

bility, enter a decree as provided in the second section of this Act.

APPROVED January 25th, 1855.

I certify the foregoing Act was published by order of the Governor, in the Iowa Capital Reporter and Iowa Republican on the 14th February, 1855.

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

## CHAPTER 155.

### JUDGMENTS AND DECREES.

AN ACT providing for the more speedy enforcement of judgments and decrees.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That hereafter the judgments and decrees of all courts of this State, remaining unsatisfied, in whole or in part, at the death of any sole judgment plaintiff, may be prosecuted to execution and satisfaction as in the next section mentioned. Judgments and decrees.

§ 2. That in all cases contemplated in the preceding section, the proper Clerk, Judge or Justice of the Peace, shall, upon application of the executor or administrator of such deceased plaintiff, and the filing a copy of his letters of administration or appointment as executor, certified by the proper county Judge, issue execution in the name of such executor or administrator, for the enforcement of such judgment, and the same shall be conducted to satisfaction, in the name of such executor or administrator, without the necessity of an order of substitution by any court. Execution to issue in the name of the Ex'r or Adm'

§ 3. That when one of two or more plaintiffs in judgment dies, the survivor or survivors thereof, may, upon filing affidavit of survivorship, in the office of the proper Clerk, Judge or Justice of the Peace, have execution and satisfaction of any judgment remaining unpaid, in whole or in part, at the death of such co-plaintiff, in the name of such survivor or survivors. Surviving plaintiffs.

Take effect.     § 4. This Act shall take effect and be in force from and after its publication in the Iowa Capital Reporter and the Iowa Republican.

APPROVED January 25th, 1855.

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

GEO. W. McCLEARY, Sec'y of State

## CHAPTER 156.

### SWAMP LANDS.

A BILL to prevent trespass or waste on swamp, or other lands in the State of Iowa, and for other purposes.

Trespass.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That whenever the county judge of any county shall become satisfied that trespass or waste, by cutting wood or carrying it away, or in any other manner, has been, within six months then past, or is then being committed on any swamp or overflowed lands, situate in, and belonging to, such county, and which have been properly selected according to law, and the returns thereof made to such county judge by the selecting officer, it shall be the duty of said county judge to issue a warrant to the sheriff of his county, or to some other officer directing said sheriff, or officer, to arrest and bring before him, forthwith, the person or persons charged in said warrant with having committed trespass or waste, as aforesaid, or any person then committing the same: *Provided,* that this section shall not be construed as authorizing a warrant for trespass to be issued against any person for cutting or carrying away wood on swamp or overflowed lands, which such person shall have entered at any United States land office, or against any person who has acquired a *bona fide* pre-emption right to any of said lands, under the subsequent provisions of this act.

Warrant.

Arrest.

Proviso.

Subpoena.

§ 2. It shall be the duty of the county judge, at the time of issuing said warrant, to issue a subpoena to any person or persons, who may be cognizant of trespass or waste com-