LAWS OF IOWA

PASSED AT THE EXTRA SESSION OF

THE LEGISLATIVE ASSEMBLY

WHICH COMMENCED ON THE 17TH DAY OF JUNE, 1844

JOHN CHAMBERS, Governor SAMUEL J. BURR, Secretary of the Territory FRANCIS GEHON, President of the Council JOHN FOLEY, Speaker of the House of Representatives

ALSO,---THE LAWS OF THE REGULAR SESSION

WHICH COMMENCED ON THE 5TH DAY OF MAY, 1845

PUBLISHED BY AUTHORITY

IOWA CITY:
WILLIAMS & PALMER, PRINTERS
1845

SECRETARY'S OFFICE, IOWA CITY, JUNE 25th, 1845.

This is to Certify, That the Acts and Resolutions herein contained, both of the Extra Session of the Legislative Assembly, in June, 1844, and of the regular Session, which commenced on the 5th day of May, 1845, are true and correct copies from the originals now on file in this office.

S. J. BURR, Secretary of Iowa Territory.

TITLES OF ACTS

	Pag	Re	print Page.
1.	An act to postpone the next annual election of members of the legis-	,	
	lature, and to provide for the payment of the legislative debts	1	525
2.	An act to amend an "Act to district the territory of Iowa into electoral	_	
	districts, and to apportion the representatives of each," approved		
	July 30th, 1840	2	526
3.	An act declaring the qualifications of electors	3	526
4.	An act fixing the compensation of the territorial agent	3	527
5.	An act to amend an act entitled, "An act regulating marriages"	4	527
6.	An act to authorize the collectors of taxes to make deeds in certain		
	cases	5	527
7.	An act supplementary to "An act to provide for the compensation of		
	members and officers of both houses of the present session, and for		
	other purposes,"—approved, February 16th, 1844	5	528
8.	An act to amend an act entitled "An act to provide for the expression		
	of the opinion of the people of the territory of Iowa upon the subject		
_	of the formation of a state constitution for the state of Iowa"	5	528
9.	An act to prevent trespass upon the lands belonging to the territory	_	
	of Iowa	6	5 2 9
10.	An act to revive certain acts respecting the subjecting of real ond per-	_	500
	sonal estate to execution	7	529
11.	An act amendatory of an act entitled "An act for opening and regulat-	7	530
12.	ing roads and highways," approved, February 1st, 1843	•	550
}1 2 .	other purposes	8	530
13.	An act to establish certain territorial roads, and for other purposes	9	531
14.	An act to authorize the judge of probate of Lee county to make a rec-	•	001
	ord of the proceedings of said court	10	532
15.	An act to relocate a part of the territorial road from Parkhurst, in		
	Scott county, to Tipton, in Cedar county	11	533
16.	An act to amend an act entitled, "An act to incorporate the board of		
	trustees of the Congregational church and Society of Burlington"		
	—approved, February 12th, 1844	12	533
17.	An act to legalize an act of the board of county commissioners of Des		
	Moines county	12	534
18.	An act to amend an act to perfect the collection of taxes in Louisa		
	county	13	53 4
			•
	JOINT RESOLUTIONS		
1.	A Joint Resolution allowing to the counties of Davis, Wapello, Keo-		
•	kuk, and Mahaska, copies of the revised statutes	14	535
2.	A Joint Resolution for the preservation of the census returns		535
	•		

TITLES OF ACTS OF THE REGULAR SESSION OF MAY, 1845.

	Pa	R ge.	eprint Page.
1.	An act to provide for holding an additional term of the district court,		
	in and for the county of Lee	19	539
2.	An act amendatory of an act entitled "An act to establish the time of		
	holding the district courts in the several judicial districts"; ap-		
	proved 12th February, 1844	19	539
3.	An act to amend an act entitled "An act regulating practice in the Dis-		
-	trict courts in the territory of Iowa," approved, February 10th, 1843	20	540
4.	An act to prevent the destruction of notices, advertisements, etc		540
5.	An act to amend an act entitled "An act to provide for assessing and		0.0
υ.	collecting public revenue," approved, February 15th, 1844	22	541
6	An act to amend an act entitled "An act to provide for the partition of	22	041
0		0.0	542
_	real property		
7.	An act to abolish the office of territorial agent	24	542
8.	An act to provide for the payment of the expenses of the convention		
	which assembled in Iowa City on the first Monday of October, A.		
	D. 1844, to frame a constitution for the future state of Iowa	25	543
9.	An act to amend an act entitled "An act defining the jurisdiction of		
	the supreme court, and regulating the practice therein," approved		
	the 8th of February, 1844	25	543
10.	An act to amend an act entitled, "An act to encourage the destruc-		
	tion of wolves," approved, January 7th, 1844	26	544
L1.	An act to amend an act entitled "An act for the organization of town-		
	ships"	27	545
l 2.	An act to regulate fees of sheriff's and constables in attendance on		
	district courts	30	547
13.	An act to submit to the people the draft of a constitution formed by		
	the late convention	31	547
14.	An act to amend an act entitled "An act to establish the time of hold-		
	ing the district courts in the several judicial districts in this terri-		
	tory," approved, 12th February, 1844	33	549
15 .	An act to organize and discipline the militia of this territory		549
16.	An act to postpone the election of the members of the house of rep-		
	resentatives of the territory of Iowa, from August until April	34	550
١7.	An act to amend an act entitled "An act allowing and regulating writs	٠.	•••
• • •	of attachment"	35	550
8.	An act to provide for the payment of the debt due to the Miners' Bank		
	of Du Buque	36	551
19.	An act to amend an act entitled "An act organizing a board of county		
	commissioners in each county," approved February 15th, 1843	37	552
20.	An act amendatory of an act to provide for changing the venue in civil	٥.	002
	and criminal cases, approved, 13th February, 1843	38	552
21.	An act to amend an act relative to the probate of wills, executors, ad-	Ų U	002
	ministrators, guardians, trustees of minors and probate courts, and		
	for defining their duties," approved, February 13th, 1843	20	553
22.	An act to provide for the better settling and adjudicating of the several	39	vvs
		41	554

	Pag	Re ge. I	print age.
23.	An act to prevent and punish the owners and masters of steam boats	_	
	committing trespass upon the property of persons living in this terri-		
	tory and for other purposes	43	55 6
24.	An act to amend an act entitled "An act concerning bail," approved,		
	January 25, 1839	45	657
25.	An act to punish persons trespassing upon lands		558
26.	An act to amend an act to provide for levying a tax on real and per-		
	sonal property, for road purposes, approved, February 16th, 1842	47	559
27.	An act to prevent and punish the obstruction of public roads and		
	highways	48	560
28.	An act to amend an act entitled "An act to regulate the institution of		
	suits by foreign executors, administrators and guardians, within		•
	the territory"	49	561
29.	An act to attach the country ceded to the United States by the Sac and		
	Fox Indians, 1842, to the adjacent counties	50	561
30.	An act providing for the compensation of members and officers of both		
	Houses of the present session and for other purposes	51	562
31.	An act to repeal the charter of the Miners' Bank of Du Buque, and to		•
	provide for winding up the affairs of the same	51	564
32.	An act to amend an act entitled "An act to incorporate the subscribers		
	for erecting a dam across the Muscatine slough," approved, 5th		
	February, 1844	56	565
33.	An act to authorize the board of commissioners of the county of Du		
	Buque, to levy a tax on all real estate and personal estate now		
	subject to taxation in said county	56	566
34.	An act to change the name of the town of Louisville, in the county of	E 77	E 0 0
95	Wapello	91	566
35.	An act to change the name of the village of Salem, in the county of		
36.	Muscatine	01	566
30.	plat to Port Allen, and to legalize the re-location of a part of a ter-		
	ritorial road," approved, 13th Februry, 1843	5.8	567
37.	An act to empower the board of commissioners of Delaware and Linn	00	001
01.	counties, to levy a tax not exceeding one per cent for the period of		
	two years	58	567
38.	An act to legalize the acts of Charles E. Bensel former recorder of deeds	00	
	in the county of Clayton	59	568
39.	An act to make valid in law the acts of Joseph A. Reynolds, a justice		
•••	of the peace in and for the county of Buchanan	59	568
40.	An act to establish a territorial road from Marion in Linn county, to		
- • ·	the Indian boundary, in a direct line to Fort Atkinson	60	569
41.	An act to incorporate the University of Iowa	61	569
42.	An act to legalize the acts of William Foster, an acting justice of the		
	peace	65	572
43.	An act to re-locate a part of the territorial road running from Burling-		
	ton via Fort Madison, to the bridge on Sugar creek in Lee county	65	572
44.	An act to declare a certain road in Washington county, a public high-		
	way	66	573
45.	An act to change the eastern boundary of Washington county	66	573
46.	An act for the relief of Samuel Parker	67	574
47.	An act to vacate a street in the town of Marion, in Linn county		574
48.	An act to change a part of a territorial road in the county of Lee		574
49.	An act to re-locate a certain territorial road	69	575

	Re Page.	print Page.
50.	An act to establish a territorial road from Linn Grove of Linn county,	
	to the military road in Johnson county	57 5
51.	An act to locate a territorial road from Washington county to Miles B. Friends, in Keokuk county	576
52.	An act for a supplement to an act entitled "An act to incorporate the	
· 2.	University of Iowa City," approved, 2d day of June, 1845 71	577
58.	An act to establish a territorial road from the eastern line of Wash-	0
UD.	ington county, to the Widow Fry's on Old Man's creek	577
5 4 .	An act to incorporate and establish the city of Barlington, and for	0
U I .	revising and repealing all laws and parts of laws heretofore enacted	
	on that subject	578
55.	An act for the organization of the county of Iowa	586
56.	An act to re-locate the seat of justice of Lee county	588
57.	An act to organize the county of Marion	591
58.	An act to provide for the election of an additional justice of the peace,	E 0.4
FΛ	in Madison township, in the county of Lee	594
59.	An act for the relief of William B. Snyder	594
60.	An act for the relief of Henry Heffleman and others 98	595
6,1.	An act to legalize the location of a road from Cascade, in Du Buque	
	county, to O. A. Olmstead's Mill, in Delaware county 98	595
62.	An act to establish a territorial road in the counties of Van Buren and Davis	596
63.	An act to re-locate a part of a territorial [road] leading from Rocking- ham in Scott county, to Moscow, in Muscatine county100	596
64.	An act to establish a territorial road from Bloomington to the county	
	line of Muscatine county, near the present road leading to Daven-	
	port	597
65.	An act to repeal "An act repealing a portion of an act to locate and	
	establish a territorial road from the town of Du Buque, to Camp At-	
	kinson;" approved January 13, 1841, and providing for the re-loca-	
	tion of said road101	597
66.	An act to authorize the board of commissioners of Muscatine county to	
	license certain ferries across the Mississippi river	598
67.	An act to organize the county of Kishkekosh, and to provide for the lo-	
• • • •	cation of the seat of justice thereof	598
68.	An act to authorize Henry Swan, administrator of the estate of David	
00.	Duke, late of the county of Henry, deceased, to convey certain lands. 106	601
	bule, late of the county of fichin, deceased, to couvey contain lands. It	001
	·	
	JOINT RESOLUTIONS	
1.	Providing that the maps voted for the use of the Legislative Assembly.	
1.	be distributed among the different counties	603
2.	Providing seals for counties therein named	603
2. 8.	Instructing our delegate in congress to procure an increase of facil-	
ο.	itles on mail route No. 4228	604
4.	Requesting our delegate in congress to endeavor to procure the estab-	~V2
7.	lishment of a mail route from Burlington, via Lowell, Salem, and	
		804
-	Washington, in Henry county, to the county seat of Mahaska county. 108	604
5.	To authorize the trustees of the Protestant Methodist church to con-	
	vey their church half lot in Iowa City to the trustees of the Iowa	004
_	City College	604
6.	To provide for the printing of the laws	605

TITLES OF ACTS

	n	eprint
	Page.	
7.	Instructing our delegate in congress in regard to the boundaries of	
	the future state of Iowa110	605
8.	Providing for the care of public property at the Capitol	606
9.	To authorize the clerk of the supreme court to use a certain room in	
	the Capitol, for the purpose of a clerk's office110	606
10.	Instructing the secretary to pay the widow of the late James Leonard,	
	the full amount of his per diem for this entire session111	606
11.	Providing for the adjournment of the Legislative Assembly111	606
12.	Providing for the appointment of a fiscal agent	607
13.	Providing for an examination of the affairs of the penitentiary112	607
14.	Providing for the safe keeping of the property belonging to the Cap-	
	itol, and for other purposes112	607
15.	Instructing the secretary of the council and clerk of the House112	608
16.	Relative to the distribution of the laws	608
17.	Instructing our delegate to use his influence for an appropriation to	
	repair the bridge on Devil creek, in Lee county114	609
18.	Supplementary to a point resolution adopted by the Council and House	
	of Representatives, for the appointment of a committee to examine	•
	into the affairs of the menitentiary	609

·