

CHAPTER 43.

REVISED CODE.

AN ACT to provide for the appointing of commissioners to draft, revise and arrange a Code of laws.

Be it enacted by the General Assembly of the State of Iowa,

SECTION 1. Commissioners. That Charles Mason, of the county of Des Moines, William G. Woodard, of the county of Muscatine, and Stephen Hempstead, of the county of Dubuque, be and they are hereby appointed a committee to draft, revise and prepare a code of laws for the state of Iowa.

SEC. 2. Place of meeting. Said commissioners, when qualified as hereinafter provided, shall meet together, at some place to be selected by a majority of said commissioners, and enter upon the discharge of their duties.

SEC. 3. Rules—bills to be recorded. Said commissioners shall be governed in their deliberations by the following rules: First, They shall choose one of their number to preside over their deliberations, who shall decide all questions of order, and may vote upon all matters brought before them in case of a tie. Each bill, as it is prepared, shall be examined and considered by them when in session, and altered or amended as a majority of them may decide, and when finally acted upon shall be recorded by them, or under their direction, in a plain, legible hand, in a book to be provided by them for that purpose, with plain marginal notes to each act.

SEC. 4. Time and place of meeting. The said commissioners shall regulate the time and place of their meeting and adjourning, and may change at pleasure their place of deliberations.

SEC. 5. Duty of commissioners. Said commissioners shall prepare a complete and perfect code of laws, as nearly as may be, of a general nature only, and furnish a complete index to the same when completed.

SEC. 6. To keep a journal. Said commissioners shall keep, or cause to be kept, a journal of their proceedings, from day to day, the time and place when met, what commissioners were present, and what business was transacted at each meeting.

SEC. 7. Absence of commissioner. No commissioner shall be permitted to absent himself from the [43] sessions of said board, except in cases of absolute necessity, and then only by leave of said board, which leave shall be entered on their journals, and the length of time for which he is permitted to be absent.

SEC. 8. Business, how transacted. No business shall be transacted by said board, other than to adjourn from day to day, unless all of said commissioners be present, except in the case mentioned in the preceding section, when one of said commissioners has been excused, and in that case, the other two may proceed to transact business.

SEC. 9. Report. Said commissioners shall report said code, with the proper marginal notes and index, under the certificate of their president, to the governor, at the earliest practicable period, together with a correct journal of their proceedings.

SEC. 10. Oath. Said commissioners, before they shall be qualified to act as such, shall each take and subscribe the following oath or affirmation: "I, _____, appointed by the general assembly of the state of Iowa, to draft, revise, and prepare a code of laws for said state, do solemnly swear, or affirm, (as the case may be,) that I will faithfully and impartially

discharge the trust reposed in me by said state, that I will strictly, to the best of skill, ability and fidelity, observe the rules laid down in the law under which I am appointed, and that I will discharge all of the duties required of me as commissioner, with an eye single to the good of the people of the state of Iowa;" which said oath shall be certified by the officer administering the same, and filed in the office of the secretary of state.

SEC. 11. Rules and regulations. Said commissioners may make and adopt such rules and regulations for the government of their body, as a majority of them may think fit, not repugnant to any of the provisions of this act.

SEC. 12. Stationery and expenses. Said commissioners may purchase, at the expense of the state, such books, writing paper, ink, quills, and sand, as is necessary and proper to enable them to carry out the provisions of this act; but all other expenses shall be borne by said commissioners.

SEC. 13. Compensation—vacancy. Said commissioners shall each receive the sum of one thousand dollars, to be paid out of any money in the treasury not otherwise appropriated, to be paid after their report has been accepted by the general assembly; but should the place of one of the commissioners become vacant, he shall only be paid in proportion to the time he actually served; and in case of a vacancy, the other two commissioners shall fill such vacancy; and the person thus appointed, shall be paid in proportion to the time he actually serves, and who shall also take oath and qualify as the other commissioners.

[44] **SEC. 14. When to take effect.** This act to take effect and be in force from and after its publication in the weekly newspapers printed in Iowa City.

Approved, January 25, 1848.

Published in the Observer, February first, and in the Reporter and Standard, February ninth, eighteen hundred and forty-eight.

CHAPTER 44.

STATE ROAD.

AN ACT to repeal an act herein named.

Be it enacted by the General Assembly of the State of Iowa,

SECTION 1. Act repealed. That an act passed at the last session of this general assembly, entitled an act regulating state roads, approved, February 24th, 1847, be and the same is hereby repealed.

SEC. 2. This act shall take effect and be in force from and after its publication in the Iowa City Standard and Iowa Capital Reporter, published at Iowa City.

Approved, January 24, 1848.

Published in the Standard, February second; and in the Reporter, February twenty-third, eighteen hundred and forty-eight.