

CHAPTER 126.

RELIEF OF D. B. HILLIS.

AN ACT for the relief of D. B. Hillis.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Auditor of State be directed to audit and allow the claim of D. B. Hillis of Lee county, for the sum of three hundred and sixty dollars; for one hundred and twenty days' service, as Aid-de-Camp to Governor Samuel J. Kirkwood, between the 1st day of September, 1861, and the 1st day of March, 1862. Auditor to audit claim. \$360.

SEC. 2. The Auditor of State shall draw his warrant on the Treasurer of State in favor of the said D. B. Hillis, for the above named amount, and the Treasurer of State shall pay said warrant out of the War and Defense Fund. Draw warrant on W. and D. Fund.

SEC. 3. This Act being deemed by the General Assembly of immediate importance, shall take effect, and be in force from and after its publication in the Iowa State Register and Iowa Homestead, newspapers published at Des Moines. Publication.

Approved April 2d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 15th, 1866, in the Iowa Homestead April 25th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 127.

CONCERNING PRIVATE ROADS.

AN ACT to provide for establishing private roads in the State of Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That private roads may be established in the same way and manner that county roads are now established by law, and all the laws of Iowa relating to and governing the establishment of county roads, shall apply to and govern the establishment of private roads, so far as the same are applicable. Private roads established as county roads.

and not herein changed: *Provided*, That a petition signed by the applicant, for a private road, alone, shall be sufficient as a basis upon which to proceed.

Appointment of Comm'r—what necessary to secure SEC. 2. Previous to the appointment of a commissioner to view the proposed private road, and report upon the application therefor, the petitioner must file a bond with the Board of Supervisors, in a penal sum to be fixed by them, payable to the county, with such sureties as may be approved by said Board, for the use of the parties injured by the establishment of such private road, with conditions that the applicant will pay all the cost resulting from such application and will pay all the assessed damages to the owners of the land over which such a road may be established, and comply with all other conditions upon which such road is established: *Provided*, He shall not be liable to perform any of the conditions in the said bond, nor any of the conditions upon which such a road is established, except the payment of the cost, unless he accepts of such road.

Private road ordered open—when. SEC. 3. No private road established as provided by this Act, shall be ordered to be opened until the applicant shall have paid all the damages and costs, and complied with all other conditions upon which it is established, which must be done within such time as may be fixed by the Board of Supervisors, and in case he does not pay said costs and damages, and comply with said other conditions, within the time fixed by said Board, he shall be deemed to have waived and forfeited all his rights to such road upon that application; and if thereafter he should desire such a road, he must proceed anew.

Time of final hearing. SEC. 4. When the time for final hearing and action in relation to such a road arrives, whether application for damages has been made or not; and whether the commissioner has reported adversely to the establishment of the road or not, the Board of Supervisors may hear testimony and receive petitions for and against the establishment of such road, and may establish the road upon such conditions as to the payment of damages and costs, and building and maintaining fences, and such other conditions as to the Board may seem just to all parties concerned; or they may reject the road absolutely, but such rejection shall be no bar to another application for the same purpose.

Board of Supervisors—duties of. SEC. 5. This Act being deemed by the General Assembly of immediate importance, it shall take effect and be in force from and after its publication in the

Publication.

Iowa State Register and Iowa Homestead, newspapers published at Des Moines, Iowa.

Approved April 3, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 12th, 1866, and in the Iowa Homestead April 18th, 1866.

JAMES WRIGHT, Secretary of State.

CHAPTER 128.

SUBSCRIPTIONS TO COUNTY AGRICULTURAL SOCIETIES.

AN ACT authorizing county subscriptions to County Agricultural Societies.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That whenever any County Agricultural Society, organized according to law, shall have procured in fee simple, free from incumbrance, land for fair grounds, not less than 10 acres in extent, the Board of Supervisors of said county may appropriate and pay to such Society a sum not exceeding one hundred dollars for every thousand inhabitants in said county, to be expended by such Society in fitting up such fair grounds, but for no other purpose; *Provided*, That no appropriation be made unless a majority of all the Supervisors in such county shall ask for the same, and not more than one thousand dollars shall in the aggregate be appropriated to any one society.

Fair grounds when purchased.

Proviso.

SEC. 2. Each society receiving such appropriation shall, through its Secretary, make to the Board of Supervisors a detailed statement, with vouchers, showing the legal disbursement of all the money so received.

Sec'y make report to the Board of Supervisors.

SEC. 3. All Acts or parts of Acts inconsistent with the provisions of this Act, are hereby repealed.

Repeal.

SEC. 4. This Act shall take effect from and after its publication in the Iowa State Register and Iowa Homestead, newspapers published in Des Moines, Iowa.

Publication.

Approved April 3d, 1866.

I hereby certify that the foregoing Act was published in the Iowa State Register April 12th, 1866, and Iowa Homestead April 18, 1866.

JAMES WRIGHT, Secretary of State.