

shall cause suit to be instituted for the recovery of the amount thus due and unpaid.

SEC. 20. Account to be evidence. A copy of the account in such cases, made out and certified by the said auditor, shall be sufficient evidence to support an ac-[74]-tion in any court of competent jurisdiction, for the amount or balance stated therein to be due, without proof of the signature or official character of such auditor, subject however, to the right of the defendant to plead and give in evidence, as in other actions, all such matters as shall be legal and proper for his defence or discharge.

SEC. 21. Other remedies. Nothing contained in the provisions of this act, shall be so construed as to impair or affect any legal or equitable remedy which might be used if such provisions were not in force, for the recovery of any debt due or to become due to the state of Iowa, or for the establishment of any right, interest, or claim, to any moneys, funds, or interest arising therefrom or securities therefor.

SEC. 22. Incidental expenses. The purchase of all books, stationery, fuel, or other articles necessary for the use of his office, together with all necessary incidental expenses shall be at the expense of the state.

SEC. 23. Books, etc. open to inspection. All the books, papers, files, letters, and transactions pertaining to the office of said auditor, shall be open to the inspection of a committee of the general assembly, or either branch thereof, and also to the governor.

SEC. 24. Repealing section. All acts and parts of acts coming in conflict with this act are hereby repealed.

SEC. 25. Take effect. That this act to take effect and be in force from and after its publication in the weekly newspapers of Iowa City.

Approved, February 18th, 1847.

Published in the Reporter and Standard February 24th, 1847.

CHAPTER 58.

DISTRICT COURTS.

AN ACT fixing the time of holding the district courts in this state.

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

SECTION 1. That the times of holding district courts in this state shall be as follows:

First district. In the first judicial district—In Louisa county, on the fourth Mondays in April and August; in Washington county, on the first Mondays in May and September; in Henry county, on the second Mondays in May and September; in Lee county, on the third Monday in May, the fourth Monday in September and the third Monday in February; in Des Moines county, on the second Monday in June and third Monday in October.

Second district. In the second judicial district—In Muscatine county, on the first [75] Mondays in February, June and November; in Scott county, on the first Mondays of March and September; in Clinton county, on the second Mondays in March and September; in Cedar county, on the third Mondays in March and September; in Jones county, on the fourth Mondays in March and September; in Jackson county, on the first Mondays after the fourth Monday

in March and September; in Delaware county, on the second Monday after the fourth Monday in March; in Clayton county, on the third Mondays after the fourth Mondays in March and September; in Dubuque county, on the fourth Mondays in April and the first Mondays in August and December.

Third district. In the third judicial district—In Van Buren county, on the first Mondays in March and September; in Jefferson county, on the third Mondays in March and September; in Keokuk county, on the fourth Mondays in March and September; in Mahaska county, on the first Monday after the fourth Mondays in March and September; in Wapello county, on the second Monday after the fourth Mondays in March and September; in Davis county, on the third Monday after the fourth Mondays in March and September; in Appanoose county, on the fourth Monday after the fourth Mondays in March and September; in Monroe county, on the fifth Monday after the fourth Mondays in March and September; in Marion county, on the sixth Monday after the fourth Mondays in March and September.

Fourth district. In the fourth judicial district—In Dallas county, on the first Mondays in March and September; in Polk county, on the second Mondays in March and September; in Jasper county, on the third Mondays in March and September; in Iowa county, on the fourth Mondays in March and September; in Benton county, on the first Monday after the fourth Mondays in March and September; in Linn county, on the second Monday after the fourth Mondays in March and September; in Johnson county, on the fourth Monday after the fourth Mondays in March and September.

SEC. 2. Suits, etc., not to abate—jurors and witnesses. No suits, indictments, recognizances, informations, declarations, pleas, or other process or proceedings, returnable at or pending in the said district courts or [of] any of the counties above named, shall abate, be made void, or in any wise affected in consequence of any change in the time of holding said courts by the provisions of this act; but, when the same may have been issued or may have been made returnable at any day in accordance with the time heretofore fixed for holding said courts, they shall be considered returnable to the term of the courts respectively named in this act; and all jurors, witnesses and other persons bound in any way, or summoned to appear before the courts mentioned above [76] at the next term thereof, shall be bound to appear at the time specified for holding courts by this act.

SEC. 3. First term. That the first terms of the district courts throughout the several counties of this state, after the passage of this act, shall commence and date their commencement from the same Monday in the month of May that is required by the first section of this bill [act,] in regard to the month of March. The provisions of this section are not to apply to the first judicial district.

SEC. 4. Take effect. This act to take effect and be in force from and after its publication in the weekly newspapers in Iowa City .

Approved, February 17th, 1847.

Published in the Reporter and Standard February 24th, 1847.

CHAPTER 59.

STATE ROADS.

AN ACT for laying out and establishing certain roads therein named.

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

SECTION 1. Commissioners—from Keokuk county to Bloomfield. That Joseph Kellum, of the county of Keokuk, Jesse Brookshire, of the county of