

Pay of the referees, etc.

ation as shall be deemed reasonable by the Court; and shall be governed by the same rules and have the same powers in compelling the attendance of witnesses, and shall themselves be sworn, as is now provided in cases of referees in civil actions in the District Court; and exceptions may be taken to their report in the same manner, and such exception shall have the same effect, and the proceedings upon their report shall be the same as on reports of referees in cases referred from said Court, and the costs shall be paid by the parties in such proportions as to the Court may seem equitable and just.

Non-compliance.

Sec. 5. If the officers of, or any person in the employ of either of said companies refuse to comply with the terms of such confirmed report, they may be punished as for a contempt of said Court.

Approved April 8th, 1862.

## CHAPTER 159.

### OFFICERS OF RAIL ROAD COMPANIES.

AN ACT to require Officers of Railroad Companies to reside within the State of Iowa, and defining their duties.

Officers reside in State.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Secretary and Treasurer, or Assistant Treasurer and General Superintendent of each any every Railroad Company now or hereafter organized under the laws of this State, elected after the passage of this Act, shall reside in the State of Iowa.

Office--where kept.

SEC. 2. That the offices of Secretary, Treasurer or Assistant Treasurer and General Superintendent of every such Railroad Company, shall be established and kept within this State, at the place designated in the charter as the general business office of such Company, at which office or offices the original record, stock and transfer books and all the original papers and vouchers necessary to such Company shall be kept; and it is hereby made the duty of the Treasurer or Assistant Treasurer to keep a record of the whole financial condition of said Company, which shall be open at all reasonable hours for the inspection of any stockholder of such Company, and any investigation instituted by the Legislature of this State.

SEC. 3. That every such Railroad Company shall an

nally under the oath of its President, in the month of Company's January, make a full report of the condition of its af-<sup>report.</sup> fairs to the Secretary of State, and shall have the same published in some newspaper printed in the place of its general business office, showing the amount of the Capital stock of such Company, and the amount paid thereon; the amount of bonds issued and how secured, and all other indebtedness; the length of such Railroad when completed, and how much is built and in use; the number of acres of land donated or granted to them, by whom, and what disposition has been made of said grants or donations; the gross amount of receipts and how disbursed; the net amount of profits and the dividends made, with such other facts as may be necessary to a full statement of the affairs and condition of such Railroads, and the Secretary of State shall present the said reports to the General Assembly.

SEC. 4. In case any such Railroad Company shall <sup>Mandamus to</sup> neglect to make such report as required in the preceding <sup>compel Co. to</sup> section, any Stockholder of such Railroad Company <sup>report.</sup> either individual or municipal, may file his petition in the District Court in the county where the principal business office of such Railroad Company is kept, stating that said report has not been made, praying that a peremptory writ of mandamus may issue against the said Railroad Company commanding them to make said report; said petition shall be under oath, and filed at least ten days before the next term of the District Court in said county, and notice thereof shall be given to the said Railroad Company for the same length of time, and in the same manner as is now required to be given defendants in other suits originally brought in the District Court, and upon the filing of such petition the Clerk of said District Court under the seal thereof, shall issue a peremptory writ of mandamus against the said Railroad Company and make the same returnable at the next term of the District Court in said county, and costs shall be recoverable by either party, as in ordinary actions.

SEC. 5. If such Railroad Company shall fail to obey <sup>Committee to</sup> said writ as therein required, the said Court shall during <sup>examine and</sup> the term appoint three disinterested and competent persons living near the place of the general business office of said Railroad Company, as an investigating Committee, who shall examine into the affairs of said Railroad Company, and report at as early a day as practicable, its condition, in manner and form as prescribed in section three of this Act, one copy of said <sup>report.</sup> report to be filed in

the office of the Clerk of the District Court of the county where the proceedings are had, and one copy to be filed in the office of the Secretary of State; the compensation for the services of such Committee shall be paid by the Railroad Company thus investigated, which shall not exceed three dollars per day, and mileage at the rate of ten cents per mile, counting one way.

Transfer of  
office in another  
State.

SEC. 6. The Board of Directors of any such Railroad Company may establish in any other State a transfer office, in which shall be kept a duplicate transfer book, but in no case can a transfer of shares of stock in such Company be in force or binding, until the same is entered in the original transfer book, in the office in this State.

SEC. 7. All Acts and parts of Acts inconsistent herewith are hereby repealed.

SEC. 8. This Act being deemed of immediate importance, by the General Assembly, it shall take effect and be in force from and after its publication in the Iowa State Register and Daily Des Moines Times, newspapers published at Des Moines, Iowa.

Approved, April 8, 1862.

I hereby certify that the foregoing Act was published in the Iowa State Register, April 23, 1862, and in the Des Moines Times April 20, 1862.

ELIJAH SELLS, Secretary of State.

## CHAPTER 160.

### SWAMP LANDS.

AN ACT to authorize the Governor and Board of County Supervisors to appoint agents in regard to Swamp Lands belonging to the State of Iowa, and defining their duties.

Gov. appoint  
agents.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Governor is hereby authorized and empowered to appoint an agent or agents to make a settlement with the Commissioners of the General Land Office, for the lands enuring to the State of Iowa by an Act of Congress, entitled "An Act to enable the State of Arkansas and other States to reclaim the swamp and overflowed lands within their limits," approved September 28th, 1850.

SEC. 2. That when the General Government shall