

**SEC. 62. Repealing section—proviso.** All acts and parts of acts conflicting with the provisions of this act are hereby repealed: provided, that nothing in this act shall be so construed as to prevent any person now holding office in this state, from holding the same until the first Monday in August, 1847. Neither shall anything in this act contained in any way interfere with the collection of any taxes already levied under the laws now or heretofore in force.

Approved, February 25th, 1847.

## CHAPTER 101.

### PENITENTIARY.

AN ACT relative to the penitentiary.

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

**SECTION 1. Agent—his duties.** That for the purpose of rendering the penitentiary efficient, an agent shall be appointed by joint resolution of the general assembly, whose duty it shall be to make the necessary contracts for completing the walls of the building, placing a roof over the part intended to be under cover, enclosing the exterior yard, and finishing ten additional cells, unless the means at his disposal are sooner exhausted.

**SEC. 2. State bonds.** To meet the necessary expenditure thus incurred, the governor shall cause to be executed state bonds to the amount of ten thousand dollars, drawing six per cent. interest per annum, and deliver the same to the agent hereinbefore mentioned.

**SEC. 3. Additional state bonds.** Whenever there shall be any such moneys in the treasury of the school fund, the governor, at the request of the agent, shall issue state bonds not exceeding ten thousand dollars in amount, made payable in ten years, to the common school fund, and bearing interest at the rate of ten per cent. per annum, payable on the first day of February in each year.

**SEC. 4. Bonds to be filed—auditor to pay—amount.** These bonds shall be filed in the office of the auditor of the school fund, who shall at any time thereafter, when requested by the agent, pay over to him the moneys hereby appropriated which may be then in the treasury; but not more than five thousand dollars shall be placed in the hands of the agent at any one time, over and above the amount for which satisfactory receipts and vouchers shall have been by him previously filed in the office of the auditor of state.

**SEC. 5. Agent's bond—oath.** Previous to commencing to discharge the duties of his office, the agent shall file, in the office of the state treasurer, his bond in the penalty of ten thousand dollars, with security to be approved by the governor, conditioned that he will faithfully account for and pay over all moneys that shall come into his hands as such agent. He shall also take an oath faithfully to discharge the duties of his office, which shall be filed with his bond.

**SEC. 6. Interest, how paid.** The interest on the loan hereby authorized, shall always be paid in preference to any other charge against the state treasury, except that for the interest on the loan already authorized.

**SEC. 7. Work, how prosecuted.** The work shall be prosecuted in such a manner as not to exceed in expense the sum herein appropriated, leaving that part of the work, (if any,) unfinished which is least important.

**SEC. 8. Prisoners—keeper.** Prisoners in the penitentiary shall be under the supervision of the agent, who shall have power to employ a keeper, to direct

the manner in which the prisoners shall be employed, to see that they are furnished with necessaries, and to make such rules as he may deem expedient for their regulation and government.

**SEC. 9. Compensation of agent.** The agent shall receive for his services the sum of four hundred dollars, to be paid out of any funds in the treasury, at the time of the termination of the work for which he was appointed.

**SEC. 10. Payment of keepers, etc.** The funds necessary for paying a keeper and furnishing necessaries, may be taken from the amount appropriated for the work herein authorized.

**SEC. 11. Agent's report.** The agent shall report his actings and doings in the premises, in full, to the governor, to be laid before the general assembly at the commencement of the next and any subsequent session while he may remain in office.

Approved, February 25th, 1847.

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[149] CHAPTER 102.

PENITENTIARY.

AN ACT to authorise the auditor to audit certain certificates of indebtedness, on account of expenses connected with the penitentiary.

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

**SECTION 1. Certificates be audited.** That the auditor of state is hereby authorized and required to audit certain certificates of indebtedness for necessary expenses of the penitentiary, issued by John W. Cohick, in the early part of the year 1846, while said Cohick was warden of said penitentiary, and before he became the lessee thereof.

Approved, February 25th, 1847.

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CHAPTER 103.

FORT MADISON.

AN ACT to provide for the repeal of the charter of Fort Madison, in Lee county.

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

**SECTION 1. Mayor and aldermen, duty as to funds.** That the mayor and board of aldermen of the town of Fort Madison shall have no power to appropriate any of the funds collected or to be collected by them, other than for the payment of the officers of said town, and the debts of the corporation now existing and unpaid—that it shall be their duty to pay said debt or debts as soon as they shall be enabled to do so, by levy and assessment of taxes upon property in said corporation, not exceeding the rate per cent. levied the past year.

**SEC. 2. Grocery and tavern licenses.** All sums of money arising from grocery and tavern licenses, and other sources of revenue in said town, shall be applied to the payment of said debts.

**SEC. 3. Election—notice—repeal.** It shall be the duty of the said mayor and board of aldermen, as soon as the debts of said town are paid, to give notice thereof to the inhabitants of said town by a written notice put up in four public places, notifying the inhabitants of said corporation that an election will