S. Persing. SEC. 35. To Samuel Persing for labor, and material on Capitol building repairs, the sum of two hundred and fifty-four dollars and twelve cents.

Gilcrest. SEC. 36. To J. K. & W. H. Gilcrest for lumber, doors, sash, &c., for repairing Capitol building, the sum of one hundred and twenty-eight dollars and ninety cents.

Merrill & Keeney. SEC. 37. To Merrill Kenily, for furniture for Capitol building, the sum of seventy-two dollars and seventy-five cents.

Plumb Bros. SEC. 38. To Plumb Bros. & Co., for clocks, the sum of fifty dollars.

J. Gildea. SEC. 39. To John Gilden, for masonry and material in repairs to Capitol building, the sum of six hundred dollars.

Wm. Riddle. SEC. 40. To Wm. Riddle, for storm doors to Capitol building, the sum of thirty-six dollars.

L. H. Bush. SEC. 41. To L. H. Bush, for lamps, chimneys, &c., for use of General Assembly, the sum of thirty-six dollars and thirty-five cents.

Childs & Howell. SEC. 42. To Childs & Howell, for repairs to furnaces, the sum of one hundred and forty-seven dollars and five cents.

P. Bereny. SEC. 43. To Childs & Howell, for materials and repairs to Capitol building, the sum of three hundred and one dollars and nineteen cents.

Fuller, Warren & Co. SEC. 44. To Patrick Bereny, for mason work on repairs to Capitol building, the sum of seventy-two dollars.

Fuller, Warren & Co. SEC. 45. To Fuller, Warren & Co., for ventilators, registers, &c., for Capitol building, the sum of forty-two dollars and sixty cents.

SEC. 46. To Wm. Remsberg, for labor and material used in repairs to Capitol building, the sum of one hundred and forty-nine dollars and sixty-nine cents.

SEC. 47. To Mills & Co., for stationery for the use of the Eleventh General Assembly, the sum of thirteen hundred and twenty dollars and forty-four cents.

SEC. 48. To Joseph B. Young, for the amount due him as milceage, the sum of forty-two dollars.

SEC. 49. To supply a deficiency in the appropriation for mileage of the members of the Senate of the Eleventh General Assembly, the sum of thirty dollars.

SEC. 50. To H. A. Copeland, for expenses incurred as a witness before the "Swamp Land Investigating Committee," the sum of one hundred dollars.

SEC. 51. To G. W. Drake, for telegram to H. A. Copeland, the sum of two dollars and thirty-five cents.

SEC. 52. For the payment of the subscriptions for newspapers taken by members of the House of Representatives, the sums following, to wit:

To Iowa Homestead	1,943 50
" S. P. Bitting & Son.....	738 15
" Iowa Statesman.....	1,277 60
" Burlington Gazette.....	7 00
" Davenport Gazette.....	163 20
" Cedar Falls Gazette.....	13 00
" Pella Weekly Blade.....	40 50
" Boone County Advocate.....	5 50
" Home Journal.....	47 25
" Montezuma Republican.....	15 00
" Tipton Advertiser.....	6 00
" Story County Ægis.....	23 25
" Guardian of Independence.....	3 00
" Guthrie Vedette.....	22 00
" Vinton Eagle.....	6 00
" Webster City Freeman.....	3 50
" Oskaloosa Herald.....	46 00
" Albia Union.....	9 00
" Loyal Citizen.....	96 00
" Iowa City Republican.....	48 00
" Sioux City Journal.....	2 40
" Marion County Democrat.....	47 75
" Winterset Madisonian.....	27 00
" Eddyville Star.....	20 25
" Marengo Republican.....	12 00
" State Bulletin.....	8 50
" Council Bluffs Nonpareil.....	45 00
" The Knoxville Whig.....	2 00
" Der Davenport Demokrat.....	80.00

To Mitchell County Press.....	7 50
“ Glenwood Opinion.....	60 00
“ Bellevue Journal.....	17 50
“ Maquoketa Excelsior.....	39 00
“ Home Visitor, Fairfield.....	7 00
“ Jasper Free Press.....	13 50
“ Dubuque National Demokrat.....	117 00
“ State Zeitung, Dubuque.....	6 75
“ Sabula Gazette.....	11 25
“ Dubuque Herald.....	66 75
“ Nonpareil, Council Bluffs.....	23 00
“ Democrat Republic.....	51 00
“ McGregor News.....	50 00
“ Boone County Index.....	4 00
“ Delaware County Union.....	1 50
“ State Press.....	3 50
“ Union Guard.....	9 75
“ New Hampton Courier.....	19 50
“ Clarinda Herald.....	75
“ Indianola Visitor.....	30 00
“ McGregor Press.....	1 50
“ Cerro Gordo Republican.....	1 50
“ Eldora Ledger.....	15 00
“ Decatur County Patriot.....	7 50
“ Valley Times.....	1 50
“ Des Moines Herald.....	3 75
“ Cedar Valley Times.....	1 50
“ Iowa Visitor.....	75
“ Summit County Beacon.....	75
“ Burlington Hawk-Eye.....	300 00
“ Muscatine Courier.....	1 50
“ Independence Conservator.....	1 75
“ Ringgold Record.....	4 50
“ Bloomfield Guard.....	75
“ Temperance Platform.....	9 00
“ Independence Bulletin.....	3 50
“ Page County Herald.....	6 00
“ Clinton Patriot.....	4 50
“ Taylor County Republican.....	75
“ Bedford Tribune.....	75
“ Mt. Ayr Record.....	75
“ Boone County Advocate.....	8 00
“ Boy Republican.....	75
“ Boone County Index.....	4 00
“ Marshall County Times.....	21 00
“ Delaware County Union.....	75
“ Iowa Herald.....	6 00
“ La Fayette Journal.....	75

To Der Iowa Tribune.....	22 00
“ Weekly Union, Lansing.....	75
“ S. P. Bitting.....	5 55
“ Chariton Patriot.....	3 50
“ Council Bluffs Bugle.....	2 25
“ Charles City Intelligencer.....	6 00
“ Public Record.....	34 00
“ Wapello Republican.....	9 00
“ Ottumwa Courier.....	6 00
“ Gate City, Keokuk.....	154 50
“ Plain Dealer.....	3 00
“ Corydon Monitor.....	18 00
“ Hardin Sentinel.....	14 00
“ The Stiletto.....	1 50
“ Citizen’s Sentinel.....	75
“ New Hartford Courier.....	75
“ Index City Register.....	75
“ North Iowa Times.....	28 75
“ Burlington Argus.....	75
“ North Iowan, Osage.....	75
“ New Oregon Plaindealer.....	75
“ Ohio State Journal.....	75
“ Linn County Register.....	2 50
“ Clayton County Journal.....	8 50
“ Pella Blade.....	92 25
“ Harrison County Star.....	75
“ Magnolia Republican.....	4 00
“ Bedford Republican.....	75
“ Ottumwa Courier.....	13 50
“ Keokuk Constitution.....	32 75
“ Burlington Tribune.....	10 00
“ Muscatine Journal.....	176 00
“ Fairfield Ledger.....	18 00
“ Progressive Republican.....	12 00
“ Cedar Rapids Times.....	3 00
“ Cedar Falls Gazette.....	15 00
“ Anamosa Eureka.....	8 00
“ Harrison County Republican.....	3 00
“ Keosauqua Republican.....	37 50
“ Bremer County Phœnix.....	4 50
“ Keokuk News.....	29 00
“ Weekly Iowa Tribune.....	91 50
“ North-West.....	3 75
“ Iowa Transcript.....	22 00
“ State Register.....	4,441 20
“ Dubuque Times.....	175 75
“ DeWitt Observer.....	9 00
“ North Iowa Journal.....	11 00

To Lyons Mirror.....	7 50
“ Clinton Herald.....	6 50
“ Washington Press.....	36 00
“ Sigourney News.....	23 50
“ Waterloo Courier.....	8 00
“ Osceola Sentinel.....	39 00

Subscriptions
for the Sen-
ate.

SEC. 53. For the payment of subscriptions to newspapers taken by members of the Senate, the following sums, to-wit:

To Western Methodist Protestant.....	3 00
“ Oskaloosa Herald, Weekly.....	3 50
“ North Iowa Journal, increase.....	3 25
“ Waterloo Courier.....	9 50
“ Temperance Platform.....	1 00
“ David B. Davis.....	543 69
“ Iowa State Register.....	2,278 65
“ Iowa Statesman.....	730 60
“ Burlington Hawkeye.....	154 00
“ Gate City.....	69 00
“ Franklin Record.....	9 00
“ Iowa Homestead.....	1,046 50
“ Union Guard.....	8 25
“ Iowa School Journal.....	26 10
“ Muscatine Journal.....	105 00
“ Iowa Tribune.....	61 50
“ Der Demokrat.....	15 00
“ Davenport Gazette.....	72 80
“ Dubuque Times.....	49 25
“ Jasper Free Press.....	8 50
“ Cedar Falls Gazette... ..	13 50
“ North-West.....	18 75
“ St. Charles Intelligencer.....	18 75
“ Eldora Ledger.....	5 50
“ Fairfield Ledger.....	1 00
“ Fairfield Home Visitor.....	1 00
“ Clayton County Journal.....	7 50
“ Tipton Advertiser.....	1 50
“ Boonsboro Advocate.....	1 00
“ Harrison County Union.....	75
“ Daily Constitution.....	15 00
“ Weekly Constitution.....	8 25
“ Dubuque Herald.....	29 00
“ National Democrat.....	39 75
“ North Iowa Journal.....	3 00
“ Ft. Madison Bulletin.....	6 00
“ Keokuk Telegraph.....	4 50
“ National Republican.....	8 25
“ North Iowa Times.....	9 75

To Sigourney News.....	33 75
" Hardin Sentinel.....	7 00
" Ft. Madison Plaindealer.....	8 00
" Home Journal (Mt. Pleasant).....	5 25
" Washington Press.....	17 25
" Oskaloosa Herald.....	9 00
" Albia Union.....	11 25
" Maquoketa Excelsior.....	15 00
" Anamosa Eureka.....	8 00
" Sabula Gazette.....	7 50
" Missouri Democrat.....	18 00
" Knoxville Whig.....	1 00
" Ottumwa Mercury.....	1 50
" Dubuque Herald.....	24 50
" Ottumwa Courier.....	27 00
" Independence Guardian.....	3 00
" Independence Bulletin.....	1 50
" Vinton Eagle.....	11 00
" Butler County Argus.....	3 75
" Independence Conservator.....	1 50
" Story County Ægis.....	1 50
" Nonpareil.....	21 00
" Loyal Citizen.....	9 75
" Decorah Republic.....	10 50
" Davenport Democrat.....	6 00
" Lyons Mirror.....	75
" Montezuma Republican.....	13 50
" West Union Record.....	3 00
" Cincinnati Times.....	5 00
" Bremer County Phoenix.....	75
" Winterset Madisonian.....	4 50
" McGregor News.....	12 75
" Guthrie County Vedette.....	2 50
" Cincinnati Gazette.....	7 50
" Knoxville Republican.....	13 50
" Pella Blade.....	12 00
" Cincinnati Commercial.....	3 00
" Reconstructionist.....	75
" Washington Chronicle.....	9 00
" Eddyville Star.....	50
" Glenwood Opinion.....	5 25
" St. Louis Republican.....	1 25
" Iowa City Republican.....	5 50
" Burlington Gazette.....	20 00
" Wapello Republican.....	75
" Corydon Monitor.....	75
" Linn County Register.....	9 00
" Toledo Transcript.....	15 00
" Hamilton Freeman.....	2 00

To Sioux City Journal.....	1 80
“ Marshall County Times.....	15 00
“ Cerro Gordo Republican.....	1 50
“ Council Bluffs Bugle.....	75
“ Ohio State Register.....	75
“ Central Christian Advocate.....	75
“ Boonesboro Index.....	4 00
“ Waterloo Courier.....	1 50
“ Delaware County Union.....	1 50
“ Public Record.....	15 00
“ Sioux City Register.....	2 00
“ Cedar Falls Times.....	4 50
“ Keosauqua Republican.....	19 50
“ Onawa Gazette.....	75
“ McGregor Times.....	75
“ Lansing Journal.....	75
“ Progressive Republican.....	75
“ State Press.....	1 00
“ Muscatine Courier.....	1 00
“ Indianola Visitor.....	39 00
“ Leon Patriot.....	1 25
“ Staats Zeitung.....	1 00
“ Burlington Argus.....	1 50
“ New Oregon Plaindealer.....	1 50
“ Chariton Patriot.....	3 00
“ Buffalo Democrat.....	2 50

Constitutional amendment.

SEC. 54. For the expenses of procuring parchment and printing the Resolutions amending the Constitution of the United States abolishing Slavery, the sum of two hundred dollars, or so much thereof as may be necessary, to be expended under the direction of the Secretary of State.

J. D. Hunter.

SEC. 55. To J. D. Hunter, for 76 days services as Clerk to the Joint Committee on the Swamp Land Investigating Committee, the sum of three hundred and eighty dollars.

Additional to Sec'y House and Senate,

SEC. 56. As additional compensation to the Chief Clerk of the House and Secretary of the Senate, for distributing the Journal of the House and Senate, the sum of two hundred dollars each, to be paid upon the completion of said distribution.

C. Childs.

SEC. 57. To C. Childs, for thirteen days services as Clerk of the Joint Committee to enquire into the charges of fraud against the American Emigrant Company, the sum of sixty-five dollars.

Additional clerk hire.

SEC. 58. For the payment of additional Clerk hire for Clerks employed by the Chief Clerk, the sum of one hundred dollars, or so much thereof as may be

necessary, to be paid on the certificate of the Chief Clerk.

SEC. 59. For the payment of additional Clerk hire in the Senate, the sum of twenty-five dollars, or so much thereof as may be necessary, to be paid on the certificate of the Secretary.

SEC. 60. To Ambrose S. Mead, for trees used in building a stockade by Capt. Cropper's Company of the Northern Border Brigade, the sum of two hundred and seven dollars. A. S. Mead.

SEC. 61. To Wm. Hale, for five days' services as Speaker pro tem., the sum of fifteen dollars. Hale, Speaker pro tem.

SEC. 62. For the payment of the Chaplains of the House of Representatives, to be divided among themselves, the sum of two hundred and fifty-eight dollars. Chaplains.

SEC. 63. For the payment of the Chaplains of the Senate, to be divided among themselves, the sum of two hundred and fifty-eight dollars.

SEC. 64. To J. R. Baker, for 35 gallons of paste for use of Eleventh General Assembly, the sum of twenty-six dollars and twenty-five cents.

SEC. 65. To Theodore Guetich [Guelich] for translating the Governor's Message into German, the sum of twenty-five dollars. T. Guelich.

SEC. 66. To John A. Dalldorf for printing Governor's Message in the German language, printing paper, and express charges, the sum of two hundred and three dollars and fifteen cents. A. Dalldorf.

SEC. 67. To Hugh Murray for two days services in carrying the mail to the Capitol, the sum of eight dollars. H. Murray.

SEC. 68. To C. F. Solberg, of the Emigration [Emigranten] office, Madison, Wisconsin, for printing the Governor's Inaugural and Biennial messages in the Norwegian language, and for the paper furnished therefor, and for translating the same, the sum of two hundred and five dollars and thirty-nine cents. C. F. Golberg

SEC. 69. To J. P. Stibolt for translating the Governor's Inaugural Message into the German language, the sum of twenty-five dollars. J. P. Stibolt.

SEC. 70. To Der Demokrat for printing the Governor's Inaugural Message in the German, the sum of seventy-seven dollars and eighty cents. Der Demokrat.

SEC. 71. For expenses in relation to sickness and funeral of Hon. N. T. Brown, the sum of two hundred and eleven dollars and sixty-five cents, as follows, viz: Funeral Hon. N. T. Brown.

Railroad and stage fare to and from Des Moines of Mrs. Brown and her son \$41 00

Incidental expenses	5 50
Medicine and board	24 30
Shroud, caps, &c.	11 60
Burial lot in Cemetery (east side)	19 73
Coffin and hearse	36 00
Two carriages	9 00
For draping Hall	9 50
Digging grave	5 00
Dr. Robertson, ten days attendance	25 00
Dr. Boomer, ten days attendance	25 00

Sec. 72. 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 Statesman, daily newspapers, published at Des Moines.

Approved April 2, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 5th, 1866, and in the Statesman April 6th, 1866.
JAMES WRIGHT, Secretary of State.

CHAPTER 95.

SETTLEMENT OF CERTAIN CLAIMS AGAINST THE GOVERNMENT.

AN ACT to provide for the settlement of certain claims against the General Government.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That John N. Dewey, is appointed a Commissioner with full power to settle and adjust with the United States, all claims due therefrom, incurred by this State in raising and equipping troops, and sending them to the field, and for all other purposes growing out of the rebellion; and also, the expenses incurred by the State in protecting our frontier after the massacre by Inpadutah and his band; also, any deficiency on the part of the General Government in the payment to this State of the five per cent. on the sales of public lands.

John N.
Dewey ap-
pointed Com-
missioner.

Duties of.

SEC. 2. The Commissioner shall proceed in the performance of his duties, with all convenient speed; and should he be of the opinion, after making the attempt, that a settlement is at present impracticable, he shall suspend his action until a more favorable opportunity.

SEC. 3. He shall receive five dollars per day while necessarily employed by the requirements of this act; also, all necessary expenses. Compensation.

SEC. 4. He shall report his action in detail to the Governor, who shall take the necessary measures to have whatever balances may be thus found due this State, paid into the State Treasury, to be disposed of as provided by law. Shall report his action.

SEC. 5. Sections numbers two and five of Chapter sixty-one, of the acts of the Tenth General Assembly, are hereby repealed. Former acts repealed.

SEC. 6. The Adjutant-General is hereby required to furnish the Commissioner with any information; also, copies of any papers in his office that in the opinion of said Commissioner, will facilitate said settlement. The Governor and Auditor of State shall deliver to said Commissioner all vouchers and papers in their hands relating to said claims; provided the said Commissioner shall receipt for said vouchers. Adj. General—duties of Gov. and Auditor—duties of.

SEC. 8. 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 published in Des Moines. Publication.

Approved April 2d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 10th, 1866, and in the Iowa Homestead April 18th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 96.

PUBLICATION OF THE LAWS.

AN ACT to provide for the publication and distribution of the Laws of the Eleventh 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 is hereby required to prepare a manuscript copy of all the Laws, Joint Resolutions, and Memorials passed at the regular session of the Eleventh 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 Sec'y of State to prepare copy.

the same to the State Printer, and superintend the printing and binding of the same.

State Printer,
duties of.

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.

State Binder,
duties of.

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.

Distribution,
how made.

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 officer and member of the Eleventh 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.

Clerk Board
Supervisors,
duties of.

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, and one copy to each Township Assessor; and report to the Auditor of State the number remaining in their hands, together with the number of copies of laws of former sessions.

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. Who may sell.

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.
When paid.

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 at Des Moines. Publication.

Approved April 2d, 1866.

I hereby certify that the foregoing Act was published in the Daily Register April 10th, 1866, and Iowa Homestead April 8th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 97.

LEGALIZING CERTAIN ACTS CITY COUNCIL, INDIANOLA.

AN ACT to legalize the levy of taxes by the City Council of Indianola for the year 1865.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the levy of taxes by the City Council of the city of Indianola, for the year 1865, be legalized, and the same is hereby legalized and made as valid and binding as though the same had been made in strict conformity to law. Levy of taxes legalized.

SEC. 2. This Act being deemed of immediate importance, shall take effect and be in force from and after Publication.

its publication in the State Register and the Iowa Weekly Visitor, without expense to the State.

Approved April 2d, 1866.

I hereby certify that the foregoing Act was published in the State Register April 11th, 1866, and in the Iowa Weekly Visitor April —th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 98.

PROPOSAL TO AMEND THE STATE CONSTITUTION.

A proposal to amend the Constitution of the State of Iowa.

Be it resolved by the General Assembly of the State of Iowa, That the following amendments to the Constitution of the State of Iowa are hereby proposed:

Amendments

Sec. 1, Art. 2. 1st. Strike the word "white" from Section 1 of Article 2 thereof.

Sec. 33, Art. 3. 2d. Strike the word "white" from Section 33 of Article 3 thereof.

Sec. 34, Art. 3. 3d. Strike the word "white" from Section 34 of Article 3 thereof.

Sec. 35, Art. 3. 4th. Strike the word "white" from Section 35 of Article 3 thereof.

Sec. 1, Art. 6. 5th. Strike the word "white" from Section 1 of Article 6 thereof.

Sec. 5, Art. 2. 6th. Add to Section 5 of Article 2, the following words: Nor shall any person who has committed or may hereafter commit the crime of treason against the United States, nor any person who has absconded for the purpose of avoiding any military conscription or draft, ordered by the authority of the United States or this State, be entitled to the privilege of an elector, or qualified to hold any office under the constitution and laws of this State. In order that the provisions of this section may be effectually enforced, the Legislature may by law prescribe a suitable Oath to be taken under such limitations as it may deem proper, by persons offering to qualify for office or to vote, to the effect that they are not subject to the disabilities of this section.

Commits treason.
Absconds to avoid draft.
Shall not hold office nor vote.
Test oath—its nature.

Approved April 2d, 1866.

NOTE.—This resolution being considered of importance was numbered with the laws in the order of its filing, and is accordingly chaptered and published as a law.

JAMES WRIGHT, Secretary of State.

CHAPTER 99.

SECOND VOLUME IOWA DIGEST.

AN ACT for the purchase and distribution of copies of the Second Volume of the Iowa Digest.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, It is hereby made the duty of the Secretary of State to subscribe for and receive, for the use of the State, the same number of copies of the Second Volume of the Iowa Digest, compiled by William G. Hammond, as he is, by law, required to subscribe for of the Reports of the Supreme Court. Upon the presentation of the Secretary's receipt for said volume, the Auditor of State shall draw his warrant upon the Treasurer for the price thereof, at not to exceed six dollars and fifty cents per copy, payable to the author, or such persons as he may order. Sec. of State — duty of. Auditor to draw his warrant. \$6.50 per copy.

SEC. 2. The copies of the Digest, so purchased, shall be distributed as follows: One copy to each member of the present General Assembly, to be sent to him by mail to his address, by the Secretary of State, and the balance in the same manner as copies of the Reports of the Supreme Court are now, or may hereafter be, directed to be distributed and disposed of. How distributed.

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

Approved April 2d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 11th, 1866, in the Iowa Homestead April—, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 100.

HOSPITAL FOR THE INSANE.

AN ACT to amend Article 2, of Chapter 59, of the Revision of 1860, relating to the appointment of Steward for the Hospital for the Insane.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Board of Trustees of

Board may abolish office of Steward. Treasurer. Powers and duties. Compensation. Per cent. Other officers Regulations of Board. Publication.

the Hospital for the Insane may, in their discretion, dispense with the appointment of a Steward, and may appoint some person Treasurer, who shall give bond, possess all the powers and perform the duties prescribed in Section 1476 of the Revision of 1860, who shall receive such compensation as said Board shall fix, not exceeding one-half of one per cent. on all moneys received and paid out by him; and the Board shall in such case cause the remaining duties of Steward to be performed by the other officers, under such rules and regulations as said Board may adopt, not inconsistent with law.

SEC. 2. This Act being deemed of immediate importance, shall be in force from and after its publication in the Home Journal, at Mt. Pleasant, and the Burlington Daily Hawk-Eye, newspapers published in Mt. Pleasant and Burlington respectively.

Approved April 2d, 1866.

I hereby certify that the foregoing Act was published in the Home Journal, April —, 1866, and the Burlington Daily Hawk-Eye, April —, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 101.

CONSTITUTIONAL AMENDMENTS.

AN ACT to provide for due reference and publication of proposals to amend the Constitution of the State of Iowa.

Reference. 1. That the Resolutions proposing to amend the Constitution of the State of Iowa, which have been passed at the present session of the General Assembly of the said State, are hereby referred to the Legislature to be chosen at the next general election.

Publication. 2. The Secretary of State shall cause the same to be published for three months previous to the time of the next general election of members of the Legislature, in one newspaper in each Congressional District.

Approved April 2d, 1866.

CHAPTER 102.

PREFERRED STOCK RAILROAD COMPANIES.

AN ACT to repeal Section first of Chapter 44 of the Act of the Tenth General Assembly, in relation to the issue of preferred stock by Railroad Companies, and to provide a substitute therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section first, of Chapter 44, except the enacting clause, of the Acts of the Tenth General Assembly be, and the same is hereby repealed, and the following is substituted therefor. It shall be lawful for any Railroad Company incorporated within the State of Iowa, with the assent of two-thirds of all the stockholders in interest 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 so issued shall not exceed the sum of ten thousand dollars for each mile of railroad constructed by any such company.

Act repealed.

Preferred rail
road stock.

Dividends.

Rate of interest.

Limitation.

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 Homestead, newspapers published at Des Moines.

Publication.

Approved April 2d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 14th, 1866, and Iowa Homestead April, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 103.

PRINTING DELINQUENT TAX LIST.

AN ACT to amend Section 2, Chapter 115, Laws of the Tenth General Assembly in relation to printing the delinquent Tax List.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section two (2), of Chapter 115, of the Laws of the Tenth General Assembly be and the same is hereby amended by adding thereto the

Form & Sec.
amended.

How long newspaper must have been published. Must have 20 subscribers—where.

following, viz: *Provided*, That said newspaper shall have been regularly printed and published for at least three months preceding the fifteenth of September of said year, in the same county. And shall have had at least twenty *bona fide* subscribers in the county where the delinquent property is situated for at least three months preceding the fifteenth of September of said year.

Treasurer may require affidavit.

SEC. 2. That in all cases where the Treasurer may doubt the qualification of any paper as above fixed, it shall be his duty to require the publisher of such paper or papers claiming the right to publish said Tax List to show by affidavit that his paper has been published as often as once in each week according to the provisions of Section first of this Act.

Approved April 2d, 1866.

CHAPTER 104.

RELATING TO CERTAIN ASSESSMENTS.

AN ACT to amend Section 752 of the Revision of 1860.

Former Sec. amended.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section 752 of the Revision of 1860, be and the same is hereby amended by the addition thereto of the words following, to-wit: *Provided*, That such assessment shall be made within two years after the tax list shall have been delivered to him for collection, and not afterwards.

Assessment must be made

Publication.

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 Davenport Gazette.

Approved April 2d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register, April 10th, 1866, and in the Davenport Gazette, April —, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 105.

ACTS OF NOTARIES LEGALIZED.

AN ACT to legalize the official acts of certain Notaries Public and Commissioners of Deeds named therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa.* That the official acts of the persons named hereinafter, which were done by them after the expiration of the authority given them by law or by commission, are hereby legalized and made as valid as if the same had been done while such commission remained in full force. Acts done by certain persons legalized

SEC. 2. Those of J. Hillsinger as Notary Public of Jackson county, Iowa, between the 17th day of November, 1864, and the 1st day of February, 1865. J. Hillsinger.

SEC. 3. Those of M. Allison as Notary Public of Dubuque county, Iowa, from the 1st of September to the 8th of October, 1865. M. Allison.

SEC. 4. Those of N. B. Nichols as Notary Public of Dallas county, Iowa, from the 12th to the 25th day of March, 1865. N. B. Nichols.

SEC. 5. Those of Max Block as Notary Public of Muscatine county, from March 12th to December 8th, 1865. Max Block.

SEC. 6. Those of W. C. Connell as Notary Public of Benton county, Iowa, from the 23d of May to the 11th of November, 1865. W. C. Connell.

SEC. 7. Those of Samuel T. Davis as Notary Public of Woodbury county, Iowa, after the 22d of April, 1865. Samuel T. Davis.

SEC. 8. Those of Joshua Sayer as Notary Public of Hardin county, Iowa, after his commission expired. Joshua Sayer.

SEC. 9. Those of Stephen Sibley as Notary Public of Polk county, Iowa, after his commission had expired. Stephen Sibley.

SEC. 10. Those of James B. Thayer of Boston, Massachusetts, as a Commissioner for the State of Iowa, within the State of Massachusetts, between the 3d day of July, 1860, and the 17th day of March, 1865. James B. Thayer.

SEC. 11. Those of Alonzo J. Van Duzen as Notary Public of Dubuque county, Iowa, after the 10th day of August, 1865. Alonzo J. Van Duzen.

SEC. 12. Those of Oliver C. Wightman as Notary Public of Des Moines county, Iowa, after the expiration of his commission in 1865. Oliver C. Wightman.

Thomas Hanna. SEC. 13. Those of Thomas Hanna as Notary Public of Muscatine county, Iowa, from the 27th of December, 1865, to the 27th of March, 1866.

Charles T. Ransom. SEC. 14. Also the official acts of Charles T. Ransom since the expiration of his commission in December, 1865.

Approved April 2d, 1866.

CHAPTER 106.

RELATING TO FOREIGN MUTUAL INSURANCE COMPANIES.

AN ACT to repeal Section 1760 of the Revision of 1860, and relating to Foreign Mutual Insurance Companies.

Former acts repealed.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section 1760 of the Revision of 1860, be and the same is hereby repealed; *Provided*, that this Act shall not be construed so as to prevent Mutual Life Insurance Companies, incorporated by the laws of any other State than the State of Iowa, from transacting business within this State as provided by Chapter 39 of the Acts of the Ninth General Assembly.

Publication.

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

Approved April 2, 1866.

I hereby certify that the foregoing Act was published in the State Register April 11th, 1866, and in the Iowa Homestead April —, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 107.

WHO CONSTITUTED A BOARD OF HEALTH.

AN ACT constituting the Mayor and Council of any incorporated town or city, or the Trustees of any township not incorporated, a Board of Health, and defining their powers.

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

of the State of Iowa, That the Mayor and Council of any incorporated town, or city, or Trustees of any township not incorporated, shall be and are hereby constituted a Board of Health.

SEC. 2. The several Boards of Health constituted by this Act shall have power to make such regulations as they may deem necessary for the public health and safety respecting nuisances, sources of filth and causes of sickness within their cities or towns.

SEC. 3. Notice shall be given by the Board of Health of all regulations made, in some newspaper of its town, or, where there is no newspaper, by posting in five public places in the town. Such notice shall be deemed legal notice to all persons.

SEC. 4. The Board shall examine into all nuisances, sources of filth and causes of sickness within its town or city, and shall take immediate measures to abate, remove, or prevent the same wherever found.

SEC. 5. The Board shall order the owner or occupant, at his own expense, to remove any nuisance, source of filth or cause of sickness found on private property within such time as it deems reasonable, and if such person neglects to do so he shall forfeit a sum of not exceeding twenty-five dollars for every day during which he knowingly permits such nuisance or cause of sickness to remain after the time prescribed for the removal thereof.

SEC. 6. Such notice shall be made in writing and served by the Marshal of the town or city, or by any Constable of the town, in the usual way of serving notices in civil suits.

SEC. 7. If the owner or occupant fails to comply with such order, the Board may cause the nuisance, source of filth, or cause of sickness, to be removed, and all expenses incurred thereby shall be paid by such persons.

SEC. 8. The Board shall have power to make regulations in relation to cleansing the streets, alleys, and drains of the city or town, in relation to communication with houses where there is any contagious or infectious disease, to establish pest houses or hospitals, and when deemed expedient and necessary to prevent the spread of any contagious disease, to remove to said pest house or hospital, any person sick with the Asiatic or malignant cholera, or other malignant or infectious disease. To prohibit or prevent all communication or intercourse by and with all houses, tenements, and places, and the persons occupying the same in which there shall be any

Board of Health.

Powers.

Shall publish regulations.

Shall abate or remove.

Owner shall remove filth.

Fine for neglecting.

Notice—how served.

Liability of owners.

Streets and alleys to be cleaned. Infectious diseases. To establish hospital.

To remove sick.

To prevent communication with disease.

- To employ assistants.** person sick with any contagious, malignant, or infectious disease. To employ all such persons as shall be necessary to carry into effect the regulations adopted and published according to the powers vested in the Board by this Act, and to fix their compensation, to employ Physicians in case of poverty, and to take such general precautions and actions as it may deem necessary for the public health.
- Fix pay.**
- Violation a misdemeanor.** SEC. 9. Any person who shall willfully violate any of the regulations so made and published by the Board of Health, shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine or imprisonment, such fine not to exceed one hundred dollars, and such imprisonment not to exceed thirty days.
- Penalty.**
- Expenses—how paid.** SEC. 10. All expenses incurred by the several Boards of Health in the execution of this act shall be a charge upon their respective towns or cities, for the purpose of defraying which a tax may be levied by such Board of Health upon the property in such town or city, upon the valuation of property, at the last assessment of such property sufficient to defray all expenses so incurred.
- May levy tax.**
- Notice.** SEC. 11. Ten days' notice of such levy shall be given in the manner prescribed by law for the collection of taxes, when it shall be the duty of the Marshal of such town or city to collect the same, and pay it into the hands of the Treasurer of the Board of Health.
- Marshal to collect. To whom paid over.**

Approved April 2d, 1866.

CHAPTER 108.

NATIONAL BANKS TAXED.

AN ACT to provide for the taxation of the shares of National Banks.

- Shares of National Banks taxed.** SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all the shares of the Banking Associations organized within the State pursuant to the provisions of the Acts of Congress, "to provide a national currency, secured by a pledge of United States Stocks, and to provide for the circulation and redemption thereof" held by any person or body corporate, shall be included in the valuation of the

LAWS OF IOWA.

personal property of such person or body corporate or corporation in the assessment of taxes in the township, incorporated town, or city where such Banking Association is located and not elsewhere, whether the holder thereof resides in such township, incorporated town or city, or not, but not at a greater rate than is assessed upon other moneyed capital in the hands of individuals of this State, provided that the real estate of such Associations shall be subject to State, county or municipal taxes to the same extent according to the value as other real estate is taxed. Not more than individuals.

SEC. 2. That it shall be the duty of the principal accounting officer of each of said associations, to list the shares of the Association giving the assessor the name of each person owning shares, and the amount owned by each; and for the purpose of securing the collection of the taxes assessed upon said shares, each Banking Association shall be liable to pay the same as the agent of each of its share holders, having their property in its possession with a view to investing or loaning the same for pecuniary profit under the provisions of Section 725 of the Revision of 1860, and it shall be the duty of the Association to retain so much of any dividend or dividends belonging to any share holder as shall be necessary to pay any taxes levied upon his or her shares. Principal officer to list.
Bank as A'gt to pay.
Shall retain dividends.

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

Approved April 2d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register, April 14th, 1866, and in the Iowa Homestead April, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 109.

AN ACT to amend Section No. 4155 of the Revision of 1860, regulating the fees of County Surveyors.

FEES OF COUNTY SURVEYORS.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Section No. 4155 of the Re- Former Sec. amended.

§3.00 stricken out—§4.00 inserted. vision of 1860, be, and the same is hereby amended, by striking out the figures “§3.00” in said section, and inserting in lieu thereof the figures “§4.00.”

Approved April 2d, 1866.

CHAPTER 110.

AMENDS CHAPS. 32 AND 156 ACTS 9TH GENERAL ASSEMBLY.

AN ACT to amend Chapter thirty-two of the Acts passed at the regular session of the Ninth General Assembly, and Chapter one hundred and fifty-six of the Acts of said session, amendatory thereof, relating to the purchase of real estate sold on execution issued upon judgments rendered in favor of the State or any county.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the third sub-division of the first section of chapter one hundred and fifty-six, of the acts passed at the regular session of the Ninth General Assembly be, and the same is hereby amended by the addition thereto of the following clause, to-wit: *Provided*, That in all cases where real property is sold under such executions, it shall first be appraised in the manner provided by law for the appraisement of property levied on under execution, and it shall be the duty of the said officers so to bid upon and purchase in said property in the name of the State or county, as the case may be, for the lowest sum possible. If no other person shall bid therefor, at least two-thirds of the appraised value thereof, or the full amount of the judgment and costs, if the same is less than two-thirds of such appraised value.

SEC. 2. Whenever any improved real estate shall be purchased at sale under execution, by or on behalf of the State, or any county as provided by chapter thirty-two of the Acts passed at the regular session of the Ninth General Assembly, and said chapter one hundred and fifty-six, amendatory thereof, the officers invested with the control and management thereof, shall have full power, and it shall be their duty to keep any valuable buildings therein insured against fire, for the benefit of the State or county, in some responsible Insurance Company, or Companies, and the expense of such insurance shall be paid out of the rents of such property, or the proceeds thereof when sold.

SEC. 3. In cases where the State becomes the purchaser of real estate, under execution, issued upon judgments rendered in favor of the State, all costs and expenses attending the same shall be audited and allowed by the State Census Board and paid out of any money in the State Treasury not otherwise appropriated, whenever such costs and expenses cannot be collected out of the defendant or defendants in such judgments. When State
to pay costs.

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 Burlington Hawkeye. Publication.

Approved April 2d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 14th, 1866, and in the Burlington Hawkeye April 14th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 111.

AN ACT apportioning the State of Iowa into Senatorial Districts.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That one Senator to eighteen thousand inhabitants or fraction thereof equal to one half in each Senatorial District is hereby constituted the ratio of apportionment. Rate of ap-
portionment.

SEC. 2. Lee county is the first district, and entitled to two Senators. 1st District.

SEC. 3. Van Buren county is the second district, and entitled to one Senator. 2d District.

SEC. 4. Davis county is the third district, and entitled to one Senator. 3d District.

SEC. 5. Appanoose county is the fourth district, and entitled to one Senator. 4th District.

SEC. 6. The counties of Wayne, Lucas, and Clarke is the fifth district, and entitled to one Senator. 5th District.

SEC. 7. Monroe county is the sixth district, and entitled to one Senator. 6th District.

SEC. 8. The counties of Ringgold and Decatur shall constitute the seventh district, and be entitled to one Senator. 7th District.

SEC. 9. The counties of Taylor, Page, Adams, Union, and

8th District.

- ion, and Montgomery shall constitute the eighth district, and be entitled to one Senator.
- 9th District. SEC. 10. The counties of Fremont, Mills, Pottawattamie, and Cass shall constitute the ninth district, and entitled to one Senator.
- 10th District. SEC. 11. Des Moines county is the tenth district, and entitled to one Senator.
- 11th District. SEC. 12. Henry county is the eleventh district, and entitled to one Senator.
- 12th District. SEC. 13. Jefferson county is the twelfth district, and entitled to one Senator.
- 13th District. SEC. 14. Wapello county is the thirteenth district, and entitled to one Senator.
- 14th District. SEC. 15. Louisa county is the fourteenth district, and entitled to one Senator.
- 15th District. SEC. 16. Washington county is the fifteenth district, and entitled to one Senator.
- 16th District. SEC. 17. Muscatine county is the sixteenth district, and entitled to one Senator.
- 17th District. SEC. 18. Keokuk county is the seventeenth district, and entitled to one Senator.
- 18th District. SEC. 19. Mahaska county is the eighteenth district, and entitled to one Senator.
- 19th District. SEC. 20. Marion county is the nineteenth district, and entitled to one Senator.
- 20th District. SEC. 21. Warren county is the twentieth district, and entitled to one Senator.
- 21st District. SEC. 22. The counties of Madison, Adair, Dallas, and Guthrie shall constitute the twenty-first district, and entitled to one Senator.
- 22d District. SEC. 23. Scott county is the twenty-second district, and entitled to two Senators.
- 23d District. SEC. 24. Clinton county is the twenty-third district, and entitled to one Senator.
- 24th District. SEC. 25. Cedar county is the twenty-fourth district, and entitled to one Senator.
- 25th District. SEC. 26. Johnson county is the twenty-fifth district, and entitled to one Senator.
- 26th District. SEC. 27. The counties of Iowa and Poweshiek, shall constitute the twenty-sixth district, and entitled to one Senator.
- 27th District. SEC. 28. Jasper county is the twenty-seventh district, and entitled to one Senator.
- 28th District. SEC. 29. Polk county is the twenty-eighth district, and entitled to one Senator.
- 29th District. SEC. 30. Jackson county is the twenty-ninth district, and entitled to one Senator.
- 30th District. SEC. 31. Jones county is the thirtieth district, and entitled to one Senator.

SEC. 32. Linn county is the thirty-first district, and 31st District. entitled to one Senator.

SEC. 33. The counties of Benton and Tama shall 32d District. constitute the thirty-second district, and entitled to one Senator.

SEC. 34. The counties of Marshall and Hardin, 33d District. shall constitute the thirty-third district, and entitled to one Senator.

SEC. 35. Dubuque county is the thirty-fourth dis- 34th District. trict, and entitled to two Senators.

SEC. 36. Delaware county is the thirty-fifth district, 35th District. and entitled to one Senator.

SEC. 37. The counties of Buchanan and Bremer 36th District. shall constitute the thirty-sixth district, and be entitled to one Senator.

SEC. 38. Clayton county is the thirty-seventh dis- 37th District. trict, and entitled to one Senator.

SEC. 39. Fayette county is the thirty-eighth district, 38th District. and entitled to one Senator.

SEC. 40. The counties of Franklin, Butler, Grundy, 39th District. and Cerro Gordo shall constitute the thirty-ninth district, and entitled to one Senator.

SEC. 41. Black Hawk county is the fortieth district, 40th District. and entitled to one Senator.

SEC. 42. Alamakee county is the forty-first district, 41st District. and entitled to one Senator.

SEC. 43. Winnesheik county is the forty-second dis- 42d District. trict, and entitled to one Senator.

SEC. 44. The counties of Floyd, Mitchell, Howard, 43d District. and Chickasaw shall constitute the forty-third district, and entitled to one Senator.

SEC. 45. The counties of Boone, Hamilton, Story, 44th District. and Greene shall constitute the forty-fourth district, and entitled to one Senator.

SEC. 46. The counties of Worth, Winnebago, Kos- 45th District. suth, Emmett, Dickinson, Clay, Palo Alto, Hancock, Wright, Humboldt, Pocahontas, Buena Vista, Sac, Calhoun, and Webster shall constitute the forty-fifth district, and entitled to one Senator.

SEC. 47. The counties of Harrison, Shelby, Audu- 46th District. bon, Carroll, Crawford, Monona, Woodbury, Ida, Cherokee, Plymouth, Sioux, O'Brien, and the unorganized counties of Lyon and Osceola shall constitute the forty-sixth district, and entitled to one Senator.

Approved April 2d, 1866.

CHAPTER 112.

APPROPRIATING MONEY FOR COMPLETION OF AGRICULTURAL COLLEGE BUILDING.

AN ACT making an appropriation to complete the Agricultural College building.

\$91,000 ap- SECTION 1. *Be it enacted by the General Assembly of*
propriated. *the State of Iowa,* That there is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of ninety-one thousand dollars, for the purpose of completing the Agricultural College buildings, and for the payment of the indebtedness against the same.

Under whose SEC. 2. The money hereby appropriated shall be ex-
direction ex- pended under the direction of the Board of Trustees of
ended. said College, and shall be drawn from the State Treas-
How drawn. ury from time to time upon their order, in sums not exceeding ten thousand dollars, and such amount, so drawn, shall be expended before any additional sum shall be drawn.

To whom SEC. 3. The money, when drawn from the State
paid. Treasury, shall be paid to the Treasurer of the Board of Trustees, and shall be paid out by him on such orders as may be directed by said Board of Trustees.

Building SEC. 4. Before drawing any money, as before pro-
Com.—Supt. vided, or making any contracts on said building, the
—duties of. Board of Trustees shall appoint a Building Committee of not less than three persons, and a Superintendent of said building, which Superintendent shall not be a member of the said Board of Trustees, and the Building Committee and Superintendent shall, under the direction of the Board of Trustees, have supervision of the erection of the College Building.

Who make SEC. 5. The Building Committee and Superintend-
purchases. ent, or either of them, as the Board may direct, shall make all purchases and contracts on said building. They shall, in all contracts entered into, require bonds to be given for the faithful performance of the same, and shall keep an accurate record of their proceedings, which shall embrace copies of all contracts entered into, and a minute and accurate record of all expenditures, showing the amount paid, to whom paid, and for what service rendered or material purchased, and whether paid on account or in pursuance of a contract, and for all payments made vouchers shall be taken.

To keep
record.

SEC. 6. The Trustees shall make a report to the

next General Assembly, showing the amount of work done, the condition of the building, and a detailed account of the expenditures on the same. Trustees to report.

SEC. 7. Neither the Trustees, Building Committee, nor any member of the same, nor the Superintendent, shall be interested, directly or indirectly, in any contract for labor or material on the College building. Who may not be interested.

SEC. 8. Before entering upon the discharge of their duties, the Building Committee and Superintendent shall each give a bond in the penal sum of ten thousand dollars, for the faithful discharge of their respective duties, in accordance with the provisions of this act, and shall take, subscribe, and file with the Auditor of State the oath provided in section 2180 of the Revision of 1860. Who give bonds.

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 Iowa Homestead, newspapers published in Des Moines, Iowa. Publication.
Approved April 2d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 11th, 1866, and in the Iowa Homestead April 18th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 113.

LIABILITIES OF RAILROAD COMPANIES.

AN ACT to define the liabilities of railroads, and other transportation companies, as common carriers.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That in the transportation of persons or property by any railroad or other company, or by any person, or firm engaged in the business of transportation of persons or property, no contract, receipt, rule or regulation shall exempt such railroad or other company, person or firm from the full liabilities of a common carrier, which in the absence of any contract, receipt, rule or regulation would exist with respect to such persons or property. Liable as common carriers.

SEC. 2. This Act being deemed of immediate importance, shall take effect from and after its publication. Publication.

in the Iowa State Register and Iowa Homestead, newspapers published at Des Moines, Iowa.

Approved April 2d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register, April 18th, 1866, and in the Iowa Homestead, April 25th 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 114.

RELATING TO REGISTERED LETTERS CONTAINING TREASURER'S MONTHLY REPORTS.

AN ACT to amend Section 799 of the Revision of 1860, relating to registered letters containing county Treasurer's monthly report to the Auditor of State.

Former Sec.
amended.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section 799, of the Revision of 1860, be, and the same is hereby amended by striking out the words "and have the same registered" in said Section.

Publication.

SEC. 2. This Act being deemed of immediate importance by the General Assembly shall take effect by being published in the Iowa State Register, Iowa Statesman, and Iowa Homestead, papers published at Des Moines.

Approved April 2d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 11th, 1866, in the Iowa Statesman April —, 1866, and in the Iowa Homestead May 2d, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 115.

STATE ARSENAL.

AN ACT providing for the erection of a building for Adjutant-General's and Quartermaster-General's offices, and for a State Arsenal.

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

of the State of Iowa, That the sum of twenty-five thousand dollars be, and the same is hereby appropriated for the purpose of erecting a building at the city of Des Moines, Iowa, in which shall be had the offices of the Adjutant-General, and the Quartermaster-General, and in which shall be stored the arms and equipments belonging to or in possession of the State, and which may require storage when returned by Companies, or while in transit to United States Arsenals.

\$25,000 appropriated.
Building at Des Moines.
To be used, for what.

SEC. 2. Said building shall be constructed in such manner as to be fire-proof throughout, and shall be erected under the direction of the Adjutant-General, and G. L. Godfrey, B. F. Allen, and J. W. Cattell, of Des Moines City. They shall locate, and select the site for said building in the city of Des Moines; *Provided*, That the necessary and proper grounds for said Arsenal can be obtained without expense to the State, or selected from lands now belonging to the State, and not already appropriated to other purposes.

How constructed.
Under whose direction—duties of.
Proviso.

SEC. 3. In no case shall the cost of the building exceed the sum of thirty thousand dollars, exclusive of the land on which the building may be erected.

Cost, \$30,000.

SEC. 4. The money hereby appropriated shall be drawn as the work progresses, on the written order of the Adjutant-General, who shall, before drawing any of said money, file a bond with sureties, with, and to be approved by the Auditor of State, in the sum of fifty thousand dollars for the faithful disbursement of said money, as provided by this Act, and shall pay out the same on the proper vouchers, and shall report to the next General Assembly a statement, in detail, of the expenditures.

Money, how drawn.
A. G. to file bond.
Shall report to General Assembly.

SEC. 5. This Act 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.

Publication.

Approved April 2, 1866.

I hereby certify that the foregoing Act was published in the Daily State Register April 18th, 1866, and in the Iowa Homestead April 25th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 116.

FORECLOSURE OF DEEDS OF TRUST.

AN ACT to amend Section 3673 of the Revision, and to regulate the foreclosure of deeds of trust in certain cases.

Former Sec. amended. Words inserted. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section 3673 of the Revision of 1860, be, and the same is, hereby amended by adding at the end thereof the following: "Except deeds of trust or mortgages, with power of sale on real estate that may have been or shall hereafter be given for the purpose of securing the State, or any county, or person injured, against losses growing out of the defalcation, fraud, or malfeasance of any officer, deputy, secretary, or person claiming to act for such officer."

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

Approved April 2d, 1866.

I hereby certify that the foregoing Act was published in the Daily State Register April 18th, 1866, and in the Iowa Statesman, April —th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 117.

RECOVERY OF SWAMP LAND INDEMNITY MONEY.

AN ACT to authorize actions to be brought in the name of the State, for the recovery of Swamp Land Indemnity money against the parties liable therefor.

R. G. Orwig. Action bro't in name of State. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That to recover the amounts due the several counties from the Swamp Land Indemnity Fund, awarded by the United States to this State, for the benefit of said counties, and alleged to have been misappropriated by R. G. Orwig, late Private Secretary to the Governor, the action or actions therefor may be brought in the name of "the State of Iowa," for the use of any or all the counties for whose benefit any portion of said funds may have been awarded,

against any or all of the parties liable therefor, and that the State, as plaintiff in such action or actions, shall have all the rights and benefits in such proceedings throughout in all respects as belong to parties under existing rules of practice in civil cases. Rights of plaintiff.

SEC. 2. 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. Publication.

Approved April 2d, 1866.

I hereby certify that the foregoing act was published in the Daily State Register April 18th, 1866, and in the Iowa Homestead April 25th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 118.

RELATING TO THE PUBLICATION OF THE LAWS.

AN ACT to provide for the publication of general and certain local laws, and of the proceedings of the Boards of Supervisors in the several counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa.* That the Boards of Supervisors of the several counties shall, at their meeting in the month of June, 1866, and thereafter at each regular meeting in the month of January, select two newspapers having the largest circulation, or one, if but one be published in the county, in which said paper or papers shall be published all general laws enacted by the present and future General Assemblies: *Provided,* That in counties having a population exceeding 18,000 inhabitants, in which a newspaper is printed in the German or other foreign language, the same shall be published in one of such papers in addition. Board Supervisors to select two newspapers. Proviso.

SEC. 2. It shall be the duty of the Secretary of State to furnish to the Clerks of the several Boards of Supervisors, printed slips or copies of newspapers containing all general laws enacted, and special laws applicable within the county, and it shall be the duty of said Clerk, on the receipt thereof, to deliver the same to the newspapers selected as aforesaid, for publication therein. Sec. of State, duty of. Clerk, duty of.

SEC. 3. In the said papers, so selected, there shall also be published the proceedings of all meetings of the

Proceedings Board Super-
visors to be
published.
Proviso.

Boards of Supervisors of the counties in which such papers are respectively published, copies of which said proceedings shall be furnished by the Clerks of said Boards for that purpose; *Provided*, That nothing in this Act contained shall prevent any Board of Supervisors from procuring the publication of their proceedings at a less price than that prescribed in this Act.

Compensa-
tion—how
paid.

SEC. 4. The compensation for the publication of the laws and proceedings, as aforesaid, shall be one-third the rates of legal advertisements, as allowed by law. All claims and compensation for the publication of the laws under this Act, shall be audited and paid by the State as like claims are now by law audited and paid; all other claims and compensation under the provisions of this Act, shall be paid by the several counties properly chargeable therewith.

Publication.

SEC. 5. 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.

Approved April 2d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register, April 11th, 1866, and in the Iowa Homestead April 18th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 119.

MILL DAMS.

AN ACT amendatory to an Act entitled an Act authorizing mill-dams, approved January 24th, 1855.

Former Sec.
amended.

Jury sworn
by Sheriff.

Duties of.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section 1267, Chapter 54, of the Revision of 1860, be amended so as to read as follows: The Jury so summoned shall be sworn by the Sheriff impartially, and to the best of their skill and judgment, to view the lands in said writ described, and the lands both above and below said proposed dam and ascertain and appraise the damages as by said writ directed, to each of the proprietors of said land proposed to be affected by said dam, and also to ascertain whether the dwelling-house, out-house, orchard, or garden of such proprietor shall be overflowed, or other-

wise injuriously affected, and they shall further inquire and take testimony, if necessary, to ascertain whether such dwelling-house, out-house, orchard or garden, has been placed there for the purpose of preventing the erection of said dam, or whether such dwelling-house, out-house, orchard or garden, has been placed there for the purpose of having the same injuriously affected by the building of such dam, and if they do so find that the dwelling-house, out-house, orchard or garden, has been placed there for the purposes aforesaid, it shall not be considered any bar or hindrance to the construction or building of said dam. ^{Same.}

SEC. 2. *And be it further enacted*, in all cases arising under the Act to which this is amendatory, the jury may, in addition to examinations, take the testimony of witnesses. And testimony may be taken to be introduced on the final hearing before the Court in the same manner that the testimony is taken in equitable actions triable by the first method of trying equitable actions, which inquisition shall be signed by the jurors aforesaid, and returned with the writ aforesaid to the Court whence it issued. ^{May take testimony.} ^{How taken.} ^{Signed and returned.}

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

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, newspapers published at Des Moines, Iowa. ^{Publication.}

Approved April 2, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 18th, 1866, and in the Iowa Homestead April, 25th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 120.

RECORDS OF COUNTY COURTS.

AN ACT in relation to County Court Records.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That hereafter the County Judges of each county in this State shall keep a book known as "Records of Bonds," in which he shall record all bonds ^{Co. Judges of record bonds in Probate.}

Fee.

given by administrators, executors, and guardians, and he shall receive as compensation for each Bond so recorded the sum of fifty cents.

Approved April 2d, 1866.

CHAPTER 121.

RESUMPTION OF M. & M. R. R. LANDS.

AN ACT to quiet the title to certain lands sold by the State to individuals as part of the Des Moines River Grant.

Preamble.

WHEREAS, By act of Congress, approved August 8th, 1846, there was granted to the State of Iowa, certain lands for the improvement of the Des Moines River, and under said grant lands lying along said river and within five miles thereof above the Raccoon Forks, were certified to the State by the Department of the Interior, and were sold by the proper State authorities, to individuals, and patents issued therefor, and the proceeds of such sales applied to the improvement of the river;

And *Whereas*, The Supreme Court of the United States has decided that the Des Moines River Grant of lands extended only to the "Raccoon Forks;"

And *Whereas*, Since said decision Congress has extended the Des Moines River Grants to the Northern boundary of the State, and relinquished to the State, all title which the United States retained in the tracts of land along the Des Moines River, heretofore certified by the Department of the Interior as part of the original Des Moines River Grant, and which is now held by *bona fide* purchasers of the State of Iowa;

And *whereas*, A large portion of the lands sold by the State to individuals and since falling within the limits of the grant known as that of the Mississippi and Missouri Railroad, has become forfeited to the State, by the failure of said road to comply with the conditions of its grant, and recognizing it as the duty of the State at all times to protect individuals holding its patent for lands purchased in good faith, and for a valuable consideration, in the quiet possession of their farms and houses; therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the lands and all rights to

the hereinafter described lands and the interests, rights, powers and privileges in and to, and concerning such lands, lying within five miles of the Des Moines river on either side thereof heretofore conferred or intended to be conferred upon the Mississippi and Missouri Railroad Company, if any such lands, rights, interest, powers, or privileges, were ever so conferred by an Act approved July 14th, 1856, entitled "An Act to accept of the Grant and carry into execution the trust conferred upon the State of Iowa by an Act of Congress entitled an Act making a grant of lands to the State of Iowa in alternate sections, to aid in the construction of certain railroads in said State," and by an Act of Congress approved May 15th, 1856, entitled "An Act making a Grant of Lands to the State of Iowa in alternate sections, to aid in the construction of certain railroads in said State," and by an Act of Congress approved June 2d, 1864, entitled "An Act to amend an act entitled an act making a grant of lands to the State of Iowa in alternate sections to aid in the construction of certain railroads in said State," be and the same are hereby absolutely and entirely resumed by the State of Iowa.

Certain land granted to M. & M. R. R. Co. resumed.

Provided further, that the resumption herein provided for shall not be considered as a waiver of the right of the State to resume the remaining lands conferred or intended to be conferred upon the Mississippi and Missouri Railroad Company.

Said resumption not a waiver of right to resume lands.

PARTS OF SECTIONS.	Sec.	Town.	Range	Acres.	Description of lands resumed.
s $\frac{1}{2}$ sec. n w $\frac{1}{4}$ s $\frac{1}{2}$, n e n w, n e $\frac{1}{4}$. . .	7	79	23	629:44	
s w n e $\frac{1}{4}$, n w n w, s w n w s e	17	79	23	280:00	
s w n w w $\frac{1}{2}$ s w	31	80	23	143:34	
Lot 6	9	78	24	43:79	
s $\frac{1}{2}$ sec. and fraction on left bank . . .	17	78	24	320:47	
All	19	78	24	653:12	
n w n w	21	78	24	40:00	
n w n e, e $\frac{1}{2}$ n w, n w n w	29	78	24	160:00	
n $\frac{1}{2}$ s w, n e s w	29	78	24	120:00	
n e $\frac{1}{4}$ e $\frac{1}{2}$, n w n $\frac{1}{2}$ s e	31	78	24	320:00	
e $\frac{1}{2}$ n $\frac{1}{2}$ n w s $\frac{1}{2}$ s w	1	79	24	508:62	
s w n w	3	79	24	40:00	
n w s w lots 5 and 6	5	79	24	121:70	
w $\frac{1}{2}$ n e, s w n e, s $\frac{1}{2}$ s e, and w $\frac{1}{2}$. . .	7	79	24	523:42	
w $\frac{1}{2}$ n e, w $\frac{1}{2}$ s e, w $\frac{1}{2}$ s w	11	79	24	240:00	
s e s w	11	79	24	40:00	

PARTS OF SECTIONS.	Sec.	Town.	Range	Acres.
$e\frac{1}{2}$ s w $\frac{1}{4}$ and $e\frac{1}{2}$ n w $\frac{1}{4}$	13	79	24	560:00
All.....	15	79	24	640:00
w $\frac{1}{2}$ s w, s e s w, lot 7, 8, 9.....	17	79	24	280:25
All.....	19	79	24	646:74
w $\frac{1}{2}$ s w, s w n w.....	21	79	24	120:00
s $\frac{1}{2}$ sec. n w s $\frac{1}{2}$, n e $\frac{1}{4}$ n w $\frac{1}{4}$ n e....	23	79	24	600:00
s $\frac{1}{2}$ n w, w $\frac{1}{2}$ s w.....	25	79	24	160:00
n $\frac{1}{2}$ n e, n $\frac{1}{2}$ n w.....	29	79	24	160:00
n w $\frac{1}{4}$	31	79	24	169:96
s $\frac{1}{2}$ s w.....	7	80	24	86:61
s w $\frac{1}{4}$	9	80	24	160:00
n w $\frac{1}{4}$ and s e $\frac{1}{4}$	15	80	24	320:00
n e n e.....	17	80	24	40:00
e $\frac{1}{2}$ n e.....	19	80	24	80:00
n e $\frac{1}{4}$ and w $\frac{1}{2}$	23	80	24	480:00
n e $\frac{1}{4}$ and w $\frac{1}{2}$	25	80	24	480:00
n e n e, s w s w s e.....	27	80	24	240:00
e $\frac{1}{2}$ s e, and s w s e.....	29	80	24	120:00
n w $\frac{1}{4}$ and w $\frac{1}{2}$ s e $\frac{1}{4}$	33	80	24	240:00
All.....	31	80	24	527:43
e $\frac{1}{2}$ n e.....	35	80	24	80:00
s $\frac{1}{2}$ n w, s $\frac{1}{2}$ n e, and n w n e.....	1	78	25	643:65
e $\frac{1}{2}$ n w, and e $\frac{1}{2}$ s w.....	3	78	25	617:12
e $\frac{1}{2}$ n e, s w n e, and s e n w.....	11	78	25	160:00
n e s e.....	13	78	25	40:00
w $\frac{1}{2}$ n e s e n e, w $\frac{1}{2}$ s e $\frac{1}{4}$	23	79	25	600:00
All....	25	79	25	640:00
n $\frac{1}{2}$, n $\frac{1}{2}$ s w s e, s w s e.....	27	79	25	600:00
w $\frac{1}{2}$ n e $\frac{1}{4}$, w $\frac{1}{2}$ s e and w $\frac{1}{2}$	35	79	25	480:00
s $\frac{1}{2}$ n e $\frac{1}{4}$	1	80	25	80:00
n e n e, s e n w, e $\frac{1}{2}$ s w s e.....	5	80	25	332:81
n e $\frac{1}{4}$ w $\frac{1}{2}$ e $\frac{1}{2}$ s e.....	9	80	25	560:00
Lots 1, 2, 6.....	11	80	25	105:83
Lots 3, 4, 7, 8.....	13	80	25	180:18
n $\frac{1}{2}$ s e s w, and s w s e, and n $\frac{1}{2}$ s e	15	80	25	480:00
s w n e, s $\frac{1}{2}$ n w n $\frac{1}{2}$ s w.....	17	80	25	200:00
s e s w, w $\frac{1}{2}$ s e.....	17	80	25	120:00
e $\frac{1}{2}$ n e, and e $\frac{1}{2}$ n w, n w n w.....	21	80	25	200:00
e $\frac{1}{2}$ e $\frac{1}{2}$, n w e $\frac{1}{2}$, s w s w s w.....	23	80	25	520:00
n $\frac{1}{2}$ s w n $\frac{1}{2}$ s e, s e s e.....	25	80	25	600:00
e $\frac{1}{2}$ n e, n w n e, w $\frac{1}{2}$ s w, e $\frac{1}{2}$ s e...	27	80	25	280:00
s w n e, s e n w, n $\frac{1}{2}$ s w, s w s e...	29	80	25	200:00
n w, e $\frac{1}{2}$ s w, s e.....	33	80	25	400:00
e $\frac{1}{2}$, n e, n w, and e $\frac{1}{2}$ s e.....	35	80	25	320:00

PARTS OF SECTIONS.	Sec.	Town.	Range	Acres.
n $\frac{1}{2}$ n e, n w s e.....	11	80	26	120:00
w $\frac{1}{2}$ n w.....	13	80	26	80:00
n $\frac{1}{2}$	21	81	26	320:00
n $\frac{1}{2}$ s e.....	23	81	26	480:00
Amounting in all to.....				19,734:48

SECTION 2. That in lieu of the land hereby confirmed to individual purchasers, the Register of the State Land Office shall set apart to, and for the Mississippi & Missouri Railroad Grant an equal number of acres from the Grant known as "Indemnity Lands," (reserved in Section 5 of Chapter 108 of the Acts of the 10th General Assembly) granted by acts of Congress approved July 12th, 1862, and accepted by the General Assembly by Joint Resolution, dated Sept. 11th, 1862, *Provided*, That none of the indemnity Lands set apart in this section shall be certified to the Mississippi and Missouri Railroad Company unless the Supreme Court of the United States shall decide that the lands, described in Section 1 of this Act, were included in the Grant of Lands made to the State of Iowa by Act of Congress approved May 15th, 1856; *Provided*, further, that before any of the indemnity lands aforesaid shall be certified to the said Railroad Company all the incumbrances created or suffered by said Company upon the said lands hereby confirmed, or any part thereof shall be removed therefrom.

Register set apart certain lands.

Proviso.

Proviso.

SECTION 3. That before any lands included in the Grant to the Mississippi and Missouri Railroad Company shall be certified to said Company or its assignees, and before the Governor of this State shall certify to the completion of any part of said Road, they shall file with the Register of the State Land office, a formal and legal release of all lands described in the first section of this act, and an acceptance in lieu thereof of the indemnity lands set apart by said Register.

Conditions upon which certified.

SECTION 4. That should the rights and grants conferred upon the Mississippi and Missouri Railroad Company by act of the General Assembly approved July 14th, 1856, be at any time resumed by the State and granted to another company, then all the provisions of this Act shall be held to apply to the company upon which such rights and grants are conferred.

Apply to other Company.

Approved April 2d, 1866.

CHAPTER 122.

SOLDIERS EXEMPTED FROM MILITIA DUTY.

AN ACT exempting Soldiers from military duty.

Officers and
soldiers—ex-
empt—when.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That from and after the passage of this Act, all officers, non-commissioned officers, and privates who have served in the United States service for the period of two years, or more, and have been honorably discharged therefrom, be and are hereby exempt from all duty under the military laws of this State. *Provided*, That nothing in this Act shall be so construed as to prohibit the Executive of the State from calling upon such persons so exempt in times of public danger to the State or National Government.

Repeal.

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

Approved April 2d, 1866.

CHAPTER 123.

REFUNDING CERTAIN MONEYS TO 2D AND 3D INFANTRY.

AN ACT to provide for the refunding of certain Moneys to the Second and Third Regiments of Iowa Infantry.

Preamble.

WHEREAS, In the year 1861, the State of Iowa furnished the 2d and 3d Regiments of Iowa Infantry Volunteers with a suit of grey uniform, which, at the time it was received, was understood by the members of said regiments to be a gift from the State; and,

WHEREAS, By an arrangement entered into between the General Government and the State of Iowa, many of the 2d and a majority of the 3d Regiments of Infantry paid for the said suit at the rate of \$14.25 each; and,

WHEREAS, Soon after said suit had been received, an order was promulgated by the War Department prohibiting the wearing of any uniform other than blue; and,

WHEREAS, By virtue of said order, the grey uniform

was abandoned and entirely lost after having been worn about two months. Therefore,

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 Treasury not otherwise appropriated, the sum of thirteen thousand five hundred dollars, or so much thereof as may be necessary for the refunding of any and all moneys deducted for said suit; *provided,* that no payments shall be made under the provisions of this Act until the General Government refund to the State the amounts stopped against the pay of said regiments for said clothing. \$13,000 appropriated.
Proviso.

SEC. 2. It shall be the duty of the Adjutant-General to ascertain by referring to the original rolls now on file in the office of the Paymaster General of U. S. A., the amount so deducted, and from whom; and that he be required to make out certificates for the amount deducted as shown by said rolls for all members of said regiments, who shall thus be by him found entitled to the same; and if any member so entitled to said certificate be dead, the same shall be given to his widow if any, if there be no widow, then his child or children, if any. Adj't-Gen'l--
duty of.

SEC. 3. That the Auditor of State be and is hereby directed to issue warrants on the State Treasurer for the amounts as certified to by the Adjutant-General. Auditor of
State—duty
of.

Approved April 2d, 1866.

CHAPTER 124.

REDEMPTION OF LAND SOLD FOR TAXES.

AN ACT in relation to the manner of redeeming land sold for taxes, after three years.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That any person authorized under the laws of this State, to redeem lands sold for taxes after the expiration of three years from sale may redeem the same by an equitable action in the District Court, in which all persons claiming an interest in the land derived from the tax sale as shown by the record, shall be made defendants. Said action shall be commenced, tried, and determined in the same manner as other equitable actions. The court shall determine the rights, claims, and inter- Sold for taxes
—how re-
deemed.
Who made
defendants.
Action, how
commenced.

Duties of
Court.

est of the several parties to the land, including liens for taxes, and claims for improvements made on the land by the persons claiming under the tax title.

Manner of
redemption.
Repeal.

SEC. 2. No person shall be allowed to redeem land sold for taxes after three years from such sale, in any other manner than that provided in Section one of this Act. All laws inconsistent with this Act are hereby repealed.

Approved April 2d, 1866.

CHAPTER 125.

GUARDIANS OF NON-RESIDENT MINORS.

AN ACT to amend Section 2564 of the Revision of 1860, relating to Guardians of non-resident minors.

Former Sec.
amended.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section 2564, of the Revision of 1860, be amended so as to read as follows: "That where minors, non-residents of the State of Iowa have property in this State either real or personal, a resident guardian may be appointed, on proper application made to the County Court of the County in which such property, or any part thereof may be, who shall qualify in the same manner, and shall have the same powers, and be subject to the same rules as guardians of resident minors. The foreign guardian of any non-resident minor may be appointed the guardian in this State of such minor, by the Court of the County wherein he has any property, for the purpose of selling or otherwise controlling that, and all other, property of such minor, within this State, unless a guardian has previously been appointed under the first part of this Section.

Guardian ap-
pointed, how.

Foreign
guardian
appointed.

Approved April 2, 1866.

CHAPTER 126.

RELIEF OF D. B. HILLIS.

AN ACT for the relief of D. B. Hillis.

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 D. B. Hillis of Lee county, for the sum of three hundred and sixty dollars; for one hundred and twenty days' service, as Aid-de-Camp to Governor Samuel J. Kirkwood, between the 1st day of September, 1861, and the 1st day of March, 1862. Auditor to audit claim. \$360.

SEC. 2. The Auditor of State shall draw his warrant on the Treasurer of State in favor of the said D. B. Hillis, for the above named amount, and the Treasurer of State shall pay said warrant out of the War and Defense Fund. Draw warrant on W. and D. Fund.

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 Homestead, newspapers published at Des Moines. Publication.

Approved April 2d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 15th, 1866, in the Iowa Homestead April 25th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 127.

CONCERNING PRIVATE ROADS.

AN ACT to provide for establishing private roads in the State of Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That private roads may be established in the same way and manner that county roads are now established by law, and all the laws of Iowa relating to and governing the establishment of county roads, shall apply to and govern the establishment of private roads, so far as the same are applicable. Private roads established as county roads.

and not herein changed: *Provided*, That a petition signed by the applicant, for a private road, alone, shall be sufficient as a basis upon which to proceed.

Appointment of Comm'r—what necessary to secure SEC. 2. Previous to the appointment of a commissioner to view the proposed private road, and report upon the application therefor, the petitioner must file a bond with the Board of Supervisors, in a penal sum to be fixed by them, payable to the county, with such sureties as may be approved by said Board, for the use of the parties injured by the establishment of such private road, with conditions that the applicant will pay all the cost resulting from such application and will pay all the assessed damages to the owners of the land over which such a road may be established, and comply with all other conditions upon which such road is established: *Provided*, He shall not be liable to perform any of the conditions in the said bond, nor any of the conditions upon which such a road is established, except the payment of the cost, unless he accepts of such road.

Private road ordered open—when. SEC. 3. No private road established as provided by this Act, shall be ordered to be opened until the applicant shall have paid all the damages and costs, and complied with all other conditions upon which it is established, which must be done within such time as may be fixed by the Board of Supervisors, and in case he does not pay said costs and damages, and comply with said other conditions, within the time fixed by said Board, he shall be deemed to have waived and forfeited all his rights to such road upon that application; and if thereafter he should desire such a road, he must proceed anew.

Time of final hearing. SEC. 4. When the time for final hearing and action in relation to such a road arrives, whether application for damages has been made or not; and whether the commissioner has reported adversely to the establishment of the road or not, the Board of Supervisors may hear testimony and receive petitions for and against the establishment of such road, and may establish the road upon such conditions as to the payment of damages and costs, and building and maintaining fences, and such other conditions as to the Board may seem just to all parties concerned; or they may reject the road absolutely, but such rejection shall be no bar to another application for the same purpose.

Board of Supervisors—duties of. SEC. 5. This Act being deemed by the General Assembly of immediate importance, it shall take effect and be in force from and after its publication in the

Publication.

Iowa State Register and Iowa Homestead, newspapers published at Des Moines, Iowa.

Approved April 3, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 12th, 1866, and in the Iowa Homestead April 18th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 128.

SUBSCRIPTIONS TO COUNTY AGRICULTURAL SOCIETIES.

AN ACT authorizing county subscriptions to County Agricultural Societies.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That whenever any County Agricultural Society, organized according to law, shall have procured in fee simple, free from incumbrance, land for fair grounds, not less than 10 acres in extent, the Board of Supervisors of said county may appropriate and pay to such Society a sum not exceeding one hundred dollars for every thousand inhabitants in said county, to be expended by such Society in fitting up such fair grounds, but for no other purpose; *Provided*, That no appropriation be made unless a majority of all the Supervisors in such county shall ask for the same, and not more than one thousand dollars shall in the aggregate be appropriated to any one society.

SEC. 2. Each society receiving such appropriation shall, through its Secretary, make to the Board of Supervisors a detailed statement, with vouchers, showing the legal disbursement of all the money so received.

SEC. 3. All Acts or parts of Acts inconsistent with the provisions of this Act, are hereby repealed.

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

Approved April 3d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 12th, 1866, and Iowa Homestead April 18, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 129.

LEGALIZING CERTAIN ACTS OF S. C. JOHNSON.

AN ACT to legalize the acts of S. C. Johnson, lately a Justice of the Peace in Jones County, Iowa.

Official acts
legalized.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the official acts of S. C. Johnson, a Justice of the Peace in Jones county, Iowa, during the years A. D. 1859, and 1860, are hereby legalized and declared to be valid in law in all cases where the said S. C. Johnson has failed or neglected to sign his official docket as fully as if it had been so signed.

Publication.

SEC. 2. This act shall be in force from and after its publication in the Anamosa Eureka, and Monticello Express, papers published in Jones Co., Iowa, without expense to the State.

Approved April 3d, 1866.

I hereby certify that the foregoing Act was published in the Anamosa Eureka, April 12th, 1866, and in the Monticello Express April 12th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 130.

QUIETING THE TITLE OF ELIZA INGWERSEN *et al* TO CERTAIN LAND.

AN ACT to quiet the title of Eliza Ingwersen and others to certain land.

Preamble.

WHEREAS, One Peter Bartels, died intestate on the 18th day of September, A. D. 1858, leaving neither widow nor child, he being at the time of his decease seized of the following described lands, viz.: The south half of the south-west quarter of section twenty-six, (26), and the north-west quarter of section thirty-five (35), in township eighty-four (84), north of range ten (10), west of the fifth P. M., also the north-west quarter of section twenty-five (25), in township eighty-three (83), north of range forty-three (43), west of the fifth P. M., and also the south half of the north-west quarter

of section twenty-six (26), in township eighty (80), north of range four (4), west of the fifth P. M.

WHEREAS, At the time of the death of said Bartels, his nearest of kin who were then residents of the State of Iowa, were his cousins, Eliza Ingwersen, (formerly Peters), Emma Ingwersen (formerly Peters), of Clinton county, Augusta Henschel (formerly Peters), of Scott county, Margaretta Ingwersen (formerly Peters) late of Clinton county, who has since died, leaving a minor child, Julius Henrick Ingwersen, who was born in and resides in said Clinton county, and Wilhelmina Ingwersen (formerly Peters), late of Clinton county, who has since died leaving the following minor children who (were) born in and reside in said county, namely: Erne Christona Ingwersen, Julia Helena Ingwersen and Emil Heinrich Ingwersen.

SECTION 1. *Therefore be it enacted by the General Assembly of the State of Iowa,* For the purpose of settling any question as to the right of the said cousins of said Bartels to inherit said land from said Bartels, that all claim of the State of Iowa, in and to said land by reason of any liability of the same to be escheated to the State, be and the same is hereby relinquished to the said cousins of said Bartels and to the child or children of such of said cousins, as are deceased, the children of said Wilhelmina only to have jointly an undivided one fifth part of said land.

Purpose of this section.

Claim of State relinquished—to whom.

SEC. 2. This Act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and Iowa Homestead, newspapers published in the city of Des Moines, without expense to the State.

Publication.

Approved April 3d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 12th, 1866, and in the Iowa Homestead April 18th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 131.

SWAMP LAND CERTIFICATES.

AN ACT requiring Swamp Land Certificates to be recorded.

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

Certificates, where filed. *of the State of Iowa*, That all certificates of the purchase of swamp land in this State, whether the purchase money has been paid or not, which were issued in pursuance of law prior to the first day of January, 1860, shall be filed for record, and recorded in the office of the County Recorder where the land is situated. It shall be the duty of the Recorder to whom such certificates are presented for record to at once place the same on record, the same as deeds for the conveyance of real estate, and he shall receive the sum of seventy-five cents for recording each certificate.

Recorder, duty and compensation of.

Certificates not recorded. SEC. 2. All certificates as above contemplated, not recorded within six months after the passage of this act, shall be utterly null and void and of no effect whatever as against subsequent "bona fide" purchasers.

Publication. SEC. 3. This Act shall be in force and take effect from and after its publication in the State Register, American Union, Glenwood Opinion, Council Bluffs Nonpareil, and Fort Dodge North-West.

Approved April 3d, 1866.

I hereby certify that the foregoing Act was published in the State Register April 12th, 1866, in the American Union April —, 1866, in the Glenwood Opinion April —, 1866, in the Council Bluffs Nonpareil April —, 1866, and in the Fort Dodge North-West April 17th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 132.

AMENDATORY ACT, RELATING TO IDIOTS, &C.

AN ACT to amend Section 1442 of the Revision of 1860, by adding thereto a provision in relation to idiot or imbecile persons.

Former Sec. repealed.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section 1442 of the Revision of 1860, be and the same is hereby amended by adding thereto the following, viz: *Provided*, That the Superintendents of the Hospital for the Insane, upon the application of the guardian or next friend of any indigent idiot person, or of any indigent imbecile person of the highest degree, residents of any county of the State of Iowa, approved by order of the Board of Supervisors, may, in his discretion, if satisfied that such person is in indigent circumstances, order and direct

Sup't Insane Asylum.

Board of Supervisors—duties of.

that such person shall be transferred to some institution for idiots and imbeciles, in this or in some other State, and there maintained at the expense of the county of which such person is a resident, and the expenses incurred thereby shall be paid in the manner as is provided by law for the maintenance of indigent insane persons in the Iowa Hospital for the Insane. The Superintendent shall certify to the Auditor of State on the first days of January, April, July, and October in each year, the amount (not previously certified) due from each county, for and upon account of the expenses incurred by the transfer and maintenance as authorized by this Act; and the Auditor shall thereupon notify the Clerk of the Board of Supervisors of each county so owing of the amount thereof, and charge the same to said county; and the Board of Supervisors of such county shall add such amount to the tax levied to pay expenses of insane persons in the Hospital for the Insane, or otherwise provide for the payment thereof, to be levied in said county, and the tax so levied shall be collected and paid into the State Treasury the same as other State taxes.

Auditor—
duties of.

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

Approved April 3d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 12th, 1866, and in the Iowa Homestead April —, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 133.

DISTRIBUTION OF A. G. REPORT.

AN ACT to provide for the distribution of the Adjutant General's Report of January 1st, 1866.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Secretary of State shall distribute the printed Reports of the Adjutant General of this State for Jan. 1st, 1866, as follows: One hundred copies to the Governor of the State for

Sec'y of State
to distribute
reports.

exchange with Governors' of other States and for his own use; ten copies to the Lieutenant-Governor; five copies to the Ex-Lieutenant-Governor Eastman; five copies to the Soldiers' Orphans' Home at Davenport; five copies to the Soldiers' Orphans' Home at Cedar Falls; one hundred copies for the State Library, to be used so far as is necessary for exchange with other States, and the remainder of said hundred to be kept in the State Library. Fifty copies for the State Historical Society; one copy to each County Judge, Treasurer, Sheriff, Clerk of the District Court, Recorder and Superintendent of Common Schools of each organized county in the State, to be kept for the respective offices and to be delivered over to their successors in office.

Co. Clerks.

SEC. 2. There shall be sent to the County Clerk of each county of 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.

Adj. General
to distribute.

SEC. 3. The Adjutant General shall be furnished with fifteen hundred copies, for distribution among such officers who have held or may now hold commissions in Iowa regiments as may by said Adjutant General be deemed best for the public service, and for exchange with Adjutant Generals of other States and for distribution among such United States officers and others as may be best for the public service, twenty copies to the Adjutant General, three copies each to the Secretary of State, Auditor of State, State Treasurer, Register of the Land Office, Superintendent of Public Instruction, and to each of the Judges of the Supreme Court; four copies to each member of the present General Assembly, to be transmitted by the Secretary of State to each at the expense of the State; one copy to each officer of the present General Assembly, and the Clerk of the Supreme Court, and the State Librarian; one copy to each Library Association, and one copy to each institution of learning incorporated under the laws of the State. The remaining copies shall be kept by the Secretary of State to be distributed as further legislation may direct.

Remaining
copies.

Publication.

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, newspapers published at Des Moines, Iowa.

Approved April 3d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 15th, 1866, and Iowa Homestead April 25th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 134.

GRANT OF LANDS TO "SIOUX CITY AND ST. PAUL RAILROAD COMPANY."

AN ACT to accept of the Grant and carry into execution the Trust conferred upon the State of Iowa, by an Act of Congress entitled "An Act for a grant of lands to the State of Iowa in alternate sections, to aid in the construction of a railroad in said State."

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the lands, rights, powers and privileges conferred upon the State of Iowa by the Act of Congress entitled "An Act for a grant of land to the State of Iowa in alternate sections, to aid in the construction of a railroad in the State of Iowa, approved May 12, 1864, be, and the same are hereby accepted upon the terms, conditions, and restrictions contained in said Act of Congress. Lands conferred by act of Congress.
Approved May 12, 1864.

SEC. 2. That so much of the lands, interests, rights, powers, and privileges, as are or may be granted and conferred in pursuance of the Act of Congress aforesaid, for the purpose of aiding in the construction of a railroad from Sioux City, in the said State of Iowa, to the south line of the State of Minnesota, at such point as the said State of Iowa may select between the Big Sioux and the west fork of the Des Moines River be, and are hereby disposed of, granted, and conferred upon the Sioux City and St. Paul Railroad Company, a body corporate existing under and by virtue of the laws of the State of Iowa. Conferred upon S. C. & St. P. R. R. Company.

SEC. 3. That said company shall locate and definitely fix the line and route of said road as soon as practicable after the passage of this Act, and shall file a map showing such line or route in the office of the Governor of the State of Iowa, and also in the office of the Secretary of State of the State of Iowa; and it shall Co. to locate route, when.
Shall file map of same, where.

LAWS OF IOWA.

- Duty of Gov.** be the duty of the said Governor after affixing his official signature thereto, to file, or cause to be filed such map in the office of the Secretary of the Interior. But the location of such line or route, however, shall be considered final only so far as to fix the limit and boundary within which lands may be selected under, and by virtue of said Act of Congress.
- Considered final, how far.**
- How constructed.** SEC. 4. The said road shall be constructed upon the usual gauge (gauge) of other first class roads in this State, and the iron used in the track shall be of approved quality and pattern; and the said road shall be constructed and finished in a style and of a quality equal to the average of other first class western roads; and when the said road shall be intersected by any other railroad hereafter constructed, it shall be the duty of the company receiving the benefit of this Act to furnish all proper and reasonable facilities, and to join such other company in making all necessary crossings, turnouts, sidelings, and switches, and other conveniences for the transportation of all freight and passengers over their road, and the rates for transportation shall not in any case exceed the regular tariff of charges on said road.
- Where intersected.**
- Duty of Co.**
- Rates of tariff**
- Acceptance, how signified** SEC. 5. The said company shall assent to and accept the grant by this act conferred, by a written instrument under the seal of such corporation, and signed by its President and Secretary, and shall file the same in the office of the Secretary of State of the State of Iowa within six months after the passage of this Act.
- Where filed—when.**
- Company may select terminus.** SEC. 6. The said company is hereby authorized and empowered to select and designate the point upon the south line of the State of Minnesota, to which the said road shall be built, between the "Big Sioux" and the "west fork" of the Des Moines Rivers, as designated in said Act of Congress.
- Between what points.**
- Company to be subject to laws.** SEC. 7. The Company accepting the provisions of this Act, shall at all times be subject to such rules, regulations and restriction of rates for the transportation of passengers and freight as may be enacted and imposed by the General Assembly of the State of Iowa, not inconsistent with the provisions of this Act and the act of Congress making the grant aforesaid.
- Accept under conditions imposed.** SEC. 8. The said Company accepting the grant of land under the provisions of this Act, shall take the same with the conditions imposed and the terms provided by this Act, and in no event shall said Company have any claim or recourse upon the State of Iowa by reason of the conditions imposed by this Act.
- Recourse upon the State.**

SEC. 9. All persons who, at the time said grant was made, held valid claims by actual occupation and improvement upon any of the lands embraced in said grant, shall be protected in the same and entitled to purchase and enter the same upon the terms and conditions provided in Sections 1308 and 1309, Chapter 55, of the Revision of 1860. Valid claims protected.
Upon what terms.

SEC. 10. This Act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Daily State Register, a newspaper published in Des Moines, and the Sioux City Journal, a newspaper published in Sioux City, said publication to be without expense to the State. Publication.

Approved April 3d, 1866.

I hereby certify that the foregoing Act was published in the Daily State Register April 22d, 1866, and in the Sioux City Journal April —th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 135.

OWNERS OF THRESHING MACHINES.

AN ACT to require owners of threshing machines to guard against accidents.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all persons hereafter owning or running any threshing machine in this State, shall cause the two lengths of tumbling rods next the threshing machine, together with the knuckles or joints and jacks of the tumbling rods to be safely boxed or secured while running. Owners have tumbling rods secured.

SEC. 2. Any person or persons owning or running any threshing machine in this State without complying with the requirements of Section 1 of this Act, shall be held liable to the person damaged, for any damage which may be sustained by such person by reason of such neglect, and no action shall be maintained, nor shall any legal liability exist for services rendered by or with any threshing machine, when it shall be made to appear that the first section of this Act has not been complied with. Damages for failing to comply.

SEC. 3. This Act shall take effect from and after its publication. Publication.

publication in the Iowa State Register and Iowa Homestead.

. Approved April 3d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 15th, 1866, and in the Iowa Homestead April 25th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 136.

LOCATING DEAF AND DUMB ASYLUM.

AN ACT to permanently locate the Institution for the Deaf and Dumb at Council Bluffs.

Deaf and
Dumb Asy-
lum located
at Council
Bluffs.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That there shall be and is hereby permanently established at Council Bluffs, Iowa, an Institution for the support and education of the Deaf and Dumb.

Com'rs ap-
pointed—for
what purpose

SEC. 2. That Thomas Officer, Caleb Baldwin, and Dr. E. Honn, be and are hereby appointed Commissioners to select a location for the grounds and erection of suitable buildings for the use of said Institution, and to secure the title to said grounds to the State, as well as plans for such buildings and grounds, and invite and receive building proposals for the erection of such buildings and improvements of the grounds; and in case of a vacancy in said Commission, by death or otherwise, the same shall be filled by appointment by the Governor.

Vacancy—
how filled.

To select a
location—
character of.

SEC. 3. That said Commission shall select the most eligible and desirable location, of not less than thirty nor more than eighty acres, and it must not in any event be more than one mile from said city of Council Bluffs; which said lands so selected shall be free of charge to the State, and it shall be the duty of said Commission, after procuring a deed in fee simple for said lands, to have the same recorded in the proper record book of the county of Pottawattamie as required by law.

To be free of
charge to the
State.

Com'rs to se-
cure deed—
to be record-
ed where.

To procure
plan, &c., of
building.

SEC. 4. Said Commission shall also procure plans, drawings, and specifications for the buildings necessary and proper for said Institution, and shall invite and receive proposals for the construction of such buildings

according to such plans and specifications, said buildings to be fully completed and ready for occupancy on or before the first day of October, 1870; and they shall also procure from the persons making such proposals or bids their binding written proposals, accompanied by bonds, with good and sufficient sureties, to be approved by said Commissioners, in the penalty of at least one-half their bids, conditioned for the faithful performance of their proposals or bids. In case the same is accepted as hereinafter provided for, said proposals or bid shall have binding force and effect in law.

SEC. 5. It shall be the duty of said Commissioners to make a full report of all their doings and proceedings under this Act, together with the proposals, bonds, plans, drawings, and specifications, to the Governor, on or before the first day of October, 1867, and the Governor shall lay the same before the next General Assembly, and all contracts for the erection of said building shall be null and void unless the same shall be approved by said General Assembly; *and provided further*, that said Commissioners shall receive no compensation for their services, but shall be entitled to receive their actual expenses while actually engaged in the performance of their duties under this act, *provided*, the same is first established by oath.

SEC. 6. Nothing in this Act shall be construed to interfere with the present provision in relation to the Deaf and Dumb, it being the purpose and intent of this Act to permanently locate the Institution, and to ascertain the plan and costs of the buildings necessary for the same, leaving it with the next General Assembly to determine finally upon the plan and erection of said buildings.

SEC. 7. There is hereby appropriated out of any money in the Treasury not otherwise appropriated the sum of one thousand dollars, or so much thereof as may be necessary to carry the provisions of this Act into effect.

Approved April 3d, 1866.

To receive proposals. When building to be completed.

Take bonds for further performance. Penalty.

Proposal to be binding in law.

Com'r's report to Governor — when.

Gov. to lay same before next General Assembly.

Contract void unless approved by Gen. Assembly.

Com'r's not to receive any compensation—entitled to actual expenses.

Proviso.

This act, how construed.

\$1,000 appropriated.

For what purpose.

CHAPTER 137.

MANNER OF FILLING VACANCIES IN CERTAIN TOWNSHIP OFFICES.

AN ACT to prescribe the mode of filling vacancies in the office of Justice of the Peace, Constable, and members of the Board of Supervisors.

Vacancies—
Clerk Board
Supervisors
notify Town-
ship Clerk.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That whenever a vacancy occurs or exists in the office of Justice of the Peace, Constable, or member of the Board of Supervisors, in any of the townships of any of the counties of this State, by resignation or otherwise, it shall be the duty of the Clerk of the Board of Supervisors, immediately after receiving information of such vacancy in any of the townships of his county, whenever such vacancy occurs more than thirty days prior to any general election, to notify the Township Clerk of the township in which such vacancy exists, by mail or otherwise.

Township
Clerk to noti-
fy Trustees
of same.

SEC. 2. And it shall be the duty of the Township Clerk, within five days after receiving such notice, to notify each of the Trustees of his township in writing of such vacancy, specifying the office or offices that has become vacant in his township, fixing the time and place that they shall meet for the purpose of filling such vacancy by appointment, which place of meeting shall be the usual place of holding township meetings. Such notice may be served by any Constable of the township, and shall be served at least five days prior to such meeting.

Fix time and
place of meet-
ing.
Notice, how
served.

Duty of Trus-
tees.

SEC. 3. And it shall be the duty of the Trustees to meet in accordance with the provisions of such notice, and proceed to fill such vacancy or vacancies by appointment in writing of a competent person, who shall hold his office to which he has been appointed until the next general election, and until his successor is elected and qualified; and the person so appointed shall qualify in the same manner, and be liable to the same penalties as persons who are duly elected to fill such offices, and all the provisions of law in relation to qualification for office, shall apply to persons so appointed.

Persons ap-
pointed, how
long hold
office.
How qualify.

Liable same
as if elected.

Township
Clerk, duties
of.

SEC. 4. Within five days after an appointment has been made under the provisions of this Act, it shall be the duty of the Township Clerk to record such appointment in the township record book, and to cause a notice

to be served upon the person so appointed, informing him of his appointment to fill the office to which he was appointed, stating the time, place, and by whom such appointment was made. Such notice may be served by any Constable in the township, in the manner prescribed by law for the service of notices.

SEC. 5. And it shall be the duty of any person appointed under the provisions of this Act, and so notified, to qualify within ten days after such notice has been served upon him in accordance with the rules and regulations of the law now in force, except that the Clerk of the Board of Supervisors may approve of the bond of a Justice of the Peace and Constable appointed, by the recommendation of the sufficiency of the sureties upon such bond, signed by the member of the Board of Supervisors of such township.

SEC. 6. All Acts and parts of Acts in conflict with the provisions of this Act, are hereby repealed.

Approved April 3d, 1866.

CHAPTER 138.

MANNER OF INFORMING GOVERNOR OF VACANCIES IN THE GENERAL ASSEMBLY.

AN ACT to amend an Act entitled Vacancies and Special Elections.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Chapter 42, Section 672, of the Revision of 1860, be and is hereby amended by the addition of the following clause: "Whenever a vacancy shall occur in the office of a Senator or Representative in the General Assembly, it shall be the duty of the Clerk of the Board of Supervisors of the county in which such vacancy may occur to notify the Governor of the State of the fact, and the cause of such vacancy; and if more than one county is represented in the district in which such vacancy may occur, then such notice shall be given by the Clerk of the Board of Supervisors of the county in which the late member resided."

Approved April 3d, 1866.

CHAPTER 139.

RELATING TO ESTATES OF DECEDENTS—DUTIES OF EXECUTORS AND ADMINISTRATORS.

AN ACT to amend Chapter 100, of the Revision of 1860, of the Laws of Iowa, relative to the estates of Decedents.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa.* That when a will is executed in another State or county, and admitted to record in this State, the executors or administrators, with the will annexed, and any trustee appointed by such will or by any court of this State, to perform any duty or to carry into effect any trust created by such will, shall have all the rights, powers and authority, and shall be subject to the same liabilities, actions, and provisions of law respecting their duties and trusts as executors administrators with the will annexed, and trustees under the same, duly executed and admitted to probate in this State.

SEC. 2. The courts in this State shall, in all such cases have the same jurisdiction and powers over the appointment, filling vacancies, requiring sureties, and enforcing, directing and restraining [restraining] the performance and execution of the duties and trusts of each executors, administrators, with the will annexed, and trustees, as are given to such courts respecting the same matters arising under wills duly executed and admitted to probate in this State.

SEC. 3. If there be no heirs or devisee of a testator or intestate present or competent to take possession of the real estate left by any such testator or intestate, the executor or administrator of his personal estate may, as trustee for the proper heirs or devisees, take possession of such real estate, and demand and receive the rents and profits arising therefrom, and sue for and recover the same, and do all other acts and things relating to such real estate which may be for the benefit of the person entitled thereto and consistent with their rights and interests.

SEC. 4. Such executor or administrator shall account to such heirs or devisees for any rents, profits, or use of such real estate which he shall have received, deducting therefrom a reasonable compensation to be determined by the court.

SEC. 5. Such executor or administrator, under the order and direction of the court, may apply any pro-

When executed in another State and recorded in this State.
Ex., Adm'r, and Trustees.

Rights, powers, liabilities.

Jurisdiction of Courts in relation thereto.

Where no heirs are present.

Who may take charge.
Powers of.

Same, shall account.

Court determine compensation.
Ex. or Adm'r may apply proceeds.

ceeds derived by him as aforesaid from such real estate, to the payment of taxes, debts, and claims against the estate of the testator or intestate in case the personal assets are insufficient.

SEC. 6. It shall be the duty of executors and administrators, when any of the heirs of the testator or intestate are minors, for whom no guardians have been appointed, to pay out of any assets in the hands of any such executors or administrators, any taxes assessed against the real or personal estate of the decedent before and after his death, when no other provisions are made therefor; and every such payment shall be credited to such executor or administrator as the payment of other claims against the estate of the decedent.

Duty of executor or adm'r where heirs are minors without guardians.

SEC. 7. After letters testamentary, or of administration with the will annexed, or of administration, shall have been granted to any person, he may be removed and his letters suspended whenever the interests of the estate require it, for any of the following causes:

Adm'r may be removed, when.

1st. When by reason of age, continued sickness, imbecility of mind, or change of residence, or if any such executor or administrator shall, from any other cause, become incapable of discharging his trust in such manner as the interest and proper management of the estate may require.

Sickness, change of residence. Incapability.

2d. When any such executor or administrator shall fail or refuse to return inventories or accounts of sales of the estate, or to make reports of the condition of the estate and apply for orders of the court to sell personal or real estate for the payment of debts and claims against the same when it shall be necessary, or shall waste or be guilty of any mal-administration thereof.

Failure to account. Waste, mal-administration.

3d. When it shall be shown to the court by his sureties that such executor or administrator has become, or is likely to become insolvent, in consequence of which such sureties have or will suffer loss.

Insolent.

SEC. 8. Applications for the removal of executors or administrators, or for the purpose of requiring additional sureties, shall be made in the court from which letters were issued, by any person interested in the estate.

Applications for removal, where made, by whom.

SEC. 9. Such application must be in writing, and verified by oath, and shall specify the grounds of complaint.

Same, manner of making.

SEC. 10. Upon the filing of such application, a citation shall issue to the person complained of, requiring him to appear and answer the complaint, which citation shall be served ten days before hearing such complaint,

Citation to issue—when served.

unless sufficient cause be shown for making it returnable forthwith.

When executor or adm'r is a non resident. Notice, how served. SEC. 11. If the executor or administrator is not a resident of the county where such complaint is made, notice thereof shall be served upon him in the same manner as original notices are now, or may hereafter, be required to be served upon defendants to civil actions in the District Court, who may be non-residents of the county in which the action is brought.

Letters may be suspended. File account of act under oath. SEC. 12. If the determination of the Court upon the hearing of the complaint, is against the executor or administrator, he may be removed and his letters suspended, and he may be required to file, under oath, a full account of his acts relative to the management of the estate, and may be examined under oath as to any matter touching the same.

Deliver property when removed. SEC. 13. Upon the removal of any executor or administrator, he shall be required, by order of the Court, to deliver to the person who may be entitled thereto, all the property in his hands, or under his control, belonging to the estate.

Disobedience to order. Committed to jail, how long. SEC. 14. If such executor or administrator disobeys the order of the Court in filing his account, or refuses to be examined under oath, or to deliver the property, as provided in this Act, he may be committed to the jail of the county until a compliance be yielded.

Unnecessary delay, how remedied. SEC. 15. In case of any unnecessary or unreasonable delay on the part of any executor or administrator, the Court may, by citation, compel him to render an account of the estate, as if a complaint had been made for that purpose.

When removed, &c. SEC. 16. Whenever the letters of any executor or administrator are revoked or superseded, all his authority shall cease, and all acts thereafter as such shall be absolutely void.

Repeal. SEC. 17. All acts or parts of acts inconsistent with the provisions of this act, are hereby repealed.
Approved April 3d, 1866.

CHAPTER 140.

REPRESENTATIVE DISTRICTS.

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 five hundred inhabitants, or fraction thereof equal to one half in each Representative District 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 two 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.

24th District—Sec. 25. Pottawattamie county is the twenty-fourth district, and entitled to one Representative.

25th District—Sec. 26. Muscatine county is the twenty-fifth district, and entitled to two Representatives.

26th District—Sec. 27. Johnson county is the twenty-sixth district, and entitled to two Representatives.

27th District—Sec. 28. Iowa county is the twenty-seventh district, and entitled to one Representative.

28th District—Sec. 29. Powesheik county is the twenty-eighth district, and entitled to one Representative.

29th District—Sec. 30. Jasper county is the twenty-ninth district, and entitled to one Representative.

30th District—Sec. 31. Polk county is the thirtieth district, and entitled to two Representatives.

31st District—Sec. 32. Dallas county is the thirty-first district, and entitled to one Representative.

32d District—Sec. 33. Scott county is the thirty-second district, and entitled to three Representatives.

33d District—Sec. 34. Clinton county is the thirty-third district, and entitled to three Representatives.

34th District—Sec. 35. Jones county is the thirty-fourth district, and entitled to two Representatives.

35th District—Sec. 36. Cedar county is the thirty-fifth district, and entitled to two Representatives.

36th District—Sec. 37. Jackson county is the thirty-sixth district, and entitled to two Representatives.

37th District—Sec. 38. Linn county is the thirty-seventh district, and entitled to two Representatives.

38th District—Sec. 39. Benton county is the thirty-eighth district, and is entitled to one Representative.

39th District—Sec. 40. Tama county is the thirty-ninth district, and entitled to one Representative.

40th District—Sec. 41. Marshall county is the fortieth district, and entitled to one Representative.

41st District—Sec. 42. Dubuque county is the forty-first district, and entitled to four Representatives.

42d District—Sec. 43. Delaware county is the forty-second district, and entitled to one Representative.

43d District—Sec. 44. Buchanan county is the forty-third district and entitled to one Representative.

44th District—Sec. 45. Black Hawk county is the forty-fourth district, and entitled to one Representative.

45th District—Sec. 46. Hardin county is the forty-fifth district, and entitled to one Representative.

46th District—Sec. 47. Clayton county is the forty-sixth district, and entitled to three Representatives.

47th District—Sec. 48. Fayette county is the forty-seventh 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. Alamakee 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 entitled to one Representative.

54th District—Sec. 55. Floyd county is the fifty-fourth district, and entitled to one Representative.

55th District—Sec. 56. Harrison and Shelby counties shall constitute the fifty-fifth district, and be entitled to one Representative.

56th District—Sec. 57. The counties of Mitchell and Howard shall constitute the fifty-sixth district, and be entitled to one Representative.

57th District—Sec. 58. The counties of Sioux, O'Brien, Buena Vista and Cherokee, with the unorganized counties of Lyon, and Osceola, shall constitute the fifty-seventh district, and be entitled to one Representative.

58th District—Sec. 59. The counties of Dickinson, Emmett, Clay, and Palo Alto shall constitute the fifty-eighth district, and be entitled to one Representative.

59th District—Sec. 60. The counties of Cerro Gordo, Worth, Winnebago, and Kossuth shall constitute the fifty-ninth district, and be entitled to one Representative.

60th District—Sec. 61. The counties of Woodbury, Ida, Sac, and Plymouth shall constitute the sixtieth district, and be entitled to one Representative.

61st District—Sec. 62. The counties of Wright, Hamilton, Franklin and Hancock shall constitute the sixty-first district, and be entitled to one Representative.

62d District—Sec. 63. The counties of Webster, Pocahontas, Calhoun and Humboldt shall constitute the

sixty-second district, and be entitled to one Representative.

63d District—Sec. 64. The counties of Monona, Crawford, and Carroll shall constitute the sixty-third district, and be entitled to one Representative.

64th District—Sec. 65. The counties of Green, Guthrie and Audubon, shall constitute the sixty-fourth district, and be entitled to one Representative.

65th District—Sec. 66. The counties of Ringgold and Taylor shall constitute the sixty-fifth district, and be entitled to one Representative.

66th District—Sec. 67. The counties of Adair, Cass, and Montgomery shall constitute the sixty-sixth district, and be entitled to one Representative.

67th District—Sec. 68. The counties of Butler and Grundy shall constitute the sixty-seventh district, and be entitled to one Representative.

68th District—Sec. 68 [69]. The counties of Adams and Union shall constitute the sixty-eighth district, and be entitled to one Representative.

Approved April 3d, 1866.

CHAPTER 141.

CHARLES P. BRANDRIF.

AN ACT to permit Charles P. Brandriff to purchase of this State, at \$1.25 per acre, the W. $\frac{1}{4}$ of S. W. $\frac{1}{4}$ of Section No. 13, Township No. 79 north, Range No. 44, the same being part of the excess 500,000 grant.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Charles P. Brandriff be, and is hereby entitled to purchase of the State of Iowa the land at \$1.25 per acre. W. $\frac{1}{4}$ S. W. $\frac{1}{4}$ of Section No. 13, Township No. 79 north, Range No. 44, at the price of \$1.25 per acre; the same to be paid for in like manner as provided by law for the payment on school lands sold by the State; *Provided,* That the said Charles P. Brandriff, or his legal representative, avails himself of the benefit of this Act within one year after its passage.

How paid for.

Limit of privilege.

Publication.

SEC. 2. This Act shall take effect and be in force from and after its publication according to law.

Approved April 3d, 1866.

CHAPTER 142.

TOWNS AND CITIES MAY DISCONTINUE THEIR CORPORATIONS.

AN ACT to authorize incorporated cities, towns and villages to discontinue their corporations.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That whenever one-fourth of the legal voters of any incorporated city, town, or village, in this State, shall petition the County Court of the county wherein such incorporation is situated, for the discontinuance of the same, it shall be the duty of each Judge to cause to be published for at least thirty days, a notice stating that the question of discontinuing such incorporation shall be submitted to the legal voters of the same at the next annual city or incorporated election, on the 1st Monday in March of any year.

How petition for discontinuance.

Judge give 30 days' notice.

SEC. 2. The form of the ballot shall be "For the incorporation" and "Against the incorporation."

Form of ballot.

SEC. 3. That if a two-thirds majority of all the legal votes cast for and against such proposition, shall be cast against it, then the same may be discontinued. The vote provided for in this Act shall not be construed to discontinue any incorporation until the said incorporation shall have made ample provision for the payment of all its indebtedness, and for the faithful performance of all its contracts and obligations, and shall have levied the requisite tax therefor before the same shall be declared discontinued.

Two-thirds majority required.

Tax may be levied.

SEC. 4. The vote for this purpose shall be taken, canvassed, and returned, in the same manner as other municipal elections, and all expenses of the same paid by the said corporation so voting.

Vote, how canvassed.

SEC. 5. That the books, documents, records, papers and corporate seal of any city, town, or village, so discontinued, shall all be deposited with the County Judge of the county for safe keeping and reference in future, and all Court records of any Mayor or other officers shall be deposited with the nearest Justice of the township, who shall have authority to execute and complete all unfinished business standing on the same.

Books, &c., to be deposited with County Judge.

SEC. 6. That whenever the incorporation of any city, town, village, shall have been discontinued under the pursuance of the Act, it shall be the duty of the County Judge of the county wherein such incorporation was situated to publish such fact for thirty days in a county paper, if one is published in the county—if

Notice of discontinuance to be published.

not, by posting three notices for the same length of time, and also certify the fact to the Secretary of State.

For indebted-
ness may is-
sue warrants.

SEC. 7. That for the payment of the indebtedness named in the 4th section of this Act, the corporation shall issue warrants in cases where there is no money in the Treasury, and the County Treasurer shall collect the tax provided for in said section as he collects other taxes, and pay the said warrants, and any surplus of this fund shall be passed over to the temporary school fund of the district or districts where the same was levied.

Take effect.

SEC. 8. This Act shall take effect after its publication according to law.

Approved April 3d, 1866.

CHAPTER 143.

SCHOOL LAW AMENDED.

AN ACT to amend Chapter 172, of the Acts of the Ninth General Assembly, passed April 8th, 1862, in relation to schools.

Acts amend-
ed.
Sec. 7, Chap.
172, amended

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the fifth sub-division of Section 7, of Chapter 172, of the Acts of the regular session of the Ninth General Assembly, be and the same is hereby amended by striking out therefrom the word five and inserting in its place the word ten.

Secs. 6 and 8,
Chapter 172,
amended.

SEC. 2. Sections 6 and 8, of said Chapter 172, are hereby amended by striking out the word Monday, in the second line of said sections, and inserting instead thereof the word Saturday.

Section 12,
Chapter 172,
amended.

SEC. 3. Section 12, of said Chapter 172, is hereby amended so as to read as follows, to-wit: In each sub-district there shall be taught one or more schools for the instruction of youth between the ages of five and twenty-one years, for at least twenty-four weeks of five school days each in each year, unless the County Superintendent shall be satisfied that there is good and sufficient cause for failure so to do. Any person who was in the military service of the United States during his minority, shall be admitted into the schools in the sub-district in which he may reside, on the same terms on which youths between the ages of five and twenty-one years are admitted.

Supt. account
for failure.

Provisions
for minor sol-
diers.

SEC. 4. Section 17, of said Chapter 172, is hereby amended by striking out the words, "Provided further, that in neither case shall the rate exceed ten mills on the dollar on the property of any sub-district," and inserting in place thereof the words: Provided further, that in neither case shall the rate exceed 15 mills on the dollar on the property of any sub-district.

Section 17, Chapter 172, amended. 10 mills stricken out. 15 mills inserted.

SEC. 5. Section 30 of said chapter 172 is hereby amended so that it shall read as follows: Section 30, they shall apportion any tax, voted by the District Township meeting for school house fund, among the several sub-districts in such manner as justice and equity may require, taking as the basis of said apportionment the respective amounts previously levied upon said sub-districts, for the use of such fund, provided that if the electors of one or more sub-districts at their last annual meeting shall have voted to raise a sum for school house purposes, greater than that granted by the electors at the last annual meeting of the District Township, they shall estimate the rate of tax on such sub-district, or sub-districts, necessary to raise the amount of such excess, and cause the Secretary to certify the same, within five days thereafter, to the board of Supervisors, who shall, at the time of leveying taxes for county purposes levy the per centum of such excess on the taxable property of the sub-districts asking the same, provided that not more than 15 mills on the dollar shall be levied on the taxable property of any sub-district for any one year for school house purposes.

Section 30, Chapter 172, amended. Apportionment of school taxes to sub-dists.

Proviso. School house purposes.

Rate to be estimated.

Secretary to certify. Duty of Supervisors.

Proviso.

SEC. 6. Section 50 of said Chapter 172 is hereby amended so that it shall read as follows: Section 50. He shall, between the 10th and 15th days of September of each year, report to the Secretary of the District township the number of persons in his sub-district between the ages of five and twenty-one years, distinguishing males from females.

Section 50, Chapter 172, amended.

Male and female.

SEC. 7. Section 64 of said chapter 172 is hereby amended by inserting therein, immediately after the words "English Grammar," the words, and "History of the United States."

Section 64, Chapter 172, amended.

SEC. 8. Section 73 of said chapter 172 is hereby amended so that it shall read as follows: Sec. 73. "For the time necessarily spent in the discharge of his official duties he shall receive the sum of three dollars per day, to be paid from the county revenue: Provided that he shall visit each school in his county at least once in each term, and shall spend at least one half day in each visit; and he shall be entitled to such ad-

Section 73, Chapter 172, amended.

Supt.'s salary—how paid. His duties.

Board of Supervisors allow additional Supt. to file

sworn statement with Clerk.

ditional compensation as the Board of Supervisors may allow; provided further, that he shall file a sworn statement of the time he has been employed in his official duties with the Clerk of the Board of Supervisors, before he shall be entitled to any compensation.

Section 84,
Chapter 172,
amended.

SEC. 9. Section 84 of said chapter 172 is hereby amended by striking out of the first line thereof the word "or," and inserting in said line after the word "town" the words "or sub-district;" also by striking out of the second line of said section 84, the word "three" and inserting instead thereof the word "two."

Section 85,
Chapter 172,
amended.

SEC. 10. Section 85 of said chapter 172 is hereby amended by striking out of the second line thereof the word "or" and inserting after the word "town" of said line the words "or sub-district."

Section 87,
Chapter 172,
amended.

SEC. 11. Section 87 of said chapter 171 is hereby amended by adding thereto the following, to-wit: *Provided*, that the organization of such Independent District shall be completed on or before the first day of August of the year in which said organization is attempted, and when such organization is thus completed, all taxes levied by the Board of Directors of the District Township, of which the Independent District formed a part in that year, shall be void so far as the property within the limits of the Independent District is concerned, and the Board of Directors of such independent district shall levy all necessary taxes for school purposes as provided by law for that year, at a meeting called for that purpose, at any time before the third Monday of August of that year, which shall be certified to the Board of Supervisors on or before the first Monday of September, and said Board of Supervisors shall levy said tax at the time and in the manner that school taxes are required to be levied in other districts.

Taxes shall apply thereon.

Board to levy school tax.

When meeting may be held.

Chapter 172
amended.

SEC. 12. Said chapter 172 is hereby amended by striking out the words "Secretary of the Board of Education" wherever they occur therein, and inserting in their place the words "Superintendent of Public Instruction."

Section 19,
Chapter 172,
amended.

SEC. 13. That section 18 of said chapter 172 be amended by striking out the word "April" in the 4th line, and inserting March; that section 19 of said chapter 172 be amended by striking out the word "April" in the 2d line inserting "March."

Section 310,
Chapter 172,
amended.

SEC. 14. That section 31 of said chapter 172 be amended by striking out the word "April" in the 2d line, and inserting "March."

SEC. 15. That section 28 of said chapter 172 be amended by striking out the word "April" in the line, and inserting "March."

SEC. 16. Section 29 of chapter 172 of the acts of the Ninth General Assembly is hereby adding thereto the following, viz.: Provided that in cases where, by reason of streams or other natural obstacles any portion of the inhabitants of any School District Township cannot, in the opinion of the County Superintendent, with reasonable facility, enjoy the advantages of any school in their Township, the said County Superintendent, with the consent of the Board of Directors of such District Township as may be affected thereby, may attach such part of said Township to an adjoining Township, and erect a new sub-district with part of the said adjoining Township, and the order erecting the same shall be transmitted to the Township District Clerk in each District, and be by him recorded in his records of sub-districts, and the proper entry thereof made on his plat of sub-districts, and such order shall designate the township district to which the new sub-district shall be attached and all sub-districts heretofore formed, conforming substantially to the principles above expressed, are hereby declared to be legal and as valid as if formed under this provision.

Section 28,
Chapter 172,
amended.

Section 29,
Chapter 172,
amended.

New District
may be
formed.

To which
district town-
ship new dis-
trict shall be
attached.

Acts legal-
ized.

Approved April 3d, 1866.



RESOLUTIONS.

NUMBER 1.

JOINT RESOLUTION ratifying the amendment to the Constitution of the United States abolishing Slavery.

WHEREAS, The Congress of the United States has proposed to the several States the following amendment to the Federal Constitution, viz:

“ARTICLE XIII.

“SECTION I. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction.

“SEC. II. Congress shall have power to enforce this Article by appropriate legislation.”

Therefore,

Be it Resolved by the General Assembly of the State of Iowa, That the State of Iowa, by its Legislature, hereby ratifies and assents to said Amendment.

Approved January 24th, 1866.

NUMBER 2.

THIRTY-SEVENTH REGIMENT—INFANTRY.

WHEREAS, the 37th Regiment Iowa Volunteer Infantry were in the military service nearly three years, and all that time doing arduous and useful duty for their country; and

Whereas, A portion of said regiment were discharged for disability, and were paid the full bounty promised them, whilst those remaining until the rebellion was crushed received no bounty, but

instead the installment of \$25, received as bounty money when they were mustered into the service, was deducted from their pay ; therefore,

Be it Resolved by the General Assembly of Iowa, That our Representatives in Congress be requested and our Senators instructed to use their utmost endeavors to procure the passage of an act giving those noble men bounties equal to any other volunteers.

2d. That a copy of this Resolution be forwarded by the Secretary of State to each of our Senators and Representatives in Congress, at the earliest practicable period.

Approved January 24, 1866.

NUMBER 3.

BINDING AND DISPOSAL OF PUBLIC DOCUMENTS.

Resolved by the General Assembly of the State of Iowa, That all public documents, including printed reports of committees, published by either branch of the General Assembly, be placed in the hands of the Secretary of State by the State Printer or Binder, and that he retain in his own possession 300 copies of each published in the English language, and shall furnish to each member of the 11th General Assembly one bound copy of the same, including also the reports and documents mentioned in Chapter 114 of the Acts of the Tenth General Assembly, and that the Secretary of State dispose of the balance of said bound volumes as provided for in said Chapter 114.

Approved February 3d, 1866.

NUMBER 4.

MEMORIAL AND JOINT RESOLUTION.

MEMORIAL AND JOINT RESOLUTION, asking Congress for a grant of lands to aid in the construction of the Iowa and Missouri State Line Railroad.

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, a munificent grant of land was appropriated by the General Government, to aid in the construction of the several lines of Railroads designated in said act—

The aid thus given by the General Government where the same has been properly restricted; and applied, has stimulated industry and invited emigration along the several lines, so far as the same have been completed.

Your memorialists would further represent that the southern tier of counties, embracing the Counties of Lee, Van Buren, Davis, Appanoose, Wayne, Decatur, Ringgold, Taylor, Page, and Fremont, have a population of nearly one hundred thousand persons, the greater number of whom have no natural outlet or Railroad facilities for the transportation of surplus products to markets. The distance to the Hannibal and Saint Joseph Railroad, on the south, and the Burlington and Missouri River Railroad (not yet completed) on the north, precludes the possibility of those roads supplying the means of transportation necessary to the growth and prosperity of that part of the State.

Your memorialists would further represent that there is now in course of construction a Railroad commencing at Farmington, in Van Buren County, and running thence westward through the southern tier of Counties to the Missouri River, a distance of two hundred and fifty (250) miles, known as the "Iowa and Missouri State Line Railroad." The Company have manifested a commendable zeal in the prosecution of the work, and are strenuously endeavoring to complete the first forty miles by the first of January, 1867; but the liability of those Counties along the border, through which the road passes, to be overrun during the continuance of the rebellion, by marauding bands and guerrillas, rendering the lives and property of the inhabitants insecure, and paralyzing to a great extent the industrial pursuits, retarding emigration, and the productive increase of wealth and prosperity of the inhabitants, thereby rendering them unable to contribute sufficient material aid to insure the early completion of said railroad, and believing it to be the true policy in the General Government, to foster and encourage by grants of lands, under proper restrictions, the construction of railroad lines, connecting and binding together the several States by a common interest, in the facilities for travel and transportation; and believing that a liberal grant of lands, properly restricted in their application, to aid in the construction of said railroad, would be eminently just, and warranted by precedent in the Act of Congress to which we have referred, 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 procure a liberal grant

of lands to aid in the construction of "the Iowa and Missouri State Line Railroad," embracing such privileges and restrictions as they may deem proper to prevent any diversion of said grant from the object contemplated in this Memorial and Joint Resolution.

Resolved, That a copy of this Memorial and Resolutions be forwarded by the Secretary of State to each of our Senators and Representatives in Congress.

Approved February 7th, 1866.

N U M B E R 5 .

A JOINT RESOLUTION relating to the Freedmen's Bureau Bill.

WHEREAS, We have learned with deep regret that the President of the United States has vetoed the Bill recently passed both Houses of Congress relating to the Freedmen's Bureau, and

Whereas, We regard the measure as eminently just and necessary in the peculiar circumstances of the Country. 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 best efforts to secure the final adoption of the measure notwithstanding such veto.

Approved February 23d, 1866.

N U M B E R 6 .

IN RELATION TO RAILROAD LAND GRANTS.

JOINT RESOLUTIONS in relation to Lands granted to the State of Iowa to aid in the construction of Railroads.

WHEREAS, By an Act of Congress approved on the 15th day of May, 1856, a portion of the public domain was granted to the State of Iowa to aid in the construction of certain lines of Railroad, within the time therein limited, with a condition of forfeiture annexed, and

WHEREAS, The Railroad companies to which such lands were transferred, have failed to complete their several lines as required, and a renewal of such grant is desirable upon such terms as will compel the speedy completion of the roads and secure the object

of the grant, or work a forfeiture to, and place the lands under the control of the State, upon any failure by such companies to comply with such terms; 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 best endeavors to prevent the passage of any Act which shall withdraw from the control of the Legislature of this State the lands granted to the State to aid in the construction of railroads, or that shall in any manner release the railroad companies from their responsibility to the State.

2. That they endeavor to secure an extension of the time for the completion of the several lines of railroads under such restrictions as will secure to the State the immediate control and right of disposition of the remaining lands, in the event of a failure on the part of either of the companies receiving the benefit of such grant, to complete any section of its road within such time as may be prescribed by the Legislature thereof.

3. That the Secretary of State be instructed to transmit to each of our Senators and Representatives in Congress, a copy of these resolutions duly certified.

Approved March 3d, 1866.

NUMBER 7.

ASKING GRANT OF LANDS TO AID "IOWA CENTRAL" R. R.

MEMORIAL of the General Assembly of the State of Iowa, asking for grant of land to aid in the construction of Iowa Central Railroad.

Your memorialists, the General Assembly of the State of Iowa, would most respectfully represent—that the several railroads running from the east to the west through our State have had valuable and munificent grants of lands given them to aid in building said roads for developing the rich resources of our young State; inducing the emigrant to settle among us, also affording facilities to transport our surplus produce to eastern markets. And in view of these benefits arising from grants to the State and the roads; your memorialists would further represent the importance of encouraging a railway connection with St. Louis and the Pine regions of the north, and by this means, affording the advantage of navigation to the ocean at all seasons.

The increasing demand for lumber for the vast country west of the route of the Iowa Central, demands that we should seek an outlet from the pineries through our State. Our produce would

find a cheaper and readier exit to market than eastern lines are able to afford. The prosperity and wealth of the State are in a measure, dependent upon the speedy construction of north and south roads. They would be the best regulators of excessive tariffs, opening a competition with the east and west roads that would be for the best interests of the agricultural and commercial prosperity of the State.

Your memorialists would further represent that a Company has been formed, called "The Iowa Central," having for its object the feasibility and importance of connecting the railroad system of Missouri and Minnesota. The Iowa Central will connect the North Mo. with the Minn. Central, thus completing a great chain of railroads from the Lakes of the north to the Gulfs of the south, with bands of iron. The northern terminus will be Superior City; the southern, Galveston, Texas, by way of St. Louis and St. Paul.

This great thoroughfare will run through the counties of Mitchell, Floyd, corners of Chickasaw and Butler; through Bremer, Black-Hawk, Tama, Powesheik, Mahaska; corner of Wapello; through Monroe and Appanoose.

Sufficient amount has been raised in Black-Hawk, Tama, Mahaska, Wapello, and Appanoose counties for the grading and bridging of the road. The work through the counties of Black-Hawk and Tama, is under contract, and is to be finished ready for the iron by the second day of July next. The contract for the grading from Cedar Falls to the Mo. State line, will be put under contract early in the spring.

Passing through, as it does, one of the richest agricultural districts of the State, on the one hand terminating in the great lumber regions of Minnesota, and on the other, reaching St. Louis, the commercial emporium of the Mississippi, passing through the great coal fields of our State, which will be of great benefit to the country north of us. The counties through which the Iowa Central passes, have a population of over 120,000 persons; therefore, be it

Resolved, That our Senators in Congress be instructed, and our Representatives be requested to use their influence to procure a liberal grant of land to the State to aid in the construction of the Iowa Central Railroad, embracing such privileges and restrictions as they may deem proper to prevent any diversion of said grant from the object contemplated in this Memorial and Joint Resolution.

Resolved, That a copy of this memorial and resolutions be forwarded by the Secretary of State to each of our Senators and Representatives in Congress.

Approved March 5th, 1866.

NUMBER 8.

ASKING FOR AID FOR THE IOWA BRANCH OF THE U. P. E. R.

MEMORIAL AND JOINT RESOLUTION. asking Congress to grant the same aid to the Iowa branch of the Union Pacific Railroad as has been granted to the Kansas branch of the same road.

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 most respectfully represent, that the same interests of the General Government, which prompted the enactment of the "Act to aid in the construction of a railroad and telegraph line, from the Missouri river to the Pacific ocean, and to secure to the Government the use of the same for postal, military and other purposes, approved July 1st, 1862;" also exist, and apply with all their force, to the extension of that line of railroad, and telegraph from the Missouri river to the Capital of the State of Iowa; that even still farther reason exists for such extension, in the fact that the large expenditure by the Government, in the construction of the main line, west from Omaha, must remain, to a considerable extent, less useful and profitable, until a connecting road, east from said point, is constructed. That the early construction of such road is of great importance, not only to Iowa, but to the Federal Government; and it can only be done, by granting to such road, the same or similar aid, as that granted to the main line; that every principle of justice, and every consideration of interest, military, civil, or pecuniary, which prompted the aid to construct the main line and especially that given to construct the Kansas branch of the Union Pacific Railroad, exist and apply to the granting of like aid to the Iowa branch of the Union Pacific Railroad.

That a company for the construction of such road, has been duly organized under the laws of Iowa, and is composed of persons of recognized ability and integrity.

Your memorialists would further represent, that the State of Iowa, like Kansas, is a frontier State. That during the National struggle just closed, Iowa has cheerfully done her full duty in fighting the rebels in arms against the Government, and at the same time, has protected her frontier from the incursions of hostile Indians. That while we do not desire to improperly bear testimony to the devotion and patriotism of our own State, we do feel that it is not unjust to Kansas, to say that Iowa has done her duty as faithfully as has Kansas, and we need not claim more.

That in every particular, the claims of Iowa upon the General Government, are equal to those of Kansas, and the interests of the Federal Government will be, at least, as greatly promoted by the

construction of the Iowa branch of the Union Pacific Railroad leading from the terminus at Omaha, through Council Bluffs, to Des Moines, the Capital of the State, as by the construction of the Kansas branch, and that the Iowa branch has advantages in that it is a continuation of the main line.

Be it therefore resolved by the General Assembly of the State of Iowa, That Congress be, and hereby is, memorialized to pass, and 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 Iowa branch of the Union Pacific Railroad Company, the same aid under the same restrictions and limitations as has been granted to the Kansas branch of the Union Pacific Railroad.

Resolved, That the Secretary of State be and is hereby instructed to forward a duly certified copy of the foregoing Memorial and Joint Resolution, to each of our Senators and Representatives in Congress.

Approved March 6, 1866.

NUMBER 9.

THE PLATES OF HALL'S GEOLOGICAL SURVEY.

JOINT RESOLUTION relating to the Plates on which Hall's Geological Report was printed.

Be it resolved by the Senate and House of Representatives of the State of Iowa, That the Secretary of State be directed to ascertain whether the plates on which Hall's Geological Survey of Iowa was printed belong to the State of Iowa, and if so that he have them brought to the State, and deposited with the State Historical Society, for the future use of the State.

Approved March 15, 1866.

NUMBER 10.

RELIEF OF BUCHANAN COUNTY.

JOINT RESOLUTION, for the relief of the County of Buchanan.

WHEREAS, On the 17th day of March, 1864, burglars broke open

the safe of the county of Buchanan, and abstracted therefrom the sum of about twenty-six thousand dollars; and

Whereas, Of the funds so abstracted, it is represented that about one thousand and thirty-four 57-100 dollars was moneys collected as State revenue; therefore,

Be it resolved by the General Assembly of the State of Iowa, That the Auditor of State be and he is hereby authorized to credit the said county of Buchanan, in the proper revenue account, with such sum as, by the proper certificate of the Board of Supervisors of said county, shall be shown to his satisfaction to have been so abstracted of said fund, and not thereafter recovered, but in no case to exceed the said sum of one thousand and thirty-four 57-100 dollars.

Approved March 16, 1866.

NUMBER 11.

ASKING FOR A GRANT OF LAND FOR A RAILROAD RUNNING FROM CEDAR RAPIDS TO THE SOUTHEEN LINE OF THE STATE.

MEMORIAL AND JOINT RESOLUTION asking Congress for a grant of land to aid in the construction of a Railroad from the Northern terminus of the North Missouri Railroad, on the Southern line of Iowa, to Cedar Rapids, Iowa.

WHEREAS, The several Railroads running East and West through our State have had large and munificent grants of land to aid in their construction, in order to secure to the people of the State an outlet for their produce to the Eastern markets, and

WHEREAS, A North and South road through the State, connecting St. Paul, Minn., and the Northern pine regions, with St. Louis, Mo., would be equally beneficial to the State, by giving the benefits of competition in transportation, communication with the Southern trade, and the choice of markets; 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 procure a liberal grant of land from the General Government, in such manner, and under such restrictions, as may be deemed proper, to aid in the construction of a Railroad from the Northern terminus of the North Missouri Railroad, on the Southern line of Iowa, to the city of Cedar Rapids, Iowa.

Resolved, That the Secretary of State be directed to forward a copy of this memorial and resolutions to each of our Senators and Representatives in Congress.

Approved March 26th, 1866.

NUMBER 12.

RELATING TO THE SWAMP LAND INDEMNITY FUND.

1. *Resolved by the General Assembly of the State of Iowa,* That all the evidence taken before the committee appointed to investigate the "supposed diversion of the Swamp Land Indemnity Fund," and the report of that committee to this General Assembly, be, and the same are hereby referred to the Attorney General, with instructions that said Attorney General be, and he is hereby required to proceed at once, to take such legal steps as he may deem advisable, against such person, or persons, or securities already given, as may be necessary to secure the amount of the deficit found by said committee, for the benefit of the counties interested.

2. *Resolved,* That all actions or suits which it may be necessary to institute in order to carry into effect this resolution may be prosecuted in the name of the State of Iowa for the use and benefit of the counties affected by said defalcation.

3. *Resolved,* That the State of Iowa shall pay all costs that may be legally expended in the prosecution of all suits by virtue of or under the foregoing Resolutions and the amount thereof shall be reported by the Attorney General to the Auditor of State, who shall draw his warrants for the same in favor of the parties to whom the same may be due.

4. *Resolved,* That all moneys which may be realized by the Attorney General in the performance of his duties in this respect, shall be paid over by him to the State Treasurer, who shall receipt in duplicate therefor in the usual manner, and the same shall be paid out by said Treasurer as now provided by law for paying Swamp Land Indemnity Funds, except that he shall divide the funds thus paid into his hands *pro rata* between the several counties affected by said defalcation: *Provided,* That nothing in this Resolution shall be so construed as to prevent the costs in such suits abiding the event thereof as now provided by law.

Approved April 2d, 1866.

The following Joint Resolutions were passed by the 11th General Assembly, but not enrolled. Being of general interest, it is thought best to publish them with the other Acts and Resolutions of the Legislature.

NUMBER 13.

DISTRIBUTION OF THE GOVERNOR'S INAUGURAL ADDRESS TO IOWA
SOLDIERS IN THE FIELD.

Resolved, That the Secretary of State be and he is hereby authorized to have printed and distributed forty copies of Governor Stone's Inaugural Address to each company of Iowa soldiers.

NUMBER 14.

RELATING TO THE TURKEY RIVER.

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 procure the passage of a law declaring the river known as the Turkey River, in the State of Iowa, to be *not a navigable stream* from a point near Eldorado, in Fayette county, up to which the said river is now navigable, as per United States survey, down to the point of its confluence with the waters of the Volga river; and that the Secretary of State be directed to forward to each of our Senators and Representatives at Washington a certified copy of this Resolution.

NUMBER 15.

RELATING TO JEFFERSON DAVIS.

WHEREAS, The laws of the United States require that treason against the United States shall be punished with death; and

Whereas, The Constitution requires that the President "shall take care that the laws be faithfully executed;" and

Whereas, Jefferson Davis, a prisoner held by authority of the Government of the United States is subject to be tried for the crime of high treason; therefore, be it

1. *Resolved*, By the General Assembly of the State of Iowa, That Jefferson Davis is not a proper subject for Executive clemency, and that it is the duty of the President of the United States to cause the said Davis to be brought to a fair and impartial but

speedy trial before the proper tribunal, and that if found guilty of the crime of treason, that he suffer the penalty provided by law.

2. That the Secretary of State be and is hereby requested to forward a certified copy of the foregoing resolutions to our delegation in Congress, with the request that they present the same to the President of the United States.

NUMBER 16.

CALLING FOR a Report from Commissions appointed to collect moneys due to the Permanent School Fund.

WHEREAS, By an act of the 10th General Assembly (Chapter 94) entitled "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," the Census Board, together with the Attorney-General of the State, were constituted a Board of Commissioners, for the purpose of carrying out the provisions of said Act as therein set forth; therefore,

Resolved, That the said Commissioners are requested to fully inform the Senate at the earliest practicable period of all their proceedings under said Act, and also as to the present condition of the several matters upon which they were authorized or required to act according to the provisions of said Chapter 94.

NUMBER 17.

AUTHORIZING DISTRIBUTION OF S. C. REPORTS TO MEMBERS OF THE LEGISLATURE.

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 and the President of the Senate with a copy of all the Reports of the Supreme Court of this State now on hand or which shall be published during the present term of office, of the members of this General Assembly.

NUMBER 18.

DONATING CERTAIN ADJUTANT-GENERAL REPORTS TO THE CHAPLAINS.

Resolved, That similar copies of the Adjutant-General's Reports distributed among the members of this General Assembly, be given to each of the clergymen of this city who have officiated as Chaplains to this House, provided it can be done from copies on hand undistributed.

NUMBER 19.

EIGHTH IOWA VETERAN VOLUNTEER INFANTRY.

WHEREAS, The 8th Regiment of Iowa Veteran Volunteer Infantry is still retained in the service of the United States; and

WHEREAS, His Excellency, Gov. Wm. M. Stone and Adjutant-General N. B. Baker, have urged upon the authorities at Washington, D. C., the request that the said regiment be mustered out of service; and

WHEREAS, The answer received is that the matter is in the hands of the Commanding Officer, Major-General Thomas; and

WHEREAS, The families of these noble men are suffering from their protracted absence; therefore,

Be it resolved by the General Assembly of the State of Iowa, That we most respectfully and earnestly request and urge Major-General Thomas, Com'd'g Mil. Div. Miss., to cause to be mustered out of the service the said 8th Iowa Vet. Vol. Infantry at an early date.

Resolved, That the Secretary of State be requested to forward through the Secretary of War a copy of this resolution to Major-General Thomas.

NUMBER 20.

GIVING ADJUTANT-GENERAL'S REPORTS TO EXAMINING SURGEONS.

Resolved by the General Assembly of the State of Iowa, That one copy of each Volume of the Adjutant-General's Reports

be furnished to each United States Examining Surgeon in this State, and the Secretary of State is directed to carry this resolution into effect: *Provided* it shall not require a reprint; and *provided further*, that in distributing said Reports, preference shall be given to those surgeons who are not already supplied by law.

NUMBER 21.

AMERICAN EMIGRANT COMPANY.

Be it resolved by the General Assembly of the State of Iowa, That the Register of the State Land Office be, and is hereby, instructed to inform the counties in which contracts referring to swamp lands have been made with the American Emigrant Company, of the substance of the report of the Joint Committee appointed to investigate the alleged frauds and misrepresentations of that Company.

Be it resolved by the General Assembly of the State of Iowa, That the Governor be, and is hereby, requested to inform the Secretary of the Interior and the Commissioner of the General Land Office, of the substance of the report of the Joint Committee appointed to investigate the alleged frauds and misrepresentations of the American Emigrant Company.

NUMBER 22.

R. B. BRIDGES ACROSS THE MISS. RIVER AT CLINTON.

WHEREAS, The Albany Bridge Company have built a Railroad bridge from the Illinois shore of the Mississippi river across the eastern channel of the same to Little Rock Island, and the Chicago & Northwestern Railway Company have connected the same with a Railroad bridge built by them across the western channel of the said river, at or near the city of Clinton, in Iowa, a part or section of which is a draw-bridge, so constructed as to admit of the passage of vessels, steamboats, and other river craft up and down the river, and

WHEREAS, These two Railroad bridges, with the connection across Little Rock Island, are operated together as one to facilitate the transportation of the United States mail, passengers, merchan-

dise, and products, between the States of Iowa and Illinois, affording safety and dispatch to the carrying of the same, without any delay or danger from ice or freshets, thereby greatly facilitating the requirements of commerce, and more particularly on account of the safe transmission of the mails of the United States; therefore, be it

Resolved by the Senate and House of Representatives of the State of Iowa, That our honorable Senators and Members of the House of Representatives in Congress assembled, at Washington, be and are hereby requested to obtain the early passage of a bill that shall declare and establish the said bridges and track across Little Rock Island a post or mail route, with same powers and restrictions as are given and required of other mail routes.

Resolved, That this Resolution be certified by the presiding officers of the two Houses, and Clerks of the same, and copies forwarded to each of our Senators and Representatives.

NUMBER 23.

ESCORT FOR COLONEL SAWYERS.

WHEREAS, We deem it to be true policy, as well as the duty of the Government to encourage and protect emigration to the gold fields of Idaho and Montana; and

Whereas, A wagon road has been opened by the Government from the Missouri River up the Niobrah [Niobrarah] Valley to Virginia City; and

Whereas, A large number of emigrants are preparing to pass over said route under the charge of Col. Sawyers, to the gold fields of Idaho and Montana, as soon as the season will permit; and

Whereas, In the opinion of the Legislature, the lives of many emigrants will be protected and the best interests of a large region of country subserved by furnishing a military escort to Col. Sawyers for said trip; therefore,

Be it resolved by the General Assembly of the State of Iowa, That the military authorities having control of this matter are respectfully requested and urged to furnish said escort at as early a day as the public good will permit, and that the Secretary of State be instructed to forward copies of this Resolution to Major Generals Sherman and Pope.

NUMBER 24.

THE DRAFT.

WHEREAS, During the months of August and September, 1864, the people of the State of Iowa were subjected to a draft to fill up the armies of the United States, the State having furnished her full quota, and being at that time entitled to an extra credit of about 12,000 men according to the usual one-year system of computation, as shown by the communication from the Governor of the 18th January last; and

Whereas, The honor of the State was impugned by this arbitrary proceeding, and a great injustice done to many worthy citizens, whereby severe pecuniary losses were incurred; be it, therefore,

Resolved, That our Senators in Congress be instructed and our Representatives be requested to use all honorable means to effect the passage of a law calculated to *redeem the noble record of our beloved young Iowa* from this unwarrantable injustice, and to *wipe out this stain upon her escutcheon*, by placing all our drafted men, who either served in person or furnished an accepted substitute, upon the same footing as one year's volunteers.

NUMBER 25.

TRUSTEES OF THE INSANE ASYLUM.

A Joint Resolution passed both branches of the General Assembly, appointing the following named persons Trustees of the Hosptsal for the Insane, viz.:

Maturin L. Fisher, of Clayton county; John R. Needham, of Mahaska county; and Benjamin Crabb, of Washington county, for the full term, commencing July 4th, 1866.

Andrew W. McClure, of Henry county, to fill a vacancy ending July 4, 1870.

John R. Needham, of Mahaska county, to fill a vacancy ending July 4th, 1866.

NUMBER 26.

TRUSTEES OF THE "IOWA SOLDIERS' ORPHANS' HOME."

Be it resolved by the General Assembly of the State of Iowa,

That in pursuance of an act regarding Soldiers' Orphans, there is hereby appointed the following persons as a "Board of Trustees of the Iowa Soldiers' Orphans' Home:"

From the State at large, P. P. Ingalls, of Polk county; from 1st Congressional District, Thomas E. Corkhill, of Des Moines county; 2d District, J. A. Parvin, Muscatine county; 3d District, P. G. Wright, Alamakee county; 4th District, N. H. Brainard, Johnson county; 5th District, J. W. Cattell, Polk county; 6th District, J. B. Powers, Black Hawk county.

NUMBER 27.

JOINT RESOLUTIONS, asking additional Mail Facilities.

Joint Resolutions were adopted, instructing our Senators and requesting our Representatives in Congress to use their influence to secure the early establishment of additional mail facilities and new mail routes, as follows, viz.:

1st. "A daily mail service from West Union, Fayette Co., Iowa, westward *via* Fredericksburgh, Williamstown and Bradford, to Nashua in Chickasaw Co.—a distance of forty miles."

2d. "A tri-weekly mail route from Postville, Alamakee Co., to Waukon in said Co., *via* Lybrand and Ludlow."

3d. "A daily mail route, from the city of McGregor, in Clayton county, Iowa, by the way of Elkader to Strawberry Point in said county and over the mail route now known as route No. 11,216."

4th. A daily mail route from Ossian in Winnesheik Co., *via* Fort Atkinson in said Co., New Hampton and Chickasaw, in Chickasaw Co. to Charles City in Floyd Co."

5th. "A daily mail route from Des Moines, Iowa, *via* Indianola in Warren Co., Chariton in Lucas Co., Corydon in Wayne Co., to terminate at Lineville, on the State line between the States of Iowa and Missouri; and to intersect with a daily mail route from said Lineville to Chillicothe on the Hannibal & St. Joseph R. R. in the State of Missouri."

6th. "A daily mail route from Independence, Buchanan Co., Iowa, to Fayette in the adjoining Co. of Fayette."

7th. "The following mail route and mail facilities, to-wit: From Marshalltown in Marshall Co., Iowa, to New Hartford, in Butler Co., *via* Vienna, Wolf Creek Grove, Fifteen Mile Grove, and Grundy Centre."

8th. "A daily mail route from Chariton, Lucas Co., Iowa, *via* Garden Grove, Iowa, to Leon, Decatur Co., Iowa, a distance of thirty-five miles."

9th. "A tri-weekly mail route between the City of Decorah in the county of Winnesheik and State of Iowa, and the village of Hesper in said Co."

10th. "A semi-weekly mail route from Des Moines to Grove City in Cass Co., *via* McClain, Henry, Payton, Maseville, Stanfield, and Benson. Said route running through a portion of Warren and the center of Madison, Adair and Cass counties."

11th. "A tri-weekly mail from West Mitchell in Mitchell Co., by way of Plymouth and Mason City to Clear Lake in Cerro Gordo Co."

12th. "A semi-weekly mail and mail facilities from Ft. Dodge, *via* Dakota, Waucosta, Fenn Valley and Emmettsburgh, on the east side of the Des Moines river to Estherville, in the Co. of Emmett.

13th. "A tri-weekly mail route from Burlington, in Des Moines Co. to Ononwa in Louisa Co., by way of Port Louisa and Grand View in Louisa Co."

14th. "A mail route from Vernon in Van Buren Co., Iowa, to Memphis in Scotland Co., Missouri *via* Mt. Sterling and Upton in Van Buren County, Iowa."

15th. "A semi-weekly mail route between Rockford in the County of Floyd, and Northwood in the county of Worth, *via* Rock Grove City, Nova Springs, Shell Rock Falls and Plymouth."

16th. "A tri-weekly mail from Newberg in Mitchell Co., Iowa, to Northwood, county seat of Worth Co., *via* Hartland to Bristol, Worth Co., Iowa."

17th. "A weekly mail from Northwood, county seat of Worth Co., on the most practicable route to Mason City, Cerro Gordo County."

18th. "A semi-weekly mail from Northwood, Worth Co., *via* Gordonville P. O., Shell Rock P. O., to Albert Lea Minnesota."

19th. "A tri-weekly mail from the city of Burlington *via* Toolsborough to Port Louisa in Louisa Co."

20th. "A tri-weekly route from Oeola the county seat of Clark Co., by way of Lasalle to Hopeville in said Co."

21st. "A tri-weekly mail route from Nevada, in Story Co., to Colfax in Jasper Co., *via* Iowa Center in Story county, Peoria and Greencastle, in Polk Co."

22d. "A tri-weekly mail from Grundy Center, Grundy county, Iowa, *via* Parkersburg, Butler Center, West Point, and Cold Water, in Butler Co., to Marble Rock in Floyd Co., Iowa."

23d. "A tri-weekly mail from Wheatland, in Clinton Co., through Toronto and Burgess to Monmouth in the county of Jackson, Iowa."

24th. "A tri-weekly mail route from Webster City in Hamilton Co., to Luni, in Wright Co."

25th. "A daily mail route from Boonsboro, in Boone Co., *via* Denison and Paradise, in Crawford Co., Olmstead and Whites-

borough to St. Johns in Harrison, at the earliest period possible.”

26th. “A weekly mail route from Guttenburg, Clayton Co., Iowa, *via* Elkport, and Littleport to Strawberry Point in said county.”

NUMBER 28.

JOINT RESOLUTION.

WHEREAS, The Albany Bridge Company have built a railroad bridge from the Illinois shore of the Mississippi River across eastern channel of the same to Little Rock Island, and the Chicago and Northwestern Railway Company have connected the same with a railroad bridge built by them across the western channel of the said river, at or near the city of Clinton in Iowa, a part or section of which is a draw-bridge so constructed as to admit of the passage of vessels, steamboats, and other river craft, up and down the river; and

Whereas, These two railroad bridges, with the connection across Little Rock Island, are operated together as one to facilitate the transportation of the United States mail, passengers, merchandise, and products, between the States of Iowa and Illinois, affording safety and dispatch to the carrying of the same, without any delay or danger from ice or freshets, thereby greatly facilitating the requirements of commerce, and more particularly on account of the safe transmission of the mails of the United States; therefore,

Be it resolved by the Senate and House of Representatives of the State of Iowa, That our honorable Senators and Members of the House of Representatives in Congress assembled at Washington, be and are requested to obtain the early passage of a bill that shall declare and establish the said bridges and track across Little Rock Island a post or mail route, with same powers and restrictions as are given and required of other mail routes.

Resolved, That this Resolution be certified by the presiding officers of the two Houses and Clerks of the same, and copies forwarded to each of our Senators and Representatives.

CONCURRENT RESOLUTIONS.

The following Concurrent Resolutions were passed by the 11th General Assembly, but were not enrolled. Being of general interest, it is thought best to publish them.

NUMBER 1.

SOLDIERS' BOUNTIES.

CONCURRENT RESOLUTION.

Resolved (the Senate concurring), That we, the representatives of the people of Iowa, *urge* upon the attention of Congress the importance and justice of making the bounty of soldiers who enlisted in the army to put down the Rebellion, in answer to early calls, equal to that of soldiers who enlisted under calls near the close of the war; and we earnestly entreat Congress to make such enactments as will secure even justice to all soldiers who enlisted under the various calls of the Government.

And be it further ordered, That copies of this resolution be forwarded to our Senators and Representatives in Congress.

NUMBER 2.

INVITING JOHN B. GOUGH TO LECTURE.

Resolved by the House of Representatives (the Senate concurring), That John B. Gough be and he is hereby respectfully invited to visit Des Moines, and address the General Assembly and citizens upon such subject as he may think proper.

NUMBER 3.

ASKING THAT DES MOINES RIVER BE DECLARED NOT NAVIGABLE.

WHEREAS, By the facilities that are afforded by the D. V. R. R.

for travel and transportation, the Des Moines River is no longer used for purposes of navigation ;

Resolved, therefore, by the House of Representatives (the Senate concurring), That our Senators and Representatives in Congress be requested to use their influence to have the said Des Moines River declared not a navigable stream, to the end that the same may be more cheaply improved as a motive power for machinery.

N U M B E R 4 .

NATIONAL BUREAU OF EDUCATION.

Be it Resolved by the House of Representatives of the State of Iowa, the Senate concurring, That our Senators in Congress be instructed, and our Representatives requested, to favor and urge the establishment of a National Bureau of Education, with headquarters at Washington, with a view to the collection of statistics and other information, on general education, and the dissemination of the same.

N U M B E R 5 .

RELATING TO THE printing of the Constitutional Amendment abolishing Slavery.

Resolved, the Senate concurring, That the Secretary of State be authorized to have printed on *parchment* two hundred copies of the Joint Resolution ratifying the amendment to the United States Constitution *abolishing Slavery* to which shall be attached the names of this General Assembly showing the names of the General Assembly, showing the vote of each member, and to furnish to each member and officer of the same a copy of said Resolution and also to each State officer, and to have framed and put up one in the State Library, and one in the Library of the State Historical Society, *provided* that the entire cost shall not exceed one dollar per copy.

NUMBER 6.

MAJ.-GEN. G. M. DODGE.

Resolved by the Senate, the House concurring, That the thanks of the people of the State of Iowa are due, and are hereby extended to, Maj.-Gen. G. M. Dodge, for his able and efficient management of Indian affairs on the Plains, in the protection of our Western borders, and the great overland routes across the Plains, from the incursions and depredations of hostile Indians; as also for his gallantry and ability as a commander in the field and his able administration of the Department of the Missouri.

NUMBER 7.

CONCURRENT RESOLUTION IN REFERENCE TO INDIAN DEPREDACTIONS.

WHEREAS, A large number of Omaha and Winnebago Indians have for some time past been living in the State of Iowa, and depredating upon our citizens in the thinly settled portions of the State, by killing cattle, hogs, sheep and other domestic animals, and stealing all manner of personal property, until the nuisance has become no longer sufferable and there is in consequence imminent danger of collision and bloodshed; and

WHEREAS, The General Government, though appealed to, has hitherto failed to afford relief, and the agents of such Indians either cannot or will not prevent their coming into the State; therefore

Be it resolved by the Senate of Iowa, the House concurring, That the Department of the Interior or other proper United States authority, be and hereby is respectfully but urgently solicited to make immediate provision for the abatement of this evil, by the appointment of more competent agents; the stationing of a military force on the border to keep such Indians out of the State; the removal of said Indians to some more distant reservation or some other effectual means.

And be it further resolved, That a copy of these resolutions be forwarded by the Secretary of State to each of our members of Congress, and that our Senators be instructed and our Representatives requested to call the immediate attention of the proper authorities to the subject and urge such relief as will be effectual.

SENATE RESOLUTIONS.

NUMBER 1.

ADJUTANT GENERAL'S REPORTS, 1864 AND 1865.

Resolved, That the Secretary of State be directed to furnish each member of the Senate with one printed copy of the reports of the Adjutant-General of this State for the years 1864 and 1865.

NUMBER 2.

ADJUTANT-GENERAL'S REPORTS, 1863.

Resolved, That the Secretary of State be directed to furnish each member of the Senate with a copy of Adjutant-General's Report of 1863.

NUMBER 3.

LEGISLATIVE DOCUMENTS.

Resolved by the Senate, That the Secretary of State be and he is hereby instructed to furnish the officers of this body with a bound copy of the Legislative Documents of the session.

POSTAGE.—The Senate, by resolution, adopted the report of a Special Committee allowing each Senator six dollars, and each officer one dollar and fifty cents postage per week.

HOUSE RESOLUTIONS.

NUMBER 1.

POSTAGE.

Resolved, That the Secretary of State furnish each member of the House (5.00) five dollars in postage stamps per week. Also that the House has by a resolution allowed the Clerks thereof each \$2.00 two dollars per week for postage.

NUMBER 2.

POSTAGE.

Resolved, That the Secretary of State be directed to furnish to the members of this House the same amount of postage as furnished to the members of the Senate.

Resolved by the House of Representatives, That the members return to the Secretary the pens furnished said members, and ask to be furnished with good gold pens.

NUMBER 3.

REVISION OF 1860 and House Journal of 10th General Assembly.

Resolved, That the Secretary of State be required to furnish each member of the House with a copy of the Revision of 1860, also a copy of the laws of Iowa since the Revision of 1860, together with a copy of the House Journal of the 10th General Assembly.

NUMBER 4.

DOORKEEPER "AN OFFICER."

Be it resolved by this House of Representatives, That our Door-keeper be considered as an officer of the House in carrying out all resolutions conferring favors or perquisites.

NUMBER 5.

ADJUTANT-GENERAL'S REPORT, 1863.

Resolved, That the Secretary of State be directed to furnish each member and officer of the House with a copy of Adjutant-General's Report for 1863.

NUMBER 6.

ADJUTANT-GENERAL REPORTS 1864-65.

Resolved, That the Secretary of State be directed to furnish each member, officer, and reporter of this House with printed copies of the Adjutant-General's Report for the years 1864 and 1865.

NUMBER 7.

PUBLIC DOCUMENTS—DISTRIBUTION.

Resolved, That all public documents published by this House be placed in the hands of the Secretary of State by the State Printer or Binder, and that he retain in his own hands 300 copies of each published in the English language, and shall furnish to each of the members of this House one bound copy thereof at the end of the session; that he shall place twenty bound copies in the State

Library, and shall retain the balance of said 300 in his hands for future use, and the balance of such documents to be distributed generally among the members of this House.

NUMBER 8.

ON THE DEATH OF HON. N. T. BROWN.

WHEREAS, The hand of an All Wise Providence has taken from among us one of our number, Hon. N. T. Brown, member from Louisa county, in the prime of life and in the midst of his usefulness; and

WHEREAS, By his unwavering integrity, his unblemished moral character, and his patriotic and Christian devotion in the cause of humanity, he has embalmed his memory in the hearts of all with whom he had intercourse; therefore,

Resolved, That the members of this House recognize the hand of God in this deeply afflictive dispensation of His providence, and humbly bow in submission to His will.

Resolved, That we not only cherish the highest regard for the deceased, but we do most cordially extend to his bereaved wife and family the devout sympathy of our hearts, and commend them to the kind protection of Him who has ever been the widow's shield and orphan's help.

Resolved, That the Secretary of State be directed to have these resolutions printed in the Iowa State Register and a copy thereof forwarded to the family of the deceased.

Resolved, That the House do now adjourn.

[Similar Resolutions were also passed by the Senate.]

LAWS OF IOWA.

NOTE.—This Chapter is put here because it was not received at the office of Secretary of State until it was too late to print it in its proper place.

CHAPTER 144.

AN ACT to accept the grant of land to the State of Iowa, made by Act of Congress of May 12, 1864, and to carry out the provisions of said Act, entitled "An Act for a grant of land to the State of Iowa, in alternate sections, to aid in the construction of a Railroad in said State."

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the lands, rights, powers, duties, and trusts conferred upon the State of Iowa by an Act of Congress, approved July 12th, 1864, entitled "An Act for a grant of land to the State of Iowa, in alternate sections, to aid in the construction of a Railroad in said State," are hereby accepted by said State, upon the terms, conditions, and restrictions contained in said Act of Congress. Grant of land of 1864 accepted.

SEC. 2. Whenever any lands shall be patented to the State of Iowa, in accordance with the provisions of said Act of Congress, said lands shall be held by the State in trust for the benefit of the Railroad Company entitled to the same by virtue of said Act of Congress, and to be deeded to said Railroad Company as shall be ordered by the Legislature of the State of Iowa, at its next regular session, or at any session thereafter. When lands patented.
Held in trust.

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 Homestead, newspapers published at Des Moines, Iowa. Publication.

Approved April 20th, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register on the 2d day of May, 1866, and in the Iowa Homestead on the 10th day of May, 1866.

JAMES WRIGHT, Secretary of State.

A LIST OF COUNTIES, SHOWING THE COUNTY SEATS, POPULATION IN 1865, AND THE VOTE IN 1865.

COUNTIES.	COUNTY SEATS.	POPULATION IN 1865.		NUMBER ENTITLED TO VOTE.	VOTE FOR GOV., '65.		ARMY VOTE.	
		WHITE.	BLACK.		STONE.	BENTON.	REPUB.	DEM.
Adair.....	Fontanelle.....	1,071	.....	238	162	95	.....	.....
Adams.....	Quincy.....	1,802	16	330	184	111	.....	.....
Alamakee.....	Lansing.....	13,951	4	2,629	1,004	1,270	28	17
Appanoose.....	Centreville.....	10,717	14	2,000	1,096	986	22	1
Audubon.....	Exira.....	540	.....	110	52	66	.....	.....
Benton.....	Vinton.....	11,235	4	2,066	1,050	512	1	.....
Black Hawk.....	Waterloo.....	12,297	5	2,456	1,240	373	3	2
Boone.....	Boonsboro.....	5,235	1	921	566	668	3	.....
Bremer.....	Waverly.....	7,216	2	1,428	725	217	.....	.....
Buchanan.....	Independence.....	10,030	7	2,109	947	583	8	.....
Buena Vista.....	Prairieville.....	.....	.....	.....	.....	.....	.....	.....
Butler.....	Butler Centre.....	5,004	2	1,033	454	232	3	2
Calhoun.....	Lake City.....	224	.....	45	18	41	.....	.....
Carroll.....	Carrollton.....	400	.....	77	38	54	.....	.....
Cass.....	Lewis.....	1,892	3	359	203	171	2	.....
Cedar.....	Tipton.....	14,017	24	2,730	1,551	760	1	.....
Cerro Gordo.....	Mason City.....	1,310	1	314	242	17	.....	.....
Cherokee.....	Cherokee.....	64	.....	12	14	8	.....	.....
Chickasaw.....	New Hampton.....	5,350	5	1,086	501	419	4	.....
Clarke.....	Osceola.....	5,686	30	1,092	559	359	3	.....
Clay.....	Peterson.....	.....	.....	.....	27	.....	.....	.....
Clayton.....	Elkader.....	21,903	19	4,053	1,638	1,529	20	4
Clinton.....	De Witt.....	22,386	19	4,125	1,708	1,091	11	.....
Crawford.....	Denison.....	574	.....	104	56	58	.....	.....
Dallas.....	Adel.....	5,872	14	1,114	662	402	2	.....
Davis.....	Bloomfield.....	13,105	18	2,485	1,185	1,072	5	.....
Decatur.....	Leon.....	7,968	84	1,541	667	824	1	.....
Delaware.....	Delhi.....	12,498	10	2,448	1,182	704	16	17
Des Moines.....	Burlington.....	19,778	116	4,086	1,871	1,609	20	6
Dickinson.....	Okoboji.....	300	.....	66	52	2	1	.....
Dubuque.....	Dubuque.....	32,958	120	6,071	1,552	2,842	24	29
Emmett.....	Estherville.....	368	.....	94	35	2	.....	.....

Fayette.....	West Union.....	18,001	198	2,508	1,145	740	84	
Floyd.....	Charles City.....	4,883	3	1,051	571	233	3	1
Franklin.....	Hampton.....	1,895	4	865	248	85	1	
Fremont.....	Sidney.....	5,652	46	1,031	542	776		
Greene.....	New Jefferson.....	1,659		315	198	97		
Grundy.....	Grundy Centre.....	1,330	2	250	184	24		
Guthrie.....	Panora.....	3,287	2	626	329	275		
Hamilton.....	Webster City.....	2,020	8	410	288	79		
Hancock.....	Ellington.....	292		65	57	14		
Hardin.....	Eldora.....	6,793	20	1,392	772	334	10	
Harrison.....	Magnolia.....	4,265		865	357	437	2	
Henry.....	Mt. Pleasant.....	17,554	264	3,461	1,885	828	15	
Howard.....	New Oregon.....	3,369	2	823	353	283	7	
Humboldt.....	Dakota City.....	606		138	96	31		
Ida.....	Ida.....				9	8		
Iowa.....	Marengo.....	10,257	1	2,120	840	734	1	
Jackson.....	Andrew.....	19,089	11	3,611	1,587	1,525	6	
Jasper.....	Newton.....	12,077	18	2,444	1,304	1,027	1	2
Jefferson.....	Fairfield.....	14,742	30	2,744	1,478	1,086	8	
Johnson.....	Iowa City.....	18,699	82	3,557	1,547	1,509	7	40
Jones.....	Anamosa.....	14,361	15	2,862	1,463	839	4	
Keokuk.....	Sigourney.....	13,994	2	2,651	1,306	1,197	8	
Kossuth.....	Algona.....	694		145	138	12		8
Lee.....	Fort Madison.....	27,021	1,042	6,109	2,289	2,865	19	
Linn.....	Marion.....	20,714	40	4,291	2,059	1,230	17	
Louisa.....	Wapello.....	10,888	60	2,230	1,114	832	6	
Lucas.....	Chariton.....	6,343	9	1,180	553	516	6	
Lyon.....	Not organized.....							
Madison.....	Winterset.....	8,211	3	1,570	976	562	8	
Mahaska.....	Oskaloosa.....	16,998	84	3,390	1,820	1,188	3	
Marion.....	Knoxville.....	18,677	42	3,470	1,634	1,804	11	
Marshall.....	Marshalltown.....	8,714	45	1,816	1,002	375		
Mills.....	Glenwood.....	5,198	20	924	432	243		
Mitchell.....	Mitchell.....	4,176		899	608	119		
Monona.....	Onawa.....	1,079	17	249	115	138	1	
Monroe.....	Albia.....	9,409	26	1,750	880	654	16	
Montgomery.....	Frankfort.....	1,585		291	174	113		

A LIST OF COUNTIES, SHOWING THE COUNTY SEATS, &c.—CONTINUED.

COUNTIES.	COUNTY SEATS.	POPULATION IN 1865.		NUMBER ENTITLED TO VOTE.	VOTE FOR GOV., 1865		ARMY VOTE.			
		WHITE.	BLACK.		STONE.	BENTON.	REPUB.	DEM.		
Muscatine.....	Muscatine.....	17,127	114	3,443	1,678	1,481	6	.....	
O'Brien.....	O'Brien.....	Not report	ed.....	.....	2	5	.....	1
Osceola.....	Not organized.....	.....	.....	.....	.....	.....	.....	.....
Page.....	Clarinda.....	5,083	128	909	397	298	18	.....	
Palo Alto.....	Peelle.....	216	.....	47	6	48	.....	1
Plymouth.....	Melbourn.....	105	.....	24	23	.....	.....	.....
Pocahontas.....	Milton.....	215	.....	45	43	10	.....	.....
Polk.....	Des Moines.....	16,374	99	3,265	1,689	1,468	3	.....	
Pottawattamie.....	Council Bluffs.....	5,376	13	1,036	490	435	11	.....	
Poweshiek.....	Montezuma.....	7,763	33	1,529	805	393	1	.....	
Ringgold.....	Mount Ayr.....	3,075	14	564	336	152	.....	.....
Sac.....	Sac City.....	304	.....	73	36	40	1	.....	
Scott.....	Davenport.....	28,317	157	5,250	2,081	1,648	3	.....	
Shelby.....	Harlan.....	886	14	163	73	74	.....	.....
Sioux.....	P. O. address Sioux City.....	No return.	.....	.....	.....	.....	.....	.....
Story.....	Nevada.....	5,914	4	1,121	539	439	.....	.....
Tama.....	Toledo.....	7,859	23	1,565	863	471	.....	.....
Taylor.....	Bedford.....	4,207	92	815	382	271	.....	.....
Union.....	Afton.....	2,528	.....	483	233	179	.....	.....
Van Buren.....	Keosauqua.....	15,471	128	3,030	1,565	1,202	6	.....	
Wapello.....	Ottumwa.....	18,694	100	3,720	1,544	1,446	34	17		
Warren.....	Indianola.....	11,117	33	2,113	1,173	756	14	.....	
Washington.....	Washington.....	15,672	67	3,124	1,600	988	8	.....	
Wayne.....	Corydon.....	6,317	10	1,174	599	529	1	.....	
Webster.....	Fort Dodge.....	3,771	1	745	396	432	1	.....	
Winnebago.....	Forest City.....	298	.....	59	83	.....	.....	.....
*Winnesheik.....	Decorah.....	15,414	7	2,552	1,144	668	37	.....	
Woodbury.....	Sioux City.....	1,293	2	278	112	87	6	.....	
Worth.....	Northwood.....	1,143	.....	187	143	6	.....	.....
Wright.....	Grant.....	906	2	171	124	45	.....	.....
*Census of 1863.		Total.....		751,125	3,607	146,427	70,445	54,070	736	607

*Census of 1863.

AUDITOR'S REPORT.

AUDITOR'S OFFICE, IOWA, }
DES MOINES, APRIL 28TH, 1866. }

Hon. James Wright, Secretary of State:

SIR:—In pursuance of Section eighteen of Article third of the Constitution of Iowa, herewith find for publication, with the Laws of the Eleventh General Assembly, a statement of the Receipts and Expenditures for the two fiscal years commencing November 2d, 1863, and ending November 4th, 1865, both days inclusive.

Very respectfully,

JNO. A. ELLIOTT, Auditor of State.

1st—TOTAL AMOUNT OF RECEIPTS AND DISBURSEMENTS, AND THE ACTUAL AMOUNT REMAINING IN TREASURY.

1863.	RECEIPTS.	
Nov. 2.	Balance in the Treasury of State revenue.....	\$ 40,751 10
1865.		
Nov. 4.	Amount received on account of State revenue during the two years.....	881,808 10
Nov. 4.	Amount received on account of the War and Defense Fund during the two years	55,264 90 — 977,827 10
1865.	DISBURSEMENTS.	
Nov. 4.	Amount paid out for redemption of Warrants, and interest and apportionment of railroad tax on account of State revenue.....	\$745,472 87

Nov. 4. Amount paid out for redemption of Warrants and payment of interest on account of War and Defense Fund 207,266 55 — 952,739 42

Leaving balance in Treasury of State Revenue, Nov. 4, 1865 25,087 68

2D—RESOURCES OF THE STATE.

Balance of revenue in State Treasury.....	\$ 25,087 68
Balance of State revenue due from counties.....	286,172 68
Balance of Insane Hospital dues, from counties.....	53,570 53
Amount due from Council Bluffs Bank.....	1,052 78
Tax of 1865, based on valuation.....	430,126 83
Tax of 1866, estimated at 2 mills.....	450,000 00
Balance of Federal tax, due from counties.....	34,992 19
Railroad tax, estimated, for 1866 and 1867.....	30,000 00
Estimated balance due from U. S. Government.....	300,000 00
Total resources.....	\$1,611,002 87

I would estimate the interest on delinquent taxes, additional assessments, amount from pedlars' licenses, and the sale of laws, fully equal to interest on Auditor's warrants, unavailable taxes, and erroneous assessments; hence no reduction is made for any of the last named items. A levy of three mills for one year, on our present assessment, would pay our *entire indebtedness*.

3D—STATE INDEBTEDNESS.

Under Sec. 1, Chap. 134, of the Acts of the Tenth General Assembly, a bond was issued to the Permanent School Fund of the State, dated Nov. 12, 1864, drawing interest from Jan. 1, 1864, payable semi-annually on the first day of January and July, the principal payable at the pleasure of the Legislature, for..... \$122,295 75

* Iowa 7 per cent. bonds, payable in New York, Jan. 1, 1868, issued under Chap. 7, Acts 1858.... 200,000 00
Bonds sold under Chap. 16, acts of Extra Session, 1861, for War and Defense Fund..... 300,000 00

\$622,295 75

*See Remarks and Suggestions.

4TH—RECEIPTS AND DISBURSEMENTS OF STATE REVENUE.

1863.

Nov. 2. To balance from last report.. \$199,758 24

1864.

Mar. 5. To amount received during
quarter ending this day.. 129,185 79—328,944 03

CONTRA.

1864.

Feb. 29. By amount transferred to State
Treasurer, railroad tax... 12,654 80Mar. 5. By Auditor's Warrants, re-
deemed during quarter... 104,958 66

Mar. 5. By interest allowed on same 285 48

Mar. 5. By balance to next quarter.. 211,045 09—328,944 03

1864.

Mar. 5. To balance brought forward 211,045 09

June 4. To amount received during
quarter ending this day.. 195,908 88—406,953 97

CONTRA.

June 4. By Auditor's Warrants re-
deemed during quarter... 123,673 30

June 4. By interest allowed on same. 49 23

June 4. By balance to next quarter.. 283,231 44—406,953 97

1864

June 4. To balance brought forward. 283,231 44

Sept. 3. To amount received during
quarter ending this day.. 83,775 54—367,006 98

CONTRA.

Sept. 3. By Auditor's Warrants, re-
deemed during quarter... 103,556 14

Sept. 3. By interest allowed on same 16 27

Sept. 3. By balance to next quarter.. 263,434 57—367,006 98

1864.

Sept. 3. To balance brought forward. 263,434 57

Nov. 5. To amount received during
quarter ending this day.. 52,650 21—316,084 78

CONTRA.

Nov. 5. By Auditor's Warrants re-
deemed during quarter... 45,534 47

Nov. 5. By interest allowed on same 993 79

Nov. 5. Balance to next quarter..... 269,556 52—316,084 78

1864.			
Nov. 5.	To balance brought forward.	269,556	52
Dec. 31.	To amount received during quarter ending this day..	35,492	97— 305,049 49

CONTRA.

1865.			
Mar. 4.	By Auditor's Warrants re- deemed during quarter...	53,101	41
Mar. 4.	Interest allowed on same....	62	65
Mar. 4.	By balance to next quarter..	340,764	86— 393,928 92
1865.			
Mar. 4.	To balance brought forward.	340,764	86
June 3.	To amount received during quarter ending this day..	125,533	93— 466,298 79

CONTRA.

Dec. 31.	By Auditor's Warrants re- deemed during quarter...	51,579	66
Dec. 31.	By interest allowed on same	18	88
Dec. 31.	By balance to next quarter..	253,450	95— 305,049 49
Dec. 31.	To balance brought forward.	253,450	95
1865.			
Mar. 4.	To amount received during quarter ending this day..	140,477	97— 393,928 92

CONTRA.

June 3.	By Auditor's Warrants re- deemed during quarter...	84,320	04
June 3.	By interest allowed on same	330	20
June 3.	Balance to next quarter.....	381,648	55— 466,298 79
1865.			
June 3.	To balance brought forward	381,648	55
Sept. 2.	To amount received during quarter ending this day..	96,955	71— 478,604 26

CONTRA.

Sept. 2.	By Auditor's Warrants re- deemed during quarter...	110,186	68
Sept. 2.	By interest allowed on same	75	36
Sept. 2.	Balance to next quarter.....	368,242	22— 478,604 26
1865.			
Sept. 2.	To balance brought forward.	368,342	22
Nov. 4.	To amount received during quarter ending this day..	21,827	10— 390,169 32

CONTRA.

Nov. 4.	By Auditor's Warrants re- deemed during quarter...	54,075 85	
Nov. 4.	By balance.....	336,093 47—	390,169 32
1865.			
Nov. 4.	To balance brought forward		336,093 47

RECAPITULATION.

Balance in the Treasury, Nov. 2, 1863.....	40,754 10	
Amount of receipts during the two years.....	881,808 10—	922,562 20

CONTRA.

Auditor's Warrants redeemed	730,986 21	
Interest paid on redeemed Warrants.....	1,831 86	
Amount apportioned to sundry counties for railroad tax...	12,654 80	
Amount applied for redemp- tion of War and Defense Fund Warrants and interest	152,001 65	
Leaving balance in Treasury, Nov. 4, 1865.....	25,087 68—	922-562 20

5TH—RECEIPTS AND DISBURSEMENTS OF WAR AND DEFENSE FUND.

1864.

Mar. 5.	To amount received from coun- ties for Federal tax to date...	14,197 15	
Mar. 5.	To balance overdrawn from State Revenue.....	162,690 17—	176,887 32

CONTRA.

1863.

Nov. 2.	By balance overdrawn from State Revenue.....	159,004 14	
---------	---	------------	--

1864.

Mar. 5.	By War and Defense War- rants redeemed during quarter.....	17,430 63	
Mar. 5.	By interest allowed on same.	235 27	
Mar. 5.	By Auditor's re-issued War and Defense warrants re- deemed.....	217 28—	176,887 32

1864.	
June 4.	To amount received from Counties for Federal tax to date..... 11,657 48
June 4.	To balance overdrawn from State revenue..... 215,903, 86 — 227,561 34

CONTRA.

Mar. 5.	By balance overdrawn from State revenue..... 162,690 17
Mar. 5.	By War and Defense warrants redeemed during quarter. 63,110 91
Mar. 5.	By interest allowed on same. 1,755 26
Mar. 5.	War and Defense (re-issued) warrants redeemed..... 5 00 — 227,561 34

1864.	
Sept. 3.	To amount received from Counties for Federal tax to date..... 6,756 21
Sept. 3.	To balance overdrawn from State revenue..... 269,197 84 — 275,954 05

CONTRA.

June 4.	By balance overdrawn from State revenue..... 215,903 86
Sept. 3.	By War and Defense warrants redeemed during quarter..... 59,231 43
Sept. 3.	By interest allowed on same 818 76 — 275,954 05
Nov. 5.	To amount received from Counties for Federal tax to date..... 5,172 47
Nov. 5.	To balance overdrawn from State revenue..... 269,708 24 — 274,880 71

CONTRA.

Sept. 3.	By balance overdrawn from State revenue..... 269,197 84
Nov. 5.	By War and Defense warrants redeemed during quarter.... 5,660 99
Nov. 5.	By interest allowed on same 21 88 — 274,880 71
Dec. 3.	To amount received of Jos. F. Favres, per A. Adj.Gen. 21 12
Dec. 31.	To amount received from Counties for Federal tax to date..... 3,830 73
Dec. 31.	To balance overdrawn from State revenue..... 270,425 23 — 274,277 08

CONTRA.

Nov. 5.	By balance overdrawn from State revenue.....	269,708 24	
Dec. 31.	By War and Defense warrants redeemed during quarter.....	4,491 95	
Dec. 31. 1865.	By interest allowed on same	76 89	— 274,277 08
Mar. 4.	To amount received from Counties for Federal tax to date.....	8,311 49	
Mar. 4.	To balance overdrawn from State revenue.....	270,269 35	— 278,580 84

CONTRA.

1864.			
Dec. 31.	By balance overdrawn from State revenue.....	270,425 23	
1865.			
Mar. 4.	By War and Defense warrants redeemed during quarter.....	8,086 86	
Mar. 4.	By interest allowed on same	68 75	— 278,580 84
June 3.	To amount received from Counties for Federal tax to date.....	2,677 64	
June 3.	To balance overdrawn from State revenue.....	299,505 46	— 302,183 10

CONTRA.

Mar. 4.	By balance overdrawn from State revenue.....	270,269 35	
June 3.	By War and Defense warrants redeemed during quarter.	31,675 64	
June 3.	By interest allowed on same	238 11	— 302,183 10
Sept. 2.	To amount received from counties for Federal tax to date.....	2,475 61	
Sept. 2.	To balance overdrawn from State revenue.....	305,153 00	— 307,628 61

CONTRA.

June 3.	By balance overdrawn from State revenue.....	299,505 46	
Sept. 2.	By War and Defense warrants redeemed during quarter.	7,956 93	
Sept. 2.	By interest allowed on same	166 22	— 307,628 61

Nov. 4.	To amount received from counties for Federal tax to date	165 00	
Nov. 4.	To balance overdrawn from State revenue.....	311,005 79—	311,170 79

CONTRA.

Sept. 2.	By balance overdrawn from State revenue.....	305,153 00	
Nov. 4.	By War and Defense warrants redeemed during quarter	6,013 39	
Nov. 4.	By interest allowed on same	4 40—	311,170 79

RECAPITULATION.

Amount received for Federal tax	55,243 78	
Am't received from A. A. G.	21 12	
Balance overdrawn from State revenue, Nov. 4, 1865....	311,005 79—	366,270 69

CONTRA.

By War and Defense warrants redeemed.....	203,658 73	
By interest allowed on same	3,385 54	
Re-issued War and Defense warrants redeemed.....	222 28	
Balance overdrawn from State revenue, Nov. 2, 1863....	159,004 14—	366,270 69

6TH—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.	Amount Expended.
Adjutant General's salary.....	\$ 4,009 99
Assistant Adjutant General's salary.....	2,072 18
Attorney General's salary.....	2,000 00
Auditor of State's salary.....	2,600 00
District Attorney's salary, 1st District.....	1,200 00
District Attorney's salary, 2d District.....	1,200 00
District Attorney's salary, 3d District.....	1,400 00
District Attorney's salary, 4th District.....	1,300 00
District Attorney's salary, 5th District.....	1,350 00
District Attorney's salary, 6th District.....	1,300 00
District Attorney's salary, 7th District.....	1,400 00
District Attorney's salary, 8th District.....	1,200 00
District Attorney's salary, 9th District.....	1,200 00

District Attorney's salary, 10th District.....	1,462 51
District Attorney's salary, 11th District.....	1,250 00
District Attorney's salary, 12th District.....	500 00
District Judge's salary, 1st District.....	2,600 00
District Judge's salary, 2d District.....	2,708 00
District Judge's salary, 3d District.....	2,708 00
District Judge's salary, 4th District.....	2,600 00
District Judge's salary, 5th District.....	2,600 33
District Judge's salary, 6th District.....	2,600 00
District Judge's salary, 7th District.....	2,707 00
District Judge's salary, 8th District.....	2,708 67
District Judge's salary, 9th District.....	2,708 00
District Judge's salary, 10th District.....	2,708 00
District Judge's salary, 11th District.....	3,032 99
District Judge's salary, 12th District.....	1,083 00
Governor's salary.....	6,149 00
Janitor and Night Watch.....	1,947 00
Register of State Land Office's salary.....	2,598 00
Secretary Agricultural College and Farm's salary.....	1,173 46
Superintendent " " " " " ".....	27 75
Secretary of State's salary.....	2,599 00
Superintendent of Public Instruction's salary.....	2,610 00
State Treasurer's salary.....	2,600 00
Surgeon General's salary.....	465 50
Supreme Judge's salary, Hon. R. P. Lowe.....	4,119 95
Supreme Judge's salary, Hon. Geo. G. Wright.....	4,004 00
Supreme Judge's salary, Hon. Jno. F. Dillon.....	3,300 00
Supreme Judge's salary, Hon. C. Baldwin.....	669 50
Supreme Judge's salary, Hon. C. C. Cole.....	3,000 00
Penitentiary Clerk's salary.....	1,500 00
Penitentiary Chaplain's salary.....	1,000 00
Penitentiary Physician's salary.....	731 00
Penitentiary Warden's salary.....	2,000 00
Penitentiary Deputy Warden's salary.....	1,500 00
Adjutant-General's contingent fund.....	631 30
Attorney General's fees and mileage.....	909 82
Auditor's contingent fund.....	2,664 00
Governor's contingent fund.....	2,425 00
Register of State Land Office's contingent fund.....	1,667 63
Secretary Agricultural College's contingent fund.....	700 53
Secretary of State's contingent fund.....	1,940 50
Superintendent of Public Instruction's contingent fund.....	1,620 00
State Treasurer's contingent fund.....	1,606 67
Supreme Court's contingent fund.....	2,940 46
State Superintendent of Weights and Measures' salary.....	100 00
Extraordinary expenses, Executive Department.....	29,092 12
General contingent fund.....	10,459 46

For fuel.....	\$743	00
For arrest of fugitives from justice.....	818	00
For postage, Executive office.....	573	41
For postage, Secretary of State.....	866	41
For postage, Auditor of State.....	503	33
For postage, Treasurer of State.....	60	24
For postage, Register of State Land Office....	300	19
For postage, Superintendent of Public Instruction.....	407	05
For postage, Attorney General.....	21	43
For postage, Adjutant-General.....	75	62
For express charges, freight, drayage, and telegraphing.....	415	38
For Capitol Building repairs.....	1,789	11
For repairing furniture.....	442	41
For canvassing election returns.....	268	00
For lights, lamps, &c.....	106	46
For carpeting, matting, and window curtains..	1,098	45
For furniture and supplies for State House....	637	10
For labor on State House and grounds.....	635	16
For costs in foreclosing school fund mortgages, Eads' loan.....	52	45
For ice.....	114	87
For Attorney General's services in settlement with Winterbotham and Jones.....	100	00
For insurance.....	185	50
For miscellaneous items.....	245	89
Quartermaster-General's expenses.....	6,997	34
Blind Asylum, support.....	18,910	00
Deaf and Dumb Institution.....	22,145	00
Hospital for Insane, county dues.....	74,937	22
Hospital for Insane, deficiency.....	25,062	78
Hospital for Insane, Trustees' expenses.....	1,000	51
Interest on Bonds of 1858.....	28,140	00
Interest on School Fund Loans.....	19,209	57
Interest on War and Defense Bonds.....	42,188	90
Penitentiary contingent fund.....	100	00
Penitentiary, general support.....	18,961	00
Penitentiary improvements.....	28,457	00
Penitentiary, guards' pay.....	12,058	75
Agricultural Societies.....	12,811	00
Army vote.....	18,800	66
Capitol Building repairs.....	202	08
Hospital for Insane, improvements.....	12,000	00
Eighth General Assembly.....	2	00
Governor's Aids.....	1,252	99
State Library.....	3,124	02
Ninth General Assembly, papers.....	216	00

Publishing laws.....	1,002 85
Reports of Iowa.....	7,920 00
State Bank expenses.....	1,439 00
Swamp Lands.....	3,208 00
Stationery.....	29,232 46
Special Appropriations.....	6,096 58
State Binding.....	17,869 39
State Printing.....	26,397 52
Teachers' Institutes.....	6,250 00
Blind Asylum, building.....	38 50
Blind Asylum, improvements.....	5,124 90
Agricultural College Building.....	20,000 00
Tenth General Assembly, Members and Officers.....	50,519 40
Tenth General Assembly, postage.....	6,975 44
Tenth General Assembly, contingent expenses.....	959 25
Tenth General Assembly, papers.....	9,334 00
School Journal, Des Moines.....	237 50
State University, building.....	20,000 00
State University, Trustees' expenses.....	1,116 10
Hospital for Insane, arrest of patients.....	52 00
Presidential election returns.....	1,285 60
Rewards for criminals.....	550 00
Mileage, Agricultural College Board.....	1,946 70

 719,091 33

Add for warrants issued for Adjutant General's postage,
and afterwards transferred to W. and D. fund..... 2,259 19

Total amount of warrants issued during the two years.....	721,350 52
Interest paid on warrants redeemed.....	1,831 86
Mileage to County Treasurers by certificates.....	5,133 23
Commission to banks forwarding revenue.....	606 65

 Total expenditures..... 728,922 26

7TH—WARRANTS (REVENUE).

Amount of warrants outstanding Nov. 2, 1863.....	\$ 18,395 52
Amount issued during the two years ending Nov. 4, '65.....	721,350 52
Total.....	739,746 04
Deduct amount redeemed during the two years.....	725,989 71

 Leaves outstanding Nov. 4, 1865..... 13,756 33

8TH—WAR AND DEFENSE WARRANTS.

Amount of warrants outstanding Nov. 2, 1863.....	38,717 87
Amount issued during two years ending Nov. 4, 1865.....	169,231 00

 Total..... 207,948 87

Deduct amount redeemed during the two years.....	204,063 17
Leaves outstanding Nov. 4, 1865.....	3,885 70
WAR AND DEFENSE WARRANTS (RE-ISSUED).	
Amount of warrants outstanding Nov. 2, 1863.....	255 29
Amount redeemed during two years ending Nov. 4,'65,	222 28
Leaves outstanding Nov. 4, 1865.....	33 01

9TH—WAR AND DEFENSE FUND.

In order to meet the extraordinary expenses of the war, Chap. 16, Acts of the Extra Session of 1861, creating the War and Defense Fund, authorized the issuing of State bonds to the amount of \$800,000, drawing seven per cent. interest, and payable twenty years after date. Under this act there were issued and sold only \$300,000 of bonds, all dated July 1, 1861. The present condition of this fund is as follows:

	DR.	
To total amount of warrants issued.....	\$1,041,960	28
	CR.	
By amount received of U. S.....	\$100,000	00
By sale of State bonds.....	277,320	00
By Federal tax	357,525	81
Received from all other sources.....	9,039 24—	743,885 05
Total.....		298,075 23
Of this amount State Treasurer has redeemed with General Revenue fund.....		294,189 53
Leaves outstanding at this date.....		3,885 70

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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 hereunto set my hand and affixed the Great Seal of the State of Iowa.

{ L. S. }

Done at Des Moines, this 5th day of May, A. D. 1866.

JAMES WRIGHT,
Secretary of State