

Patients allowed to write to committee. § 1438.

Letters to be sent to visiting committee.

Letters from committee to be delivered; others superintendent may withhold.

Publication clause.

lieu thereof, "Once a week, what he or she pleases to this committee." Also amend section 1438, of said chapter and title, by inserting after the word "week," in the third line, the words, "Addressed to one of the visiting committee and." Also strike out all of the section after the word "thereto," in the sixth line, and add the following: "And to deliver to said person any letter (without opening or reading the same) written to him or her by one of the visiting committee. But all other letters written by, or to, the person so confined may be examined by the superintendent, and, if in his opinion the delivery of such letters would be injurious to the person so confined, he may retain the same."

SEC. 3. This act being deemed of immediate importance shall take effect from and after its publication in *The Daily State Register* and *Daily State Leader*, newspapers published in Des Moines, Iowa.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Iowa Daily State Leader* March 27, and in *The Iowa Daily State Register* March 28, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 54.

RESURVEY OF TOWN-PLATS.

S. F. 191.

AN ACT to Authorize the Resurvey and Platting of City or Town Plats, or Additions Thereto, in Cases where the Original Plats have been lost and not acknowledged or recorded.

Where any town plat is lost, same may be resurveyed.

Record.

Proviso: consent of original owner.

Duty of county surveyor.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That in all cases where the original town-plat of any city, town, or village of this state, or any of the additions to any such city, town, or village, shall have been heretofore or may hereafter be lost, mislaid, or destroyed after the sale and conveyance of any subdivision, block, or lot thereof, by the original owner or proprietor, to any person or persons, before the same shall have been recorded, it shall be lawful for any three persons interested in such city, town, village, or addition thereto, to have such original city, town, village, or addition to any such city, town, or village resurveyed and replatted, and such plat made a matter of record, as hereinafter set forth: *Provided*, That in no case shall such replat be made a matter of record without the consent in writing, indorsed thereon, of the original owner or proprietor of such city, town, village, or addition thereto, if he be alive and his residence known to those who desire such replat recorded.

SEC. 2. The county surveyor of any county of this state in which is situate any such city, town, village, or addition thereto as contemplated in section one of this act, is hereby authorized, empowered, and, upon payment to him of his legal fees by the per-

sons interested, required to resurvey any such city, town, village, or addition thereto, and shall make out a plat of such city, town, village, or addition so resurveyed, which plat shall in all respects, as near as possible, conform to the original lines of said city, town, village, or any addition thereto, that may be resurveyed, and it shall in all respects be made out as required by section 559 of the code. And in order to the perfect completion of such resurvey and plat, the said surveyor is empowered and authorized to subpoena witnesses, administer oaths, and to take evidence touching said original plat, lines, subdivisions of said city, town, village, or addition thereto sought to be surveyed and replatted; also as to whether the original proprietor be dead or living, and touching all things necessary to enable him to accurately establish the lines and boundaries of the said city, town, village, or addition thereto, and the various subdivisions thereof: *Provided*, That in all cases, before any such resurvey shall be made, the county surveyor of the proper county shall give four weeks' notice of in some newspaper published in the county, if there be any, of such contemplated resurvey, and, in case there is no such paper published in the county, then by posting up four written notices in four of the most public places in the county, one of which shall be in said district proposed to be resurveyed.

Code: §559.

Subpoena witnesses and may take evidence.

Proviso: notice to be given.

SEC. 3. When the surveyor shall have completed said plat, as hereinbefore contemplated, he shall attach his certificate thereto, to the effect that said plat is a just, true, and accurate plat of said city, town, village, or addition so surveyed by him; and the said plat and certificate thereto shall be filed for record in the office of the recorder of deeds of the proper county, and from the date of such filing it shall be regarded and treated, in all courts of law and equity in this state, as though the same had been made by the original owners or proprietors of said lands so resurveyed and replatted: *Provided*, That any person or persons deeming themselves aggrieved by said resurvey or replatting may at any time, within six months from the date of filing said plat for record, commence action by bill in chancery in the circuit or district court against the persons employing the surveyor as aforesaid and setting up their causes of complaint, and asking that said record be canceled.

Surveyor to certify to plat.

Plat to be filed with county recorder.

Effect of filing.

Provision for persons aggrieved.

Bill in chancery.

SEC. 4. If it shall appear on the trial of said cause that the said city, town, village, or addition thereto was originally laid out and platted, that the original owner or proprietor had sold any or all of the lots of such city, town, village, or addition, or that he intended to dedicate to the public the streets, alleys, or public squares of such city, town, village, or addition, that the plat thereof had never been recorded, but was lost or mislaid, that the owner or proprietor is dead, or his residence unknown, and that the resurvey and replat so filed for record is a substantially accurate survey and plat of the original plat of such city, town, village, or addition thereto, then the said bill shall be dismissed at the costs of the complainants; otherwise the court shall set aside said replat and cancel the same of record at the costs of defendants.

Trial and determination of cause.

Dismissal of bill.

Cancellation of plat.

Approved March 19th, 1874.

CHAPTER 55.

FOREIGN MUTUAL HAIL INSURANCE COMPANIES.

S. F. 200. AN ACT to Amend Section 1144, of Chapter 4 of Title IX., of the Code [relating to Insurance Companies].

Code: § 1144. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 1144, of chapter 4 of title 9, of the code be amended by adding after the word "therein" in the 9th line of said section, "*Provided*, That the foregoing provisions "of this section shall not apply to foreign mutual hail insurance "company[ies] issuing policies for a term of one year or less."

Capital not required.

Publication clause. SEC. 2. This act being considered and deemed of immediate importance shall take effect and be in force from and after its publication in The Iowa Daily State Register and The Iowa Daily State Leader.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published in *The Iowa Daily State Leader* April 22, and in *The Iowa Daily State Register* April 23, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 56.

IN RELATION TO APPEALS TO THE SUPREME COURT.

S. F. 138. AN ACT to Amend Sections 3181 and 3182 of the Code of 1873 [Title XIX., Chapter 2: "Of Appellate Proceedings in the Supreme "Court"].

Appeal not to be dismissed or judgment confirmed, when. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That no appeal to the supreme court of the state shall be dismissed or judgment of court below affirmed because the said cause was not docketed or transcript filed in supreme court, if it be made to appear that an appeal was taken in good faith and not for delay, or if, from the conduct of appellee or his counsel, appellant was induced to believe no motion to dismiss or affirm would be made.

Publication clause. SEC. 2. This act being deemed of immediate importance shall go into force after being published in The Iowa State Register and The Iowa State Leader, two newspapers published in Des Moines, Iowa.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published, at Des Moines, in *The Iowa Daily State Register* and *The Iowa Daily State Leader* April 4, 1874.

JOSIAH T. YOUNG, Secretary of State.