

recorded, had prior to being recorded been acknowledged or proved within this State.

Acknowledgments of all conveyances, heretofore recorded, legalisee.

SEC. 2. That the acknowledgments of all deeds, mortgages, and other instruments in writing, taken and certified previous to the passage of this act, and which have been duly recorded in the proper counties of this State, be and the same are hereby declared to be legal and valid in all courts of law or equity in this State, or elsewhere, anything in the several different acts or laws of the territory or State of Iowa, in regard to acknowledgments, to the contrary notwithstanding.

Acknowledgment without seal valid.

SEC. 3. That all deeds, mortgages, or other instruments in writing, for the conveyance of lands, which have heretofore been made and executed, and the officer taking the acknowledgment has not affixed his seal to the acknowledgment, such acknowledgment shall nevertheless be good and valid in law and equity, anything in law heretofore passed to the contrary notwithstanding.

Taking effect,

SEC. 4. This act, being deemed of immediate importance, shall be in force from and after its publication in the Iowa State Register and Des Moines Bulletin, newspapers published in Des Moines, Iowa.

Approved, April 15, 1870.

I hereby certify that the foregoing act was published in the *Daily Iowa State Register*, and the *Des Moines Daily Bulletin*, April 28, 1870.

ED WRIGHT, *Secretary of State.*

## CHAPTER 161.

### ATTACHMENT AND GARNISHMENT.

APRIL 15. AN ACT to Amend Chapter 124 of the Revision of 1860, relative to Attachment and Garnishment.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 3174 of the Revision of 1860 be, and the same is hereby, repealed; and there is hereby enacted, in lieu thereof, the following, to-wit:

Rev.: §3174 repealed.

What petition must state.

The petition which asks an attachment must in all cases be sworn to. It must state: 1st, that the defendant is a foreign corporation, or acting as such; or, 2d, that he is a non-resident of the State; or, 3d, that he is about to remove his property out of the State without leaving

sufficient remaining for the payment of his debts; or, 4th, that he has disposed of his property (in whole or part) with intent to defraud his creditors; or, 5th, that the defendant is about to dispose of his property with intent to defraud his creditors; or, 6th, that he has absconded, so that the ordinary process cannot be served upon him; or, 7th, that he is about to remove permanently out of the county, and has property therein not exempt from execution, with which he refuses to pay or secure the debt due the plaintiff; or, 8th, that he is about to remove permanently out of the State, and refuses to pay or secure the debt due the plaintiff.

Contemplated disposal of property with fraudulent intent.

SEC. 2. That the word "county" in the third line of section 3177 of said chapter be repealed, and the word "circuit" be enacted and inserted in lieu thereof, and that there be added, to the end of said section 3177, the words following, to-wit: "and circuit court."

Rev.: \$3177.

Circuit court given jurisdiction

SEC. 3. This act shall take effect and be in force from and after its publication in the Iowa State Register and the Iowa evening Statesman, papers published in Des Moines, Iowa.

Taking effect.

Approved, April 15, 1870.

I hereby certify that the foregoing act was published in *The Des Moines Daily Statesman*, April 26, and the *Daily Iowa State Register*, April 28, 1870.

ED WRIGHT, *Secretary of State*.

## CHAPTER 162.

### INDEPENDENT DISTRICT OF KIRKVILLE.

AN ACT to Legalize the Acts of the Independent District of Kirkville, Wapello County, Iowa. APRIL 15.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That all tax-levies for school-house fund and the election of directors and officers of the school-board of the independent district of Kirkville, Wapello county, Iowa, for the year 1870, *is* [are] hereby legalized and made valid, the same as if the proceedings had all been conducted according to law.

Tax-levies and election legalized

SEC. 2. That this act take effect and be in force from and after its publication in the Iowa State Register and

Taking effect.