

money in the state treasury, not otherwise appropriated the sum of fifty dollars or so much thereof as may be necessary, to pay the fees required by the land department of the general government for such selection. The amount found to be necessary shall be audited and paid upon the order of the governor.

SEC. 3. This act to be in force from and after its publication in the Daily Iowa State Register and Daily Iowa Capital, newspapers published in Des Moines, Iowa. Publication clause.

Approved, March 27, 1884.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 2, and *Daily Iowa Capital* March 31, 1884.

J. A. T. HULL, *Secretary of State.*

CHAPTER 70.

FOR COMPENSATION WHERE DOMESTIC ANIMALS ARE KILLED BY DOGS.

AN ACT to Provide a Fund from which to Pay for Sheep or Other Domestic Animals, Killed or Injured by Dogs. S. F. 4.

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

SECTION 1. It shall be the duty of every assessor of this state, at the time of listing the property of his district, to list each dog over three months of age in the name of the owner thereof, without affixing any value thereto. Any person keeping or harboring a dog or dogs shall be deemed the owner thereof within the meaning of this act. Assessors to list dogs.
Owner.

SEC. 2. The board of supervisors of each county shall, at their September session each year, when levying other taxes, levy a tax of fifty cents on each male, and one dollar on each female dog listed by the assessor, which tax shall constitute a special fund, to be disposed of as provided for in this act. Amount taxed.

SEC. 3. It shall be the duty of each county auditor to provide suitable columns, properly headed, in the assessor's book, to carry out the provisions of this act. Duty of Auditor.

SEC. 4. The treasurer of each county, on receiving the tax books for the collection of other taxes, shall collect the tax herein provided for as other taxes are collected, and keep the same as a separate fund, to be known as the domestic animal fund. Duty of Treasurer.

SEC. 5. Any person damaged by the killing or injury of sheep, or any other domestic animal, by a dog or dogs, may present to the board of supervisors of the county in which such killing or injury occurred, a detailed account of such killing or injury, stating the amount of damage claimed therefor, and ver- Damages, how claimed.

ified by affidavit, such claim to be filed with the county auditor at least ten days before some regular session of the board, and within fifteen days from the time such killing or injury occurred. At the first regular session of the board of supervisors after such claim shall have been filed for ten days as herein provided, the same may be established by proof before the board; and upon the hearing thereof, the claimant shall establish his claim for damages by the testimony of at least two competent witnesses, besides himself. It shall also be made to appear to the satisfaction of said board that such damage was not caused, in whole or in part, by a dog or dogs owned or controlled by the claimant, and that claimant does not know whose dog or dogs caused the damage, and that said damage was caused by dogs; or, in case the owner of such dog or dogs is known to the claimant, and that such owner has no property subject to execution, out of which the claim can be made.

Proof of loss.

Board of supervisors to allow 75 per cent.

The board shall hear and determine said claims in the order in which they are filed unless good cause is shown for continuance, and shall allow the same or such portions thereof as they may deem just, and shall authorize the auditor to issue warrants for the same not to exceed seventy-five per cent of the amount allowed to be paid out of the domestic animal fund.

Treasurer to pay, when.

SEC. 6. The treasurer shall, between the first and tenth days of January and the first and tenth days of July of each year, pay the said warrants issued by the auditor as provided for by section five of this act, out of the domestic animal fund. If said fund is insufficient to pay said warrants in full, he shall pay on each *pro rata*. If after paying all warrants at either period above named, there shall remain more than two hundred and fifty dollars of said fund in the treasury, the board of supervisors shall order the excess to be transferred to the county fund.

Excess to be transferred.

Approved, March 27, 1884.

CHAPTER 71.

TO RELINQUISH CERTAIN LANDS.

S. F. 90.

AN ACT to Relinquish and Re-convey to the United States all Lands and Rights to Lands Granted to the State of Iowa by the Act of Congress Entitled "An Act for a Grant of Land to the State of Iowa in Alternate Sections to Aid in the Construction of a Railroad in the State of Iowa," Approved May 12th, A. D. 1864, which have not been Earned Pursuant to the Provisions of Said Act.

Preamble.

WHEREAS, By an act of congress, approved May 12th, A. D. 1864, entitled "An act for a grant of lands to the state of Iowa in alternate sections to aid in the construction of a railroad in

The grant.