

and costs due on such parcel, at the time of such sale, and all the provisions of the revenue laws of Iowa, not inconsistent with this act, shall apply to such sale, and to the redemption of any real estate sold by virtue of this act, and the amount so paid for any parcel of real estate, shall be apportioned, *pro rata*, among the different funds to which it belongs.

Apportionment.

Unavailable tax.

SEC. 3. The amount of taxes due on any real estate sold under the provisions of this act, in excess of the amount for which the same was sold, shall be credited as unavailable tax to the county treasurer by the county auditor, apportioning the amount among the different funds to which the same belongs. The amount of such excess due to funds belonging to the State, shall be reported by the county auditor to the Auditor of State as unavailable, who shall give the counties credit for the same.

Auditor of State to give credit.

Taking effect.

SEC. 4. This act being deemed of immediate importance shall take effect from and after its publication in the *Des Moines Statesman* and the *State Register*, newspapers published at Des Moines, Iowa.

NOTE.—This bill having remained with the Governor three days, (Sunday excepted,) the General Assembly being in session, has become a law this 26th day of March, A. D. 1870.

ED WRIGHT, *Secretary of State.*

I hereby certify that the foregoing act was published in the *Des Moines Statesman*, March 29, and in the *Iowa State Register*, March 29, 1870.

ED WRIGHT, *Secretary of State.*

CHAPTER 41.

ABOLISHING THE GENERAL TERM COURT.

MARCH 30. AN ACT to Repeal Sections 16, 17, 18, 19, 20, 21, 22, and 24 of Chapter 86 of the Acts of the Twelfth General Assembly, and Providing for Appeals from the District and Circuit Courts to the Supreme Court, and fixing Times of holding Courts.

1868 : ch. 86.

Sections provid-
ing for general
term repealed.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That sections 16, 17, 18, 19, 20, 21, 22, and 24 of chapter 86 of the acts of the Twelfth General Assembly be, and the same are hereby repealed.

SEC. 2. All appeals from the circuit and district courts shall be to the Supreme Court, and shall be taken in the same manner, under the same rules, and with the same effects as appeals were taken from the district to the Supreme Court before the passage of chapter 86, laws of the Twelfth General Assembly: *Provided*, That appeals from the circuit court and from the district court shall be taken within six months from the rendition and entry of the judgment or order appealed from, and not after, and the provisions of sections 2631 and 2632 of the Revision of 1860, and all other provisions of the laws of this State, now in force, in anywise affecting or regulating appeals from the district court, shall apply in like manner and with like effect to appeals from the circuit to the Supreme Court, subject to the provisions of this act: *Provided further*, And when the time for appeal from the district or circuit courts to the general term, as provided by chapter 86 of the acts of the Twelfth General Assembly, has expired, before the taking effect of this act, and no appeal has been perfected, that the right of appeal is not revived by this act, and no appeal shall lie.

Appeals to Supreme Court.

When to be taken

Rev., §§2631-32.

Right of appeal not revived.

SEC. 3. The district judge of each judicial district shall, on or before the first day of December, A. D. 1871, and every alternate year thereafter, designate, by an order made under his hand, the times for holding the terms of each circuit court in his district for the two years ensuing, which order shall be filed with the clerk of the circuit court in each county in each judicial district.

District judge to designate times of holding. Circuit Court.

SEC. 4. All appeals pending or taken to the general term at and before the passage of this act, and which remain undisposed of, shall be deemed pending in the Supreme Court without further notice, and the clerk of [the] district court having charge of such records shall immediately certify the same to the Supreme Court, and the Clerk of the Supreme Court shall docket the same as though the appeal had been taken directly to the Supreme Court; and in all cases wherein the judges of either court have reserved their decisions, under section 22 of chapter 86, acts of the Twelfth General Assembly, and said general term court has not yet acted thereon, the said causes shall be returned to the court in which said causes have originated; but in such cases, where appeals have been taken to the Supreme Court after the general term court had rendered a decision thereon, then the Supreme Court shall hear and determine the same with the same force and effect as provided in chapter 86 aforesaid.

Appeals transferred.

Cases where judges have reserved decision returned to inferior court;

where decision had been rendered and appeals taken, Supreme Court to hear.

SEC. 5. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Daily State Register and The Daily Des Moines Statesman, newspapers published in the city of Des Moines, Iowa.

Approved, March 30, 1870.

I hereby certify that the foregoing act was published in *The Daily Des Moines Statesman*, March 31, and in the *Daily Iowa State Register*, April 1, 1870.

ED WRIGHT, *Secretary of State.*

CHAPTER 42.

ARGUMENT TERM AT DUBUQUE.

MARCH 30. AN ACT Allowing the Counties of Hamilton, Franklin, and Wright to have their Causes heard at the Argument Term of the Supreme Court held at Dubuque.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the counties of Hamilton, Franklin, and Wright are hereby authorized and allowed to take all their cases to the argument term of the Supreme Court to be held at the city of Dubuque in the months of April and October in each year, as now provided by chapter 27, of the acts of the Twelfth General Assembly.

Hamilton, Franklin, and Wright counties may take appeals to Dubuque term of Supreme Court.
1868; ch. 27.

SEC. 2. This act shall take effect and be in force from and after its publication in the Iowa State Register and The Hamilton Freeman.

Taking effect.

Approved, March 30, 1870.

I hereby certify that the foregoing Act was published in the *Iowa State Register*, April 1, and in *The Hamilton Freeman*, April 6, 1870.

ED WRIGHT, *Secretary of State.*