

SEC. 2. File certificate. Every such society claiming the allowance aforesaid, must file in the auditor's office a certificate signed by its president and secretary specifying under the oath of one or both such officers the sum actually raised by the society, and state also the precise application of all sums, (if any) which were expended by such society for the encouragement of agricultural enterprize during the previous year.

SEC. 3. If not properly expended auditor to withhold. If such statement shows that the money previously obtained from the state treasury, (if any) was expended for the purpose herein contemplated, or if money has previously been obtained from the state treasury, the auditor shall issue his warrant for the proper amount. If the statement is incomplete he shall withhold the warrant until it is amended, and if it shows that the funds previously obtained together with an equal amount were not expended as herein contemplated, he shall withhold the warrant altogether.

Approved, February 5th, 1851.

[172] CHAPTER 71.

ROAD PETITIONERS IN JACKSON COUNTY.

AN ACT authorizing the county commissioners of Jackson county to require the petitioners to pay expenses for locating roads.

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

SECTION 1. Petitioners to give bond for payment of expenses. That hereafter the commissioners of Jackson county, are authorized, and it is hereby made their duty, to refuse to grant the location, or relocation, view, or review, of any road or roads in said county, unless the applicants will enter into bonds satisfactory to said commissioners, to pay all expenses arising therefrom.

SEC. 2. Expenses not to be paid by county. No person hereafter engaged or employed, in locating or relocating; viewing or reviewing any road or roads, in said county, shall receive any compensation for such services from the county treasury; provided, that the provisions of this act shall in no case apply to roads, the location, or relocation of which, may be authorized by the state.

SEC. 3. Take effect. This law to take effect and be in force from and after its passage.

Approved, February 5, 1851.

CHAPTER 72.

FREE NEGROES.

AN ACT to prohibit the immigration of free negroes into this state.

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

SECTION 1. Prohibited from settling in this state. That from and after the passage of this act, no free negro or mulatto, shall be permitted to settle in this state.

SEC. 2. Duty of township and county officers, etc.—constable, sheriff, etc. to arrest—justice or judge to fine and commit. It shall be the duty of all township and county officers, to notify all free negroes who may immigrate to this state, to leave the same within three days from the time of notice, and upon their failure to do so, it shall be the duty of [173] the constable of the proper township, sheriff of the county, marshal or other police officer of the town, to arrest such free negro, and take him or her before a justice of the peace or county judge, and it shall be the duty of such justice or judge to fine such free negro, the sum of two dollars, for each day he may remain in the state after such notice, and costs of such prosecution; and to commit such free negro to the jail of the county or the nearest one thereto, until such fine and costs are paid, or until he will consent to leave the state; provided, it shall be ascertained that he or she is unable to pay such fine and costs.

SEC. 3. Negroes now living in state may remain. That all free negroes now living in this state, who have complied with the laws now in force, shall be permitted to remain here, and enjoy such property as they may now possess, or may hereafter acquire.

SEC. 4. Negroes and mulatto's how determined. On the trial of any free negro under this act, the justice or judge shall determine from, and irrespective of his person, whether the person on trial comes under the denomination of free negro or mulatto.

SEC. 5. To take effect. This act to take effect, and be in force, by publication in the Iowa True Democrat, a weekly newspaper published in Mount Pleasant.

Approved, February 5th, 1851.

CHAPTER 73.

SWINE.

AN ACT to restrain swine from running at large in Jackson county.

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

SEC. 1. Poll open—vote—notice. That at the next township election in the county of Jackson, a poll shall be opened in each township in said county, to determine whether or not swine shall run at large in said county. The clerk of the board of county commissioners of said county shall be authorized, and it is hereby made his duty, to cause to be published in the paper printed [174] in said county, a notice thereof, for three consecutive weeks immediately preceding said election, and the electors at said election may vote "swine at large" or "swine not at large."

SEC. 2. Returns. The judges and clerks of the township election, shall be judges also of said election, and shall make returns of the number of said votes so polled in their respective townships, to the clerks of the board of county commissioners of said county, in the same time, and in like manner, as returns of a general election are made, and said clerk shall proceed to canvass said votes in like manner as the votes of a general election are canvassed.

SEC. 3. If majority vote swine not at large clerk to give notice—owner restrain swine—damages. If a majority of said votes so cast upon said