

**SEC. 7. Style of process.** All process issued by a justice of the peace shall run, "In the name of the state of Iowa," and be directed to any constable of the proper county, except when it is otherwise specially provided; and all process issued by justices of the peace, in the name of the state of Iowa, since the adoption of the constitution of the state of Iowa by the people, is hereby declared to be legal and valid.

**SEC. 8. Attachment.** The first section of the eleventh article of the act of the ninth of February, 1843, prescribing the powers and duties of justices of the peace, is hereby so amended as to extend the sum for which a creditor may sue his debtor by attachment, before a justice of the peace, to one hundred dollars.

**SEC. 9. Acts repealed.** The first and second clauses of the thirteenth section of the first article of the said act of the ninth of February, 1843, as well as all after the enacting clause of the first section, and also the third and fourth sections of the act amendatory thereto, approved 14th February, 1844, together with so much of said acts and all other acts as come in conflict with the provisions of this act, are hereby repealed.

**SEC. 10. Take effect.** This act shall take effect and be in force from and after its publication in the weekly newspapers printed in Iowa City.

Approved, February 22d, 1847.

Published in the Reporter and Standard, February 24th, 1847.

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## CHAPTER 75.

### STATE AND COUNTY OFFICERS.

AN ACT in relation to the duty of state and county officers in certain cases.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. To complete certain acts.** That in all cases under the laws of the territory of Iowa, wherein any deed or deeds are to be executed by any sheriff, coroner, collector, or other officer of any county, or of the territory of Iowa, or any other [91] duty is to be done or performed by any such officer, under and by virtue of the laws of said territory, or to complete any such duty already commenced, it shall be legal, and it is hereby made the duty of any such officer to go on, execute and complete the same, under and by virtue of, and in the name of the state of Iowa, and the same, when complete, shall be as effectual and valid in all respects as if no change of government had taken place.

**SEC. 2. To take effect.** This act shall take effect and be in force from and after its publication in the weekly newspapers printed in Iowa City.

Approved, February 22d, 1847.

Published in the Reporter, Feb. 24th, 1847, and in the Standard March 3d, 1847.

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## CHAPTER 76.

### BURLINGTON.

AN ACT to amend the charter of the city of Burlington.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Amount of tax.** That the amount of tax to be levied upon real and personal estate by the mayor and aldermen of the city of Burlington, after

the taking effect of this act, shall not exceed twelve and one-half cents on every one hundred dollars' worth of property to be assessed.

**SEC. 2. Election—form of vote.** Before this act shall take effect, the qualified voters residing within the limits of said city shall vote for or against the provisions of this act, the vote upon which shall be put in this manner: "Are you in favor of, or against a reduction of the tax?" If a majority of all the votes cast be in favor of a reduction, then this act shall be in full force and effect—but not otherwise.

**SEC. 3. Poll opened—when—notice.** A poll shall be opened in said city at the usual places of holding elections therein, on the second Monday in April next, for a vote to be taken for or against the provisions of this act; of which said election said mayor and aldermen shall cause ten days' previous notice to be given, and said election shall be conducted as other city elections.

**SEC. 4. To take effect—how paid for.** This act shall be published, by one insertion, in the State Gazette and Hawkeye, printed in the city of Burlington, at least three weeks before said election; said insertion to be paid for by said city.

Approved, February 22d, 1847.

[92] CHAPTER 77.

UNITED STATES SENATORS AND JUDGES.

AN ACT to provide for the election of United States senators and other officers.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Election.** That at each and every regular session of the general assembly of this state, next preceding the expiration of the constitutional term of service of a United States senator, or at any session when a vacancy shall exist, at an hour to be designated by a resolution of either branch, with the concurrence of the other branch of the general assembly, the members of both houses thereof shall meet in convention in the hall of the house of representatives, for the purpose of electing a senator or senators, by joint vote, in pursuance of the constitution of the United States, to represent this state in the senate of the United States.

**SEC. 2. Presiding officer.** The president of the senate, or in his absence the speaker of the house of representatives, shall preside over the deliberations of the convention; and in the absence of both, a president pro tempore shall be appointed by joint vote.

**SEC. 3. Judges of election.** At any time prior to meeting in convention as aforesaid, after the time for meeting has been designated as aforesaid, each branch of the general assembly shall appoint one teller, and the two tellers thus appointed shall act as judges of the election.

**SEC. 4. Record—secretary.** The secretary of the senate and the chief clerk of the house of representatives shall each keep a fair and correct record of the proceedings of the convention, which shall be entered upon the journals of each branch of the general assembly. The chief clerk of the house of representatives shall act as secretary to the convention.

**SEC. 5. Names arranged.** The names of the members of the general assembly shall be arranged by the secretary in alphabetical order, and each member shall vote in the order in which his name stands when thus arranged.