

person entitled thereto: provided, that nothing in this act shall be so construed as to prevent the collection of the school funds in accordance with the existing laws.

SEC. 6. 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 19th, 1847.

Published in the Reporter and Standard, January 27th, 1847.

CHAPTER 7.

TERRITORIAL ROAD.

AN ACT to review and relocate a portion of the territorial road from Rockingham to Iowa City.

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

SECTION 1. Appointment of commissioners—time and place for meeting. That Dan B. Shaw and Andrew W. Campbell, of Scott county, and Richard Randall, of Muscatine county, be, and they are hereby appointed commissioners to review and relocate so much of the territorial road from Rockingham, in Scott county, by Centre Grove and Moscow, [23] in Muscatine county, to Iowa City, in Johnson county, as lies between the southeast corner of the northwest quarter of section No. thirty-one, in township No. seventy-eight north, of range No. two east, and the northeast corner of the northwest quarter of section No. thirty-five, in township No. seventy-eight north, of range No. one east: Said commissioners to meet at the house of Dan B. Shaw, in Scott county, on the first Monday in May next.

SEC. 2. How governed—compensation. The said commissioners shall be governed in all their acts in relation to the resurvey and relocation of said road by the requirements of the act entitled "An act to provide for laying out and opening territorial roads," approved Dec. 29, 1838; and they and the surveyor and assistants employed by them shall be entitled to the same compensation for their services that is allowed by an act approved January 14th, 1840, entitled "An act establishing certain territorial roads therein named."

Approved, January 20th, 1847.

CHAPTER 8.

CENSUS.

AN ACT to provide for the taking an enumeration of the white inhabitants of the state [of] Iowa.

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

SECTION 1. Census to be taken—when to be taken—unorganized counties. That the assessors of each and every organized county of this state are hereby authorized and required, previous to the first day of August, 1847, and before

the same day of every second year thereafter, for the period of eight years, to take an enumeration of all the white inhabitants of all ages in their respective counties; and, in those counties not organized, it shall be the duty of the assessors of the counties to which unorganized counties may be attached, for election purposes, to take the enumeration thereof, as provided for by this act.

SEC. 2. Returns—compensation. It shall be the duty of said assessors to make a correct return of the duties performed under this act, under oath, to the clerk of the board of commissioners of their respective counties, on or before the fifteenth day of September next following such enumeration; for which services they shall receive such compensation as the board of commissioners may allow.

SEC. 3. Duty of Clerks. It shall be the duty of the several clerks of the boards of county commissioners to forward a certified copy of said returns to the secretary of state, within thirty days after the reception thereof.

[24] **SEC. 4. Penalty.** Every assessor or clerk who shall refuse or neglect to perform the duties enjoined by this act, shall forfeit and pay to, and for the use of, the common schools of their respective counties, a sum not less than fifty dollars, nor more than one hundred dollars.

SEC. 5. When to take effect—publication. This act shall take effect and be in force from and after the first day of March next; previous to which time the secretary of state shall cause the same to be published one [once] in the several newspapers in this state.

Approved, January 20th, 1847.

Published in the Reporter, Jan. 27th, 1847, and in the Standard Feb. 4th, 1847.

CHAPTER 9.

DISTRICT CLERKS AND PROSECUTING ATTORNEYS.

AN ACT in relation to clerks and prosecuting attorneys.

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

SECTION 1. Clerks elected Oct. 26, 1846, to give bonds—amount—how filed—to be recorded—actions may be brought thereon, in the name of the commissioners—if the original be lost—oath of office—oath to be endorsed. That the clerks of the district courts elected in the several counties of this state, at the general election, on the twenty-sixth day of October, 1846, wherein notice of said election had been previously given by the clerks of the boards of county commissioners in the several counties, or wherein any one person has received a majority of all the votes cast for state officers, before they enter upon the duties of their respective offices, shall enter into bond before the clerk of the board of county commissioners in their respective counties, with two or more sufficient securities, to be approved of by said clerk, in the penal sum of five thousand dollars, payable to said board of county commissioners—conditioned that they will faithfully and impartially discharge the duties of said office, and pay over all moneys that may come into their hands, under and by virtue of their said office, to the proper authorities, person or persons entitled to the same; and that they will, in every other respect, discharge the duties required of them by law; which said bond shall be filed in the office of the board of commissioners for said county by the clerk thereof, and also recorded at length upon the records of said office; and actions may be brought