

the respective counties from which they originated, and it shall be the duty of the clerk of the district court of Floyd county to transfer all the pleadings and papers pertaining to all such suits to the clerk of the district court of the proper county, by the first day of April next.

SEC. 4. This act to be in force from and after its publication in the Iowa City Republican and Elkader Tribune.

Approved Jan. 21st, 1857.

I certify that the foregoing act was published in the Iowa City Republican, Feb. 10, 1857.

ELIJAH SELLS,  
Secretary of State.

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## CHAPTER 57.

### ADDITIONAL JUSTICE OF THE PEACE.

AN ACT to authorize an additional Justice of the Peace in the township of New Vienna, in Dubuque county.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the qualified electors of the township of New Vienna, in the county of Dubuque, be and they are hereby authorized to elect an additional justice of the peace in said township, at the next spring election, and thereafter to have three instead of two justices in said township. Election.

SEC. 2. This act to be in force from and after its publication in the North West and Tribune newspapers, published in the city of Dubuque, provided said publication shall not be at the expense of the State.

Approved Jan. 21, 1857.

I hereby certify that the foregoing act was published in the Dubuque Tribune Feb. 10, 1857.

ELIJAH SELLS,  
Sec'y of State.

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## CHAPTER 58.

### BLOOMFIELD.

AN ACT vacating certain alleys in the town of Bloomfield, Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all alleys in block No. six (6) in the Alleys vacat'd.

town of Bloomfield, Davis county, Iowa, are hereby vacated.

SEC. 2. This act to be in force from after its publication according to law.

Approved Jan. 21st, 1857.

## CHAPTER 59.

### DEPOSITIONS.

AN ACT to provide for taking of depositions in cases of non-resident defendants.

Depositions. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That in all cases pending in any of the district courts of this State, wherein service has been made upon defendants by publication according to the provisions of law, the plaintiff may take depositions of witnesses residing out of the county in which said case is pending, in the following manner.

Affidavit. SEC. 2. Having filed affidavit that he has made diligent enquiries respecting the residence of the said defendants, and cannot ascertain the same, he shall serve upon the clerk of the district court wherein such suit is pending, a notice notifying him that on a day named (which day shall not be less than ten days from the day upon which such notice is served,) he will proceed to sue out of his office a commission to take the depositions of the witnesses, naming them and their place of residence, and the officers before whom taken.

Notice—affidavit.

Copy. SEC. 3. A copy of the interrogatories to be propounded to said witness, shall accompany said notice: *Provided,* that when the plaintiff desires to take the deposition of any witness residing in the State of Iowa, he may do so without suing out any commission, or filing with the clerk any written interrogatories, but shall be required to give a notice to the clerk, as is hereinbefore provided.

Proviso.

Duty of clerk. SEC. 4. On the day named, the clerk shall proceed to issue the commission, and the provisions and rules with refer-