

I certify that the foregoing Act was published in the Iowa Capital Reporter and Iowa Republican on the 31st day of January, 1855.

GEO. W. McCLEARY, Secretary of State.

CHAPTER 57.

AMENDMENT TO THE CITY CHARTER.

AN ACT to amend an Act entitled "An Act to incorporate the city of Davenport."

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa, That all that district of country embraced within the following boundaries, be and the same hereby is declared to be within the limits of the said city of Davenport, to wit: Beginning in the middle of the main channel of the Mississippi river, at a point due south of the east line of the lands reserved by the Government of the United States, and donated to Antonio LeClaire, and known as LeClaire's Reserve, in township number seventy-eight north, of range three, east; thence north along the eastern boundary of said reserve, due north to the east and west central or half section line of section number twenty-four; thence west on said central or half section line to the north west corner of the south west quarter of section number twenty-three in said township; thence south on the section line lying between sections twenty-two and twenty-three, and sections twenty-six and twenty-seven, to the county road known as the Telegraph road; thence along the north side of said road to the north and south central line of section number twenty-seven; thence due south to the middle of the main channel of the Mississippi river, and thence up the middle of said channel of said river to the place of beginning.*

§ 2. In platting and laying off lots within the limits aforesaid, the proprietors thereof shall make the streets at least eighty feet wide, and the alleys at least twenty feet wide, and every individual or company owning within the above described limits forty acres, or more, in any one body,

Public square. shall, in laying it out into blocks or lots, lay off at least one public square, to contain not less than two and three-fourths acres of land; said public squares to be enclosed and ornamented similar to other public squares in said city, by the city authorities, within three years after the laying out and recording the same.

Wards. § 3. The city council shall, prior to the next annual election for officers of said city, divide said city into such number of wards as to said council may seem proper; at the first election for Aldermen, it shall not be necessary that the person or persons elected shall have been a resident of said city three months prior to the election; at the first annual election held after the passage of this act, all persons residing within the district which, by this act, is annexed to the city of Davenport, who are entitled by law to vote for State officers, shall be entitled to vote for city officers.

Voters.

Road District. § 4. Said city of Davenport is hereby constituted one road district, to be under the control and superintendence of one or more street Commissioners, to be appointed by said city Council, who shall hold their office during the pleasure of the city Council, and not less than one half of all taxes levied by the city authorities, and the road tax levied by the county authorities for road purposes against the several districts which are annexed to the city of Davenport by this Act, or that may hereafter be annexed by extending the limits of said city, shall be expended on the streets and roads of said annexed districts, and all taxes levied by the county of Scott for road purposes, upon the property within the said city, shall be collected by said street commissioner or commissioners in each, whose receipt shall discharge the property or person on the county books, from so much as he shall pay to the extent of the road tax so levied upon such property or against such person.

Street commissioners.

Disbursement.

Road taxes.

Collection.

Judge to furnish list of road tax. § 5. The county Judge of said county of Scott, or such other officer as shall have charge of the books of said county, shall each year furnish to said city council a list of the road tax levied against the property or persons within said city, for which he shall be allowed a reasonable compensation by the city council; and it shall be the duty of the

officers collecting county taxes in Scott county, to pay over to the Treasurer of said city all the moneys collected on such list so to be furnished as aforesaid, which shall be expended on the roads and streets of said city, and within one and a half miles of the city limits; but this provision shall not extend to the road tax on the property of residents of the city which is not within the city limits.

§ 6. The city council shall have the power to appoint a street commissioner or commissioners, a city assessor and such subordinate officers as they may deem proper, to hold their offices during the pleasure of the city council, or they may provide by ordinance for their election. The city clerk, marshal, or treasurer, may be removed by the city council when, in their opinion, they are incompetent or neglect to discharge their duties, and in case of such removal, they may appoint a successor until the next annual election.

§ 7. The debts heretofore created and bonds issued by the said city of Davenport, amounting to the sum of one hundred and twenty-five thousand dollars, are hereby declared legal and binding upon the said city, and the said city council shall have the right to borrow money and issue bonds, which shall be binding upon the city; provided, that no debt shall be created, the yearly interest upon which, together with the yearly interest upon any debt before created, shall exceed three-fourths of the ordinary yearly revenue, unless the contracting of said debt shall be approved by a majority of the voters of said city, who may vote upon the question to be submitted by the city council, in such manner as said city council may direct.

§ 8. Whenever there is a deficiency in the ordinary revenue of the city, after the payment of the ordinary city expenses, to pay the semi-annual interest on the debt already created, the city council shall levy a specific tax upon the assessment roll of the current year, to pay said interest.

§ 9. All the powers provided in the code for the organization of cities, are hereby conferred on the city of Davenport.

§ 10. The said city council shall have power and authority to levy a specific tax on the property of the fourth ward

of said city, as organized prior to the passage of this act, for the purpose of raising means to pay off the indebtedness of said ward as a separate road district, and to collect the same as other taxes are collected in said city.

Repeal.

§ 11. All Acts and parts of Acts inconsistent with the provisions of this Act, be and the same are hereby repealed.

§ 12. This act shall take effect and be in force from and after its publication in the "Gazette," "Banner," and "Commercial," newspapers printed in the city of Davenport, at the expense of said city.

APPROVED January 22d, 1855.

Published in the "Banner" January 26th.

GEO. W. McCLEARY, Sec'y of State.

CHAPTER 58.

HARRIET O'REILLY.

AN ACT for the relief of Harriet O'Reilly.

Rights granted.

Sell and convey real estate

Philip O'Reilly.

Take effect.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Harriet O'Reilly, of Fort Madison in the county of Lee, be and she is hereby empowered to take hold, sell and convey any real estate she now owns, or may hereafter obtain, and make deeds of the same, in her own name, as will convey the same, in as full and ample a manner as though she had never intermarried with Philip O'Reilly, her present husband

§ 2. This Act to take effect and be in force from and after its passage.

APPROVED January 32d, 1855.