

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 All Acts and parts of Acts inconsistent with this Act, are hereby repealed. Repealed.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

Acts of Board  
Supervisors  
legalized.

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