

is not affected by the overflowing from such dam—that no dwelling house, out-house, or garden of any proprietor will be overflowed, and also, that such mill or mills are for the public benefit, the court shall order the damages found by the jury, to be paid to the owner or owners of the lands found to be damaged by such overflow; and the payment or tender of said damages shall be a bar to any action for such injuries as were foreseen and estimated by the jury; provided, that if the said mill or mills shall not be kept in repair and running for the accommodation of the public, for the space of one year at any one time, the owner or owners shall forfeit all rights acquired by virtue of this act, or of any act of the territory.

SEC. 2. When to take effect. This act shall take effect and be in force from and after the publication of the laws of this state.

Approved, January 22, 1848.

[15] CHAPTER 10.

SUPREME COURT.

AN ACT to re-organize the supreme court.

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

SECTION 1. Time and place of holding the supreme court—proviso. That the supreme court shall be holden once a year in each of the judicial districts of the state, as follows, to-wit: At Burlington, in the first district, on the third Monday of May in each year; at Ottumwa, in the third district, on the second Monday of June in each year; at Iowa City, in the fourth district, on the fourth Monday of June in each year; at Dubuque, in the second district, on the third Monday of July in each year: provided, that the state shall be at no expense for furnishing rooms for the session of the court, or offices for the clerks.

SEC. 2. Judges to appoint clerks—unfinished business. *And be it further enacted,* That the judges of said court shall appoint a clerk of the supreme court for each of said districts, who shall reside, and keep the records thereof, at the place of holding said courts in each district respectively. Provided, that all unfinished business now in the supreme court, shall be completed by the supreme court in the fourth district.

SEC. 3. Appeals and writs of error where taken. *Be it further enacted,* That all cases of appeals or writs of error, shall in future, be taken to the supreme court of the district in which they originated, except from Muscatine, Cedar and Washington counties, which shall be taken to the supreme court in the fourth judicial district.

SEC. 4. Sheriffs to be ministerial officers. *And be it further enacted,* that the sheriffs of the respective counties in which the supreme court may be holden, shall attend on said courts, and act as ministerial officers thereof, during their session; and final process may issue from said courts to the sheriff of any county in the state.

SEC. 5. Seal. *Be it further enacted,* that the chief justice shall, without delay, cause suitable similar seals, and the necessary blank books to be procured for said courts.

SEC. 6. Unfinished business. All unfinished business in the supreme court, as at present organized, except as above provided for, shall be disposed of by the supreme court sitting in the fourth judicial district.

SEC. 7. When to take effect. This act shall take effect from and after the first day of February next, and shall forthwith be published in the Iowa Capital Reporter and the Iowa Standard, published at Iowa City.

Approved, January 22, 1848.

Published in the Reporter and the Standard, February second, eighteen hundred and forty-eight.

[16] CHAPTER 11.

LAKE PRAIRIE TOWNSHIP.

AN ACT to organize the township of Lake Prairie in the county of Marion.

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

SECTION 1. Lake prairie township organized. That township seventy-six and seventy-seven, of range eighteen, west of the fifth principal meridian, in the county of Marion, be and the same are hereby set off and organized into a separate township by the name of Lake Prairie.

SEC. 2. Township election. The first township election therein shall be held at the house of H. P. Scholt, in said township on the first Monday in April next, at which time and place the white male inhabitants of said township, above the age of twenty-one years, shall elect two justices of the peace, two constables, and such other township officers as are required by the act for the organization of townships, approved, February 17th, 1842, and such school officers as are required by law to be elected at the township elections.

SEC. 3. Powers and duties of officers. The powers, duties and manner of qualification of such justices of the peace and other officers, shall be such as are provided by the general laws of this state.

SEC. 4. When to take effect. This act shall take effect and be in force from and after its publication in the Iowa City Standard and Iowa Capital Reporter, published at Iowa City.

Approved, January 22, 1848.

Published in the Reporter and in the Standard, February ninth, eighteen hundred and forty-eight.

CHAPTER 12.

PRINTING AND DISTRIBUTING LAWS.

AN ACT in relation to the printing and distribution of the laws of this state.

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

SECTION 1. Secretary to superintend. That the Secretary of State, or the person exercising that office, be authorized and required to superintend the printing and distribution of all laws and joint resolutions passed by the General Assembly of the State of Iowa, at any regular or called session.