

CHAPTER 44.

LEGALIZING—D. B. HARMON, NOTARY PUBLIC.

H. F. 243. AN ACT to Legalize the Official Acts of D. B. Harmon a Notary Public in and for Clay County, Iowa.

Preamble. WHEREAS, The commission of D. B. Harmon a notary public in and for Clay county, Iowa, expired on the 4th day of July 1882 and the renewal of said commission is dated August 31st 1882 during which time he performed certain official acts as notary public; therefore,

Be it enacted by the General Assembly of the State of Iowa:

Legalizing clause.

SECTION 1. That all the official acts of said D. B. Harmon, by him performed as a notary public after July 4th, 1882 and before the date of his qualification as such notary public, under his commission dated August 31st 1882 be and the same are hereby legalized, and made valid to the same extent as though he had been legally qualified.

Approved, March 20, 1884.

CHAPTER 45.

SHERIFFS' INDEMNITY.

S. F. 30. AN ACT to Indemnify Sheriffs in the Service of Writs of Attachment. Amendatory of Code, Chapter 1, Title XVIII.

Be it enacted by the General Assembly of the State of Iowa:

Levy of attachment.

SECTION 1. An officer is bound to levy an attachment on any personal property in the possession of, or that he has reason to believe belongs to, the defendant, or on which the plaintiff directs him to levy. But if after such levy he shall receive notice in writing under oath from some other person, his agent or attorney, that such property belongs to him, and stating the nature of his interest and the facts showing how he acquired such interest and for what consideration, such officer may release the property unless a bond is given as provided in the next section. But such officer shall be protected from all liability by reason of such levy until he receives such written notice.

Notice that property belongs to another.

Protection of officer.

Notice to plaintiff.

SEC. 2. When the officer receives such notice, he may forth-

with give the plaintiff, his agent or attorney, notice that an indemnifying bond is required. Bond may thereupon be given by or for the plaintiff, with one or more sureties, to be approved by the officer to the effect that the obligors will protect and indemnify him against the damages which he may sustain in consequence of the seizure and sale, and warrant to any purchaser of the property such estate or interest therein as is sold, and thereupon the officer shall proceed to subject the property to the attachment, and shall return the bond aforesaid to the district or circuit court of the county in which the levy is made.

Indemnifying bond.

Proceedings where bond is given.

SEC. 3. If such bond is not given, the officer holding the attachment may, within a reasonable time after demand being made by said officer, restore the property to the person from whose possession it was taken, and the levy shall stand discharged.

Proceedings where bond is not given.

SEC. 4. The provisions of the foregoing sections shall apply to attachments issued by justices of the peace, and such bonds shall be returned to the justice issuing said writ.

Applies to attachments issued by J. P.'s.

SEC. 5. All acts and parts of acts in conflict with this act are hereby repealed.

Repealing clause.

Approved, March 22, 1884.

CHAPTER 46.

LEGALIZING—WM. ORSBORN, J. P.

AN ACT to Legalize the Official Acts of William Orsborn as a Justice of the Peace in Union Township Adair County Iowa. H. F. 448.

WHEREAS, William Orsborn was, in the year A. D. 1881 duly appointed a justice of the peace in Union township, in Adair county Iowa, and entered upon the discharge of the duties of such office, and,

Preamble.

WHEREAS, there was no special election held to fill said office and no justice of the peace elected for said office at the next general election following the appointment of the said William Orsborn, and,

WHEREAS, the said William Orsborn continued to act as such justice of the peace after said general election and until in September A. D. 1882, therefore,

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all the official acts of the said William Orsborn, by him performed after his appointment as such justice of the peace, be and the same is hereby legalized and made valid to the same extent and for all purposes as though the

Legalizing clause.