

property situated in Township 67, North Range 4 west, in Lee county, heretofore made in the Recorder's Office, at Fort Madison, be and the same are hereby legalized and declared valid and shall be considered and deemed by all Courts of this State legal and effectual as though the same had been done in compliance with the provisions of law.

SEC. 3. That the transcripts of Records and property authenticated copies thereof made by virtue of said section 1 of said Chapter 98 of said laws of the Sixth General Assembly, and retained in the Recorder's Office at Fort Madison, shall be in all respects considered and used as the original records of conveyances of which they are copies, and shall be used as evidence in all proceedings in like manner as records of deeds and copies thereof are by law considered and used.

Legalizing records made at Fort Madison.  
Transcripts of records in the Recorder's office at Fort Madison may be used as evidence.

Approved March 17th, 1862.

## CHAPTER 41.

### M'GREGOR COURT.

AN ACT to establish a Court at McGregor.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* There shall be and is hereby established in the Town of McGregor a Court to be denominated the Court of McGregor, which Court shall be a Court of record and have a Seal. The officers of said Court shall be a Judge and the Marshal of the Town of McGregor. Said Court shall hold its sessions for Civil Actions on the second Monday of each month, in some place in said town, to be provided by and at the expense of the Town Council of McGregor.

SEC. 2. The Judge of said Court shall be elected at the first annual election in McGregor for town officers, and quadrennially thereafter, and shall hold his office for four years, and until his successor is elected and qualified. He shall be a qualified elector of McGregor, and shall subscribe in writing the same oath required of Judges of the District Court, and file the same with the Recorder of McGregor, and shall be commissioned by the Governor of the State of Iowa, and at each election of Judge, the Mayor of McGregor shall transmit to the

City Court in McGregor.  
Judge shall be elected every 4 years.

**Commissioned by the Governor.** Governor a Certificate of the election of said Judge, whereupon the Governor shall issue to him a Commission empowering him to act as said Judge.

**Judge shall be his own Clerk and receive fees.** SEC. 3. The Judge of said Court shall be his own Clerk, and as such shall perform the same duties as are required of the Clerk of the District Court, and shall receive the same fees and compensation therefor.

**Duties of Judge and Marshal.**

SEC. 4. The powers, duties and responsibilities of the Judge and Marshal of said Court shall correspond with, and be governed by the same rules and practice, and have the same authority as those of the Judge, Clerk and Sheriff in the District Courts of this State; and the authority of the process of said Court shall have the same extent as that of the District Court, and may be executed by the Marshal of McGregor, or the Sheriff of the county, who shall in each case receive the same fees and compensation as for like services in the District Court.

**Jurisdiction of said Court.**

SEC. 5. Said Court shall have jurisdiction of all suits brought for violations of the ordinances of the Town of McGregor, and shall have general jurisdiction concurrent with that of the District Courts, in all Civil actions, either ordinary or equitable, in which the defendant resides in McGregor, or if a non-resident of the State, is found in McGregor; also in all cases of attachment and replevin when the defendant is not served with process, or in cases where suits are brought to recover possession of personal property, or to enforce a lien or mortgage, or when it relates to real property, such property or some part thereof must lie in McGregor, or some part of the personal property must be found therein. When by its terms a contract is to be performed in McGregor, suits may be brought in said Court if the plaintiff resides in McGregor; and appeals from Justices of the Peace of Mendon township may be taken to said Court. Said Court shall also have concurrent jurisdiction with Justices of the Peace in all Criminal and Civil cases, and for the trial of Criminal cases shall be always open as in Justices' courts. Appeals from said Court lie in Criminal cases to the District Court of Clayton county; and in all Civil actions appeals lie directly to the Supreme Court of the State of Iowa. Said Court shall be entitled to the same fees and compensation in Criminal cases as Justices of the Peace and paid in like manner.

**Jury may be had.**

SEC. 6. In order to provide Jurors for said Court in Civil actions, the Judge thereof may issue a special venire in any case where a Jury is demanded, but no venire shall issue until the person demanding the same shall

deposit with the Judge the fee said Jury shall be entitled to, to be paid said Jury and taxed with the costs; the Jury fee to be the same as in Justices Courts.

SEC. 7. In case of the vacancy in the office of said Judge by death, resignation or otherwise, the Town Council of McGregor shall order an election to fill said vacancy giving at least ten days' notice in some newspaper published in McGregor, of the time and place of holding said election, and the Mayor shall certify the election of such successor to the Governor, who shall commission the person elected as Judge to fill such vacancy during the unexpired term. Vacancies filled by election.

SEC. 8. Before said Judge enters upon the discharge of his duties, he shall give bond to the State of Iowa the sum of Two Thousand Dollars for the faithful performance of his duties, which bond must be approved by the Town Council of McGregor, and deposited with the Recorder of said town. Judge give bond.

SEC. 9. At the first election of Judge of said Court, and annually thereafter, the electors of McGregor shall elect a Prosecuting Attorney, whose duty it shall be to file complaints in Criminal cases and prosecute the case in the name of the State of Iowa; and also in behalf of the Town of McGregor, who shall receive for his services such fees as the Town Council of McGregor shall from time to time allow, and the Mayor and Council thereof shall make all needful allowance for fuel, stationery and lights for said Court. Prosecuting Attorney shall be elected and receive fees.

SEC. 10. Judgments in said Court shall be a lien on Real Estate in McGregor the same as in the District Court, and may be made liens in other counties in the same manner as judgments in the District Courts, and it shall be the duty of the Judge of said Court after each term thereof, to file in the office of the Clerk of the District Court of Clayton county, an abstract of the causes decided at said term, giving the names of the plaintiff and defendant, and the amount of the judgment in each case, and from the filing of said abstract, said judgment shall be a lien on any of the real property of defendant lying in Clayton county. Judgments shall be a lien

SEC. 11. This Act being deemed of immediate importance, shall be and remain in force from and [after] its publication in the Iowa Daily State Register and the Des Moines Daily Times, published at Des Moines, pro- Take effect.

vided such publication be without expense to the State of Iowa.

Approved March 18, 1862.

I hereby certify that the foregoing Act was published in the Iowa Daily State Register, and Daily Des Moines Times, March 19th, 1862.

ELIJAH SELLS, Secretary of State.

## CHAPTER 42.

### CHARLES A. PERRY'S ACTS LEGALIZED.

AN ACT to legalize the Acts of Charles A. Perry *alias* Richard J. Thornton, as Notary Public, in and for Buchanan county, Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That, whereas, on the 29th day of November, 1855, the Governor of the State of Iowa did commission one Richard J. Thornton as Notary Public, in and for Buchanan county, Iowa; and, whereas, said Richard J. Thornton has since proved to be a fictitious name, and the real name of the person so commissioned was Charles A. Perry. Therefore be it enacted that all Acts done by the said Charles A. Perry as Notary Public, under the name of Richard J. Thornton, be and the same are hereby legalized and declared as valid and binding as though the said Charles A. Perry had been acting under his real name, and not under an assumed name.

Legalizing acts performed by Charles A. Perry, under the assumed name of Richard J. Thornton, as Notary Public.

This bill having remained with the Governor three days (Sunday excepted,) the General Assembly being in session, has become a law this 19th day of March, 1862.

ELIJAH SELLS, Secretary of State.

## CHAPTER 43.

### BELIEF OF WILLIS CLEMENS AND OTHERS.

AN ACT for the relief of Willis Clemens, Aurora Clemens and A. C. Price.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Willis Clemens, Aurora Clem-