

AUTHORIZED REPRINT OF THE
ACTS AND RESOLUTIONS
PASSED AT THE
REGULAR SESSION
OF THE
SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
OF THE
EIGHTH GENERAL ASSEMBLY
AND THE
EXTRA SESSION
OF THE
EIGHTH GENERAL ASSEMBLY
OF THE
STATE OF IOWA

Prepared for Publication Under the Direction of
W. S. ALLEN
Secretary of State

DES MOINES:
ROBT. HENDERSON, STATE PRINTER
J. M. JAMIESON, STATE BINDER
1914

CONCURRENT RESOLUTION

Relating to printing the early Iowa laws.

WHEREAS, the supply has been exhausted and there is considerable demand for the laws hereinafter mentioned,

Be it resolved by the House of Representatives, the Senate concurring:

That the secretary of state be and he is hereby authorized to have printed and bound in cloth one thousand each of the following:

The Iowa Code of 1851 in one volume.

The acts of the general assembly of Iowa enacted at each session, between the code of 1851 and the revision of 1860, in volumes of convenient size.

The revised statutes of the Territory of Iowa, 1843, in one volume.

The acts of the Territorial legislature of Iowa, commencing with the regular session of 1840 and ending with the last session prior to the adoption of the code of 1851, in volumes of convenient size.

That when published said volumes shall be sold at cost and shall be distributed for sale in the same manner that the code is now distributed, except that none of said volumes shall be distributed free to any county, town, township or city officer.

Adopted by 34th General Assembly, April 12, 1911.

CERTIFICATE.

STATE OF IOWA,
OFFICE OF SECRETARY OF STATE.

I, W. S. Allen, secretary of state of the state of Iowa, hereby certify that the acts and resolutions herein contained are copied from printed volumes of the regular session of the Seventh General Assembly, the regular session of the Eighth General Assembly, and the extra session of the Eighth General Assembly of the state of Iowa, and that the same are a full, true and complete copy thereof, except that the paging of the original volumes is shown herein by inserting in brackets [thus] the number of the page on which appeared the matter immediately following.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed the official seal of my office.
Done at Des Moines, the capital of the state, this
21st day of March, A. D. 1914.

(SEAL)

W. S. Allen

Secretary of State.

**SPECIAL
ACTS AND RESOLUTIONS**

PASSED AT THE

REGULAR SESSION

OF THE

EIGHTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA

(GENERAL LAWS PRINTED WITH REVISED STATUTES.)

WHICH CONVENED AT THE CAPITOL, IN DES MOINES, ON THE SECOND
MONDAY IN JANUARY, A. D. 1860.

SAMUEL S. KIRKWOOD, Governor.
ELIJAH SELLS, Secretary of State.
J. W. CATTELL, Auditor of State.
J. W. JONES, Treasurer of State.
N. J. RUSCH, Lt. Gov. and Pres. of the
Senate.

THOS. H. BENTON, JR., Sec. Board Edu-
cation.
A. B. MILLER, Register of State Land Office
LEW. I. COULTER, State Librarian.
JOHN EDWARDS, Speaker of the House
of Reps.

BY AUTHORITY

DES MOINES:
J. TEESDALE, STATE PRINTER.
1860.

TABLE OF CONTENTS

Chapter.	Page.	Reprint Page
1 An act making appropriations for the payment of the per diem of the members and officers of the General Assembly.....	1	373
2 An act fixing the times of holding Courts in the Eleventh Judicial District	2	373
3 An act fixing the times of holding Courts in the Fourth Judicial District	4	375
4 An act fixing the terms of Court in the Seventh Judicial District.....	5	376
5 An act to change the times of holding Courts in the Eighth Judicial District of the State of Iowa.....	6	376
6 An act making appropriations for furniture and improvements in the Capitol Building	8	377
7 An act providing for the payment of the pro tem. officers of the two Houses of the Eighth General Assembly.....	9	378
8 An act to legalize the acts of George S. C. Dow, as Notary Public in Scott county, Iowa	10	378
9 An act fixing the time of holding Courts in the Second Judicial District	11	379
10 An act to declare the Little Sioux River navigable.....	12	380
11 An act to fix the time of holding Courts in the Third Judicial District of the State of Iowa.....	12	380
12 An act to fix the time of holding Courts in the Fifth Judicial District of the State of Iowa.....	14	381
15 An act to amend an act entitled an act to amend Chapter one hundred and fifty of the acts of the Seventh General Assembly.....	15	382
14 An act supplementary to an act to fix the time of holding Courts in the Fifth Judicial District of the State of Iowa, approved February 16th, 1860	16	382
15 An act to annex the township of Van Buren, in the county of Lee, to the townships of Jackson, Montrose and Des Moines, in said county, for Judicial purposes.....	17	383
16 An act in relation to Commissioner of the Des Moines River Improvement, and abolishing the office of Commissioner.....	18	384
17 An act for extending the time for completion of 75 miles of road by Dubuque & Pacific Railroad Co.....	23	387
18 An act to amend an act entitled "an act to authorize the Dubuque & Pacific Railroad Co., and others, to bridge the Mississippi River at Dubuque	24	387
19 An act to pay the claim of William McHargue.....	24	388
20 An act to legalize the acts of Noah D. Haskall, a Notary Public in Polk county, Iowa.....	25	388
21 An act to repeal an act entitled "an act to authorize Paul C. Jeffries to transcribe and index certain records of Wapello county.....	26	388
22 An act to pay Major Wm. Williams and others, for supplies Spirit Lake expedition, 1857.....	26	389
23 An act to release to Martin McHugo the right of the State by escheat to a parcel of land in Henry Co., Iowa.....	28	390
24 An act making appropriation for the payment of the mileage of members of the 8th General Assembly.....	28	390
25 An act to resume all rights conferred upon the Iowa Central Air Line Railroad Company by an act approved July 14th, 1856, and repeal certain laws in relation thereto.....	29	391
26 An act to legalize the levy of road tax in Sioux City for the year 1859	31	392
27 An act legalizing the acts of David C. Sperry, of Fayette county, Iowa, as a Notary Public.....	32	392
28 An act to amend Chapter one hundred and seven of the acts of the Sixth General Assembly, entitled an act to legalize the sale of school lands made by John Jordan, School Fund Commissioner of Decatur county, Iowa.....	32	393

Chapter	Page.	Reprint Page
29 An act to legalize the acts of the Bloomfield Township School District, in Davis county.....	33	393
30 An act to repeal part of section 845 of Chapter 31 of the Code of Civil Practice.....	34	393
31 An act to amend an act fixing the times of holding Courts in the Eleventh Judicial District.....	34	394
32 An act making appropriation to meet the expenses of the Deaf and Dumb Asylum.....	35	394
33 An act for the relief of Michael Sweeney and others.....	36	395
34 An act making appropriations for general support of the Iowa Penitentiary, to supply deficiency in the appropriation made by the 7th General Assembly.....	37	395
35 An act making provisions for the payment of the salary of the Commissioner of the Des Moines River Improvement, and requiring the Keokuk, Ft. Des Moines and Minnesota R. R. Co. to pay the amount of said salary into the State Treasury.....	38	396
36 An act entitled an act declaratory of the meaning of an act for extending the time of completion of 75 miles of road by the Dubuque and Pacific Rail Road Company. Approved 7th March, 1860.....	39	397
37 An act to carry into execution the trust conferred upon the State of Iowa in respect to the lands granted by an act of Congress, approved May 15th, 1856, to aid in the construction of a Railroad from Lyons City across the State of Iowa, and near the forty-second parallel to the Missouri River.....	40	397
38 An act legalizing the official acts of the City Council of Maquoketa, and the election of Mayor of said City.....	45	400
39 An act to legalize the election of the President and Town Council and other officers of Chariton, Lucas county, and the official acts of the same.....	46	401
40 An act to legalize the the acts of H. B. Horton, a Notary Public in Clinton county, Iowa.....		
41 An act for the relief of Benjamin Keller, Jr., Michael Hennelly and Wm. Thrift.....	47	401
42 An act for legalizing the acts of the County Judge of Scott County in purchasing real estate for a Poor House Farm and in issuing bonds in payment therefor.....	48	402
43 An act entitled an act to legalize the city elections of the city of Glenwood, in Mills county, Iowa.....	48	402
44 An act to legalize the organization of the Township of Hartland, in the county of Worth.....	49	403
45 An act entitled an act to legalize the elections and organization of Common Councils of the city of Clinton.....	49	403
46 An act entitled an act to legalize the acts of Charles A. Bannan as Notary Public.....	50	403
47 An act relating to the Journals of the Senate and House of Representatives.....	50	404
48 An act to pay the Commissioners of revision, &c.....	52	405
49 An act making appropriations for selecting Swamp Lands.....	53	405
50 An act making a further appropriation for the State Insane Asylum.....	54	406
51 An act respecting the taking effect of the laws of 1858, entitled "an act respecting aliens," approved March 15th, 1858.....	55	407
52 An act to re-apportion the State into Senatorial Districts.....	56	407
53 An act to provide for the establishment of a Commissioner in the City of New York, to promote immigration to the State of Iowa....	60	410
54 An act in relation to the records of original titles of lots in Iowa City.....	62	411
55 An act to legalize the elections and official acts of the Corporation of McGregor.....	63	411
56 An act authorizing owners of land subject to overflow, situated on the Iowa and Mississippi river bottom, in Des Moines and Louisa counties, to raise a tax upon such lands for the purpose of repairing, continuing and extending the levee now commenced to prevent such overflow.....	63	412
57 An act to legalize the official acts of William R. Brown, a Notary Public of Des Moines County.....	65	413
58 An act to authorize the Board of Directors of Clear Creek Township School District to correct the assessment made in 1859.....	65	413

Chapter		Reprint	
		Page.	Page
59	An act for the relief of John J. Bell, a defaulting School Fund Commissioner, and the sureties on his official bond.....	66	413
60	An act to legalize certain bonds heretofore issued by the county of Story	67	414
61	An act rendering valid the service of original notices in certain cases	68	414
62	An act authorizing the construction of mill dams on the Nishnabotany river	69	415
63	An act making provision for the settlement of all liabilities of the State growing out of the sale of certain lands of the Des Moines River Improvement Grant, as School lands.....	69	415
64	An act apportioning the State of Iowa in Representative Districts...	72	417
65	An act to provide for the allotment of terms of Senators.....	76	420
66	An act to enforce the collection of delinquent taxes for the year 1858	77	420
67	An act to legalize the levy of the road tax of Mitchell county for the year 1858, and the collection of the taxes of said county for said year	79	421
68	An act legalizing certain bonds issued by the city of Camanche.....	79	421
69	An act to legalize the acts of the City Council of the city of Fort Madison, in Lee county, in vacating Oriental street, and to confirm the title of said street to the State of Iowa.....	80	422
70	An act to amend an act entitled "An act to provide for levying a tax on certain lands to complete and keep in repair a levee on Muscatine Island, and for the election of a levee Commissioner to superintend the same.....	80	422
71	An act making an appropriation for building fifty-four cells and repairing the fence, and also to provide for the support of the Iowa Penitentiary	81	423
72	An act providing for the payment of expenses incurred by the Attorney General in the case of the State of Iowa vs W. Tighlman et. al	82	423
73	An act to provide for a levy of State tax for State purposes for the year 1860	83	424
74	An act to provide for the publication of certain laws.....	84	425
75	An act providing for the payment of the indebtedness of the Iowa Penitentiary	85	425
76	An act authorizing the County Judge of Polk county to appropriate a portion of the proceeds of the Swamp Lands for the completion of the Court House of said county.....	86	426
77	An act making appointment of a Commissioner for the erection of the State Hospital for the insane, and providing for filling vacancies in said Board.....	87	426
78	An act making appropriations for the per diem of members and officers of the Eighth General Assembly, and for other purposes...	87	427
79	An act to amend an act entitled "an act authorizing General Banking in the State of Iowa," passed by the Seventh General Assembly...	97	433
80	An act providing for the submission to the people, of an act to amend the General Banking law.....	97	433
81	An act to legalize certain Rail Road Bonds of Mitchell county.....	98	434
82	An act to legalize the taxes levied in Howard county, for the year 1859	99	434
83	An act to legalize the levy of a school house tax in the district township of Jefferson, in Poweshiek county, Iowa.....	100	435
84	An act making appropriations for the pay of State officers and other purposes, and defining the duties of State officers in certain cases	100	435
85	An act to legalize the levy of taxes in the county of Grundy, made in October, 1858, and the delivery of the tax list to the Treasurer of said county, in November of the same year, in said county.....	105	438
86	An act to enforce collection and settlement of claims of the State vs. Winterbottom & Jones, or successors of Winterbottom & Headley, contractors for the convict labor of the Iowa Penitentiary.....	106	438
87	An act providing for the taking effect of Senate File No. 6, "an act to provide for the appraisalment of property sold under execution," on its publication.....	107	439
88	An act to grant to the city of Dubuque, title to cer- lands.....	108	440
89	An act making further appropriation for the Blind Asylum at Vinton	110	440
90	An act in relation to evidence.....	112	441

Chapter	Page.	Reprint Page
91 An act conferring certain powers on the Board of Commissioners appointed for the purpose of ascertaining the liabilities of the Des Moines River Improvement, and for other purposes.....	113	442
92 An act to authorize the publication of certain laws in the Iowa State Register and the Iowa State Journal.....	115	444
93 An act to cede jurisdiction over certain lots, the property of the United States, in the city of Dubuque.....	116	444
94 An act to amend chapter 188 of the acts of the sixth General Assembly, entitled "an act for the encouragement of agriculture, approved January 28th, A. D., 1857.....	117	445
95 An act to provide for the publication of the laws of a general nature of the Eighth General Assembly, in certain German newspapers... ..	118	445
96 An act providing greater safety for books, papers, and records belonging to the State.....	118	446
97 An act to repeal sections 50, 51, and 52 of chapter 152 acts of 7th General Assembly	119	446
98 An act providing for the printing of the revision of '60.....	119	446
99 An act providing for the revision of the laws of this session into the revision presented by the Commissioners, and also for superintending the publication, and indexing and distributing of the same	122	448
100 An act to provide for the payment of School Fund Commissioner in certain cases	125	449

JOINT RESOLUTIONS

Number		Page.	Reprint Page
1	Joint Resolution for a grant of land to aid in the construction of a Railroad from McGregor to the Missouri River.....	127	451
2	Memorial and Joint Resolution asking for a grant of land to aid in the construction of a Railroad as herein set forth.....	127	451
3	Joint Resolution for the election of Trustees of the State Agricultural College.....	130	453
	Abstract of Auditor's Report.....	131	453

CONTENTS

Chapter	Page.	Reprint Page
101 An act to repeal part of section 4 of chapter 148 of the laws of Seventh General Assembly.....	137	457
102 An act to amend chapter 150 of the acts of the Seventh General Assembly.....	137	457
103 An act relative to the Keokuk, Fort Des Moines and Minnesota Rail Road Company.....	139	458
104 An act to amend chapter 156 of the Seventh General Assembly, entitled "Pre-emptions of School lands," Approved March 23, 1858.....	140	459
105 An act to amend section 530 of the Code.....	141	459
106 An act to repeal part of the sixth section of chapter ninety-three of the acts of the Seventh General Assembly entitled an act to authorize the construction of Bridges in the State of Iowa.....	142	460
107 An act to authorize the Governor of the State of Iowa to provide for the protection of certain citizens thereof, to guard against Indian depredations, and making appropriation therefor.....	142	460
108 An act to amend section nine hundred and forty of the Code of Iowa...	143	461
109 An act entitled "an act to amend section 1240 of the Code of Iowa...."	144	461
110 An act to regulate the foreclosure of mortgages.....	145	462
111 An act limiting the powers and defining the duties of County Judges in certain cases.....	145	462
112 An act entitled an act to amend an act entitled "an act to provide for an annual appropriation for the benefit of a State Historical Society," approved January 28, 1857.....	146	463
113 An act to authorize change of venue in certain cases.....	147	463
114 An act to provide for the redemption of real estate sold on foreclosure of mortgages.....	148	464
115 An act requiring Trustees, Managers, Commissioners and Inspectors of public buildings, improvements and institutions, to take and subscribe an oath, and punishing a violation of the same.....	148	464
116 An act to amend an act entitled "an act to prevent trespass or waste on swamp or other lands in the State of Iowa, and for other purposes," approved January 25th, 1855.....	150	465