

heirs or assigns, is required to build the lock in said dam twenty-five feet wide.

Approved January 16, 1840.

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[Chap. 75.]

AN ACT amendatory of "An act subjecting real and personal estate to execution," approved January twenty-five, eighteen hundred and thirty-nine.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That in addition to the property exempt from execution in the act to which this is amendatory, the following shall hereafter be deemed as exempt in like manner, to wit: the family portraits and pictures, all spinning wheels and looms put up and kept for use, five sheep, with fleeces of ten sheep, and the yarn or cloth manufactured from the same, the necessary food for all animals exempted from execution, four months provisions for the family, and necessary fuel for the use of the family for sixty days, the surgical instruments and medical library of every practicing physician or surveyor, and the library of every practicing lawyer or counsellor. The astronomical and mathematical instruments of every teacher or school master shall be viewed in the light of mechanics' tools, and necessary in their particular calling or profession. A bed shall include a straw and feather bed and bedstead. Articles exempt.

SEC. 2. All property exempt from execution shall be exempt from attachment or other process at law.

Approved January 16, 1840.

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[Chap. 76.]

AN ACT to provide for the Execution of Title Deeds to lots in Iowa City, and for other purposes.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That in all sales heretofore and hereafter made of lots or out lots in the city of Iowa, the purchase money therefor shall be paid by the purchaser into the hands of the acting commissioner appointed by the act entitled "An act to locate the seat of government of the territory of Iowa, and for other purposes." And all sums becoming due upon any Payments to acting commissioner.

promissory notes or obligations for the purchase of any of said lots, shall be paid to said acting commissioner or his successor in office, which sums as well as moneys heretofore paid him for lots as aforesaid to be by him applied to the erection of the public buildings at Iowa City; and the acting commissioner is hereby required to make a correct exhibit of his accounts to the territorial treasurer, once in three months, whose duty it shall be to audit the same and keep a record thereof; and if the said commissioner shall refuse to comply with this provision of this act, his office shall be vacated.

Surplus.

SEC. 2. After the completion of said buildings, the surplus shall be paid into the territorial treasury for the use of the territory.

Deeds, when and how made.

SEC. 3. Whenever the purchase money shall be paid up in full for the purchase of any lot or lots in the city of Iowa, and as soon as the title to said lands is bona fide obtained from the general government, the acting commissioner shall make out the requisite title deeds to the purchaser or purchasers for the same, in conformity with the certificate of purchase, to be signed by the governor and the seal of the territory affixed thereto, and countersigned and acknowledged by said acting commissioner.

SEC. 4. The acting commissioner shall be and he is hereby allowed the sum of twelve hundred and fifty dollars per annum, as a compensation for his services, to be paid out of any moneys arising from the sale of lots in Iowa City; and the other two commissioners shall be paid, in the same manner, the sum of five dollars per day for the time they are actually employed, and three dollars for every twenty-five miles travel to and from the seat of government.

[Presented to the governor on the 14th January, 1840, and having remained with the governor three days (Sunday excepted) the legislative assembly being in session, this bill became a law January 17th, 1840.]

[Chap. 77.]

AN ACT amendatory of "An act regulating practice, &c.," approved January twenty-five, eighteen hundred and thirty-nine.

Jurisdiction of supreme court over errors in fact.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa.* That the supreme court shall sustain and have jurisdiction in cases of error in fact from the district courts; and