

SEC. 11. Commissioners appointed to take inventory. That William T. McGaugh, of the county of Jefferson, William Chambers, jr., of the county of Muscatine, and Daniel Shelby, of the county of Van Buren, be and they are hereby appointed commissioners, to take an inventory of all the manufactured articles, stock and raw materials belonging to the territory, now in said penitentiary; together with all the beds, kitchen furniture, tools, goods, wares, merchandise pertaining to such institution; and fix a fair valuation and appraisement, on or before the fifteenth day of March as aforesaid. Said commissioners shall be entitled to three dollars per day, for the time necessarily engaged in the duties assigned them by this act.

SEC. 12. Commissioners to deliver property to Cohick. The commissioners having been first sworn, faithfully and impartially, to execute the trust reposed in them, shall, after having made the inventory and appraisement as above required, deliver over to said Cohick, as keeper of said penitentiary, all of the manufactured articles, stock and materials, belonging to the territory, and beds and bedding, furniture, goods, tools, wares, and merchandise invoiced by them, and shall take his receipt therefor, and shall file said inventory and receipt in the office of the auditor of public accounts.

SEC. 13. Keeper may sell manufactured articles. The said keeper of the penitentiary hereby appointed, may sell, use and dispose of said manufactured articles, goods, wares and merchandise to him delivered as aforesaid, except the beds and bedding, furniture and tools belonging to said institution, for his own use and benefit.

SEC. 14. Keeper to be responsible for property wasted or lost. At the expiration of the term of the said keeper, the governor shall appoint three commissioners to examine and make out a list of all the property belonging to said penitentiary, and if it shall appear that any part of the property delivered up to the said keeper, by the commissioners named in this act, has been lost, wasted or otherwise misplaced by any neglect of the said keeper, or any person under him, or by him employed, he shall forfeit and pay to the territory of Iowa, all damages which may have been sustained by reason of such neglect.

SEC. 15. In force from passage. That this act shall take effect and be in force from and after its passage.

Approved, January 17th, 1846.

[21] CHAPTER 21.

ESTRAYS.

AN ACT to amend an act entitled "An act concerning water crafts found adrift, lost goods and estray animals," approved, January 22d, 1839.

Be it enacted by the Council and House of Representatives of the Territory of Iowa.

SECTION 1. Liability of persons taking up estray animals. That if any person taking up any estray animal, or animals, shall sell the same, abuse or suffer to be abused, either by working, riding, or neglecting to feed, or in any other manner so that such estray, in consequence thereof die, or be lessened in value; either take, or cause such estray to be taken out of the county more than three days at any one time, or shall by his or her neglect suffer such estray to escape; and any person who may knowingly purchase any estray or estrays contrary to the provisions of the act to which this is amendatory, the persons so offending shall be liable to the action of the

party injured—and upon conviction thereof shall pay the full amount of damages sustained and the costs of suit. If any person who may have taken up any horse, mare, gelding, or work cattle, shall in any manner work or use the same, such person shall be debarred from recovering any compensation for keeping such estray or estrays.

SEC. 2. Act in force first April. This act to take effect and be in force from and after the first of April next.

Approved, January 17th, 1846.

CHAPTER 22.

PERCH OF MASON WORK.

AN ACT to define a perch of mason work in Iowa territory.

Be it enacted by the Council and House of Representatives of the Territory of Iowa.

SECTION 1. Perch of mason work twenty-one cubic feet. That from and after the passage of this act it shall not be lawful for any person or persons, to charge for, or count a less number of cubic feet as a perch of mason work, than twenty-one [22] cubic feet, and it is hereby declared that twenty-one cubic feet shall form a perch of mason work as established by this act.

SEC. 2. In force from passage. This act to take effect and be in force from and after its passage.

Approved, January 17th, 1846.

CHAPTER 23.

CONFLICT OF JURISDICTION.

AN ACT to authorize the governor of Iowa territory to employ counsel in cases growing out of the disputed boundary between this territory and the state of Missouri.

Preamble—Missouri difficulties. Whereas, the sheriff of Davis county in this territory, has been arrested and held to bail by the authorities of Missouri, while in the act of executing the laws of this territory: and whereas, other matters of litigation may result from the present dispute between this territory and said state of Missouri, in relation to the boundary line between said state and territory—therefore,

Be it enacted by the Council and House of Representatives of the Territory of Iowa.

SECTION 1. Governor to employ counsel. That the governor of this territory be, and he is hereby authorized, to draw upon the territorial treasurer for the sum of \$1,500, to be taken from any moneys not otherwise appropriated, and that the same or any amount thereof, at the discretion of the governor, shall be used in the employment of competent counsel, to conduct all cases in which this territory, or any citizen or citizens thereof, shall be a party against the state of Missouri, or the authorities thereof.

SEC. 2. In force from passage. This act to take effect and be in force from and after its passage.

Approved, January 17th, 1846.