

tion thereof, be fined in any sum not exceeding one hundred dollars nor less than fifty dollars, for the use of the county where the offence shall have been committed, to be recovered by motion, in any court of record having cognizance thereof.

Duties of
county officers

SEC. 5. And it [is] hereby made the duty of all county officers, knowing of any violation of the foregoing regulations of this act, to make complaint thereof to the grand jury, at the next session of the district court after such violation, and of the clerk of the board of county commissioners or county treasurer to sue on the bond for any violation of its conditions: *Provided however*, That no provisions of this act shall be so construed as to interfere [with] or in any way abridge the powers and privileges granted to the cities and incorporated towns within this territory.

Not to restrict
powers of
cities.

Laws re-
pealed.

SEC. 6. All laws now in force coming within the purview of this act are hereby repealed: *Provided*, That nothing contained in this act shall affect any licenses heretofore granted under the laws of this territory.

When to take
effect.

SEC. 7. This act to take effect and be in force from and after the first day of June next.

Approved January 4, 1840.

[Chap. 23.]

AN ACT to provide for the appointment of a librarian, and for other purposes.

Appointment

SECTION I. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That a librarian shall be annually appointed on the nomination of the governor, by and with the advice and consent of the Council.

Bond.

SEC. 2. That said librarian shall give bond to the secretary of the territory, in the sum of five thousand dollars, for the faithful performance of his duties; and he shall take an oath impartially and faithfully to discharge the duties of librarian, which, together with a certificate thereof, shall be indorsed on said bond.

Oath

Care of
library.

SEC. 3. He shall have the custody, charge, safe keeping, management and direction of all books, papers, maps, charts, engravings, paintings, and all other things of what nature soever; properly belonging to the library, and shall take especial care that none of them be lost or injured.

SEC. 4 He shall provide, at the seat of government, and convenient as possible to the house occupied by the legislative assembly, a proper room for the safe keeping of the territorial library, and all things belonging or appertaining thereto, which shall be entrusted to his care.

To provide a room.

SEC. 5. No person shall be permitted to remove a book from the library, except the members of the legislative assembly, governor, and secretary of the territory, judges of the supreme court, United States attorney, marshal of the territory, delegate to congress from the territory, clerk and attorneys of the supreme court during its session, and officers of the legislature during its session.

Persons to take books.

SEC. 6. No person shall take more than one volume of revised statutes from the library at any one time, nor retain the same for a longer period than two days.

Revised statutes.

SEC. 7. No person shall be allowed to keep any work belonging to the library in his possession for a longer period than ten days, under a penalty of twenty-five cents for each day he holds it over that time.

No person to keep books more than ten days.

SEC. 8. No person shall be permitted to remove a book from the library without giving a receipt therefor to the librarian.

Receipt.

SEC. 9 If any person injure or fail to return any book, map, or chart, or other work, for more than three months, he shall forfeit and pay to the librarian, for the benefit of the library, three times the value thereof, or of the set to which it belongs, to be recovered in the name of the territory for the use of the library, in any court having jurisdiction thereof.

Penalty for injury, &c.

SEC. 10. The persons privileged to remove books, &c., from the library may introduce citizens or strangers, into the library, who shall have the privilege, during all seasonable hours, to read any of the books therein not required for the use of such privileged persons.

Other persons to read books.

SEC. 11. The librarian shall have authority to appoint an assistant librarian, who may perform the duties assigned to the librarian, and for whose acts the librarian shall be personally responsible.

Assistant librarian.

SEC. 12. The library shall be kept open during the session of the legislature and supreme courts, from the hours of nine to twelve M. and from two to nine P. M. At all other times, on every Wednes-

Hours when library shall be open.

day and Saturday afternoons, for four hours each. The hours to be selected and notice thereof posted on the outside of the door of the library room by the librarian.

Librarian to report.

SEC. 13. The librarian shall, at the commencement of every session of the legislative assembly, report a list of books or other property missing, if any, of the library, and an account of fines imposed and paid, and such other information in relation to the library as he may deem expedient.

Expenses to be paid.

SEC. 14. He shall, previous to the close of every session, report to the legislative assembly, a true account of all expenses incurred during the session, and since the adjournment of the next preceding session; for rent of room, fuel, candles, stationery, and other necessary incidental expenses, which shall be paid out of any moneys appropriated by congress to defray the expenses of the legislative assembly.

Pay.

SEC. 15. The librarian shall annually receive for his services, the sum of two hundred and ten dollars, payable quarterly, by the secretary of the territory, out of the fund appropriated by congress for the expenses of the legislative assembly.

Rules to be made.

SEC. 16. Such other rules, not inconsistent with this act, as may be necessary for the safe keeping and good management of the library, may be adopted by the governor and librarian, and kept, together with a catalogue of the books in the library for the inspection of those concerned.

Suits.

SEC. 17. The librarian shall carry this act into execution, and sue for all penalties, and for all injuries done to the library under this act, in the name of the territory, for the use of the library.

SEC. 18. This act to be in force from and after its passage.

Approved January 4, 1840.

[Chap. 24.]

AN ACT to provide for the support of Illegitimate Children.

Warrant to bring accused before justice.

SECTION I. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That on complaint made to any justice of the peace in this territory, by any woman resident therein, who shall hereafter be delivered of a bastard child, or being pregnant with a child, which, if born alive, may be a bastard, accusing any person of being the father of such a child, the justice shall take such accusation in