

the said judge that the report is authentic. When the said report shall have been so recorded as aforesaid, the said company shall be seized and possessed of such land or real estate, and may enter upon and take possession, and use the same for the purposes herein before recited.

SEC. 2. When to take effect. This act to take effect and be in force by publication in the Keokuk Register and Iowa Statesman, weekly newspapers published in Lee county.

Approved, January 24, 1848.

Published in the Statesman February twelfth, and in the Register February —, eighteen hundred and forty-eight.

CHAPTER 52.

FIRST JUDICIAL DISTRICT.

AN ACT fixing the times and places of holding the district courts in the first judicial district.

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

SECTION 1. Times and places of court. That from and after the first day of February, 1848, the times and places of holding the district courts in the several counties of the first judicial district of this state shall be as follows:

In Louisa, on the first Monday in March and last Monday in August;

In Henry county, on the third Monday in March and second Monday in September;

In Washington county, on the second Monday in March and the first Monday in September;

In Des Moines county, on the first Mondays in April and October;

In the county of Lee, at Fort Madison, on the third Monday in April and first Monday in November;

[52] At the city of Keokuk, in said county of Lee, on the third Monday in February and third Monday in September; and after the year 1848, at the city of Keokuk on the first Monday in February and third Monday in September: Provided, that the authorities of the city of Keokuk shall provide, free of charge, the necessary rooms for holding court at said county, [city?]

SEC. 2. Jurisdiction in Lee county. That the said district courts in the county of Lee shall have concurrent jurisdiction in all civil causes in said county, except appeals from justices of the peace in the city of Keokuk and in the townships of Jackson, Des Moines and Montrose.

SEC. 3. Keokuk court. The district court at the city of Keokuk shall have exclusive jurisdiction in all criminal causes, and in all appeals in civil causes from justices of the peace in the said city of Keokuk and in the townships of Jackson, Des Moines, and Montrose, in said county of Lee.

SEC. 4. Madison court. The district court at Fort Madison shall have exclusive jurisdiction in all criminal causes, and in all appeals from justices of the peace, appeals, or writs of error from the judges of probate in the said county of Lee, except in criminal causes and appeals from justices of the peace in the said city of Keokuk and the townships of Jackson, Des Moines and Montrose.

SEC. 5. Clerk's office. It shall be the duty of the clerk of the district court of Lee county to keep an office at Fort Madison and at the city of Keokuk, and

to perform all the duties of clerk of the district court at each of said places, either by himself or deputy, one of whom shall reside at each of said places.

SEC. 6. Sheriff's office. It shall be the duty of the sheriff of Lee county to keep an office at Fort Madison and at the city of Keokuk, and to perform all the duties of sheriff for the district court at each of said places, either by himself or deputy, one of whom shall reside at each of said places.

SEC. 7. Act repealed. That an act entitled "an act fixing the times of holding district courts in the first judicial district," approved, February twenty-fourth, 1847, and so much of an act entitled "an act fixing the times of holding the district courts in this state, as fixes the time of holding the district courts in the first judicial district," approved, February 17th, 1847, be and the same are hereby repealed.

SEC. 8. Effect of change. No suits, indictments, recognizances, informations, declarations, pleas, or other process or proceedings, returnable at, or pending in the said district court, for any of the counties above named, shall abate, be made void, or in any wise affected in consequence of any change in the time of holding said courts by the provisions of this act, but when the same may have been issued, or may have been made returnable at any day in accordance with the time heretofore fixed for holding said courts, they shall be considered returnable to the term of [53] the courts respectively named in this act; and all jurors, witnesses and other persons, bound in any way or summoned to appear before the courts mentioned above, at the next term thereof, shall be bound to appear at the time first specified for holding courts by this act.

SEC. 9. When to take effect. This act to take effect and be in force from and after its publication in the Keokuk Register and the Iowa Statesman, weekly newspapers in Lee county.

Approved, January 24, 1848.

Published in the Statesman and in the Register, February fifth, eighteen hundred and forty-eight.

CHAPTER 53.

HALF BREED TRACT.

AN ACT concerning claimants on the Half Breed Tract in Lee county.

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

SECTION 1. Persons entitled to improvements. That all persons, their heirs and assigns respectively, being possessed of any lands, town lots or tenements upon the Half Breed Tract, in Lee county, under and by virtue of a color of title to the same, and upon which there are improvements, shall be entitled to the full and appraised value of such improvements.

SEC. 2. Actions of right or ejectment. That in any action of right or ejectment, for any such lands, town lots or tenements, the jury before whom such suit is tried, shall if they find a verdict for the plaintiff, also find and return in such verdict whether the defendant was possessed of such lands, town lots, or tenements under and by virtue of a color of title, which shall be entered of record as a part of said verdict.

SEC. 3. Board of appraisers. That within twenty days after the term of court at which any such judgment is rendered, the plaintiff and defendant or their legal representatives, shall each choose one person as appraiser, and the two thus chosen shall upon notice, forthwith choose a third person, and they shall constitute the board of appraisers of such improvement.