

CHAPTER 43.

COLLECTION OF JUDGMENTS AGAINST CIVIL CORPORATIONS.

AN ACT to Amend Section 3275 of the Revision of 1860, as to the MARCH 30.
Duties of certain Treasurers.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That to section 3275, of the Revision of 1860, there be added the following words: "And when a tax has been so levied, and the same, or any part thereof, has been collected, the treasurer shall on demand, without a warrant from the clerk of the board of supervisors, pay the the same to the creditor, or his attorney, taking a receipt therefor, and if not demanded, may pay the same to the clerk of the court where the judgment was rendered, taking his receipt therefor." Rev., §3275.

Treasurers of counties may pay certain moneys on judgments without warrant.

SEC. 2. All acts, or parts of acts, inconsistent with this, are hereby repealed. Repeal.

SEC. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the *Des Moines Daily Bulletin* and *Daily Statesman*, newspapers published at Des Moines, Iowa. Taking effect.

Approved, March 30, 1870.

I hereby certify that the foregoing Act was published in the *Des Moines Daily Bulletin*, March 31, and in *Daily Des Moines Statesman*, March 31, 1870.

ED WRIGHT, *Secretary of State.*

CHAPTER 44.

COMMISSIONERS IN OTHER STATES, AND IN THIS STATE.

AN ACT Providing for the Appointment of Commissioners in other States, and to Regulate the Powers of Commissioners of other States in this State. MARCH 30.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the Governor may appoint and commission, in each of the United States and Territories, one or more Commissioners, to continue in office for the term of three years from the date of commission, unless Governor may appoint.

Powers of commissioners. such appointment shall be sooner revoked by the Governor; such commissioners, when qualified as hereinafter provided, shall be empowered to administer oaths, take depositions and affidavits to be used in the courts of this State, and to take acknowledgments or proof of deeds and other instruments to be recorded and used in this State.

Effect of official acts. SEC. 2. Oaths administered by any such commissioner, affidavits and depositions taken by him, and acknowledgments as aforesaid certified by him over his official signature and seal, are made as effectual in law to all intents and purposes, as if done and certified by a clerk of the district court or justice of the peace of this State.

Qualification; before whom. SEC. 3. Before such commissioner can perform any of the duties of his office, he is required to take and subscribe an oath, that he will support the constitution of the United States, and the constitution of the State of Iowa, and that he will faithfully perform the duties of such office, which oath shall be taken and subscribed before some judge or clerk of a court of record in the State in which the commissioner is to exercise his appointment, and certified under the hand of the person taking it, and the seal of his court—or by a duly authorized commissioner for Iowa, resident in said State, which certificate shall be filed in the office of Secretary of State of this State, and on which shall be the official signature and a clear impression of the official seal of such commissioner.

Description of seal. SEC. 4. Each commissioner, exercising the authority conferred upon him by this act, shall have an official seal, on which shall be engraved the words "COMMISSIONER FOR IOWA," with his surname at length, and at least the initials of his christian name; also the name of the State in which he has been commissioned to act, which seal must be so engraved as to make a clear impression on wax or wafer.

Effect of signature and seal. SEC. 5. A signature and impression of such seal of any commissioner, qualified as herein provided, and corresponding with that on file in the office of the Secretary of State, shall be entitled to the same credit as evidence, in the courts and public offices of this State, as the signature and seal of a clerk of the district court or notary public of this State.

Fees. SEC. 6. Such commissioner is authorized to demand for his services the same fees as may be allowed for similar services, by the laws of the State in which he is to exercise his office.

SEC. 7. All persons who have heretofore been appointed and commissioned as commissioners in other States and territories, pursuant to the provisions of any previous laws

of the territory or State of Iowa, and whose commissions were issued prior to the fourth day of July, A. D. 1867, shall continue to hold such offices until the fourth day of July, A. D. 1870, at which time all of said appointments shall be considered as revoked; and all appointments made since the fourth day of July, A. D. 1867, shall continue in force for the term of three years from and after the date of commission.

Commissioners appointed before July 4, 1867, to hold office till July 4, 1870;

others to hold for three years.

SEC. 8. The Secretary of State, upon the reception of the certificate as provided in section three of this act, shall examine the same, and if this act has been strictly complied with, it shall be his duty to forward to said commissioner a certificate, properly attested, that he has been duly commissioned as a commissioner for Iowa; and that he is duly qualified as required by the laws of Iowa, authorizing the appointment of commissioners in other States; and it shall be the further duty of the Secretary of State to forward a duplicate of said certificate to the Secretary of State in which said commissioner may have been appointed.

Duty of Secretary of State.

Certificate to commissioner and duplicate to Secretary of other State.

SEC. 9. The Secretary of State shall, within twenty days after the taking effect of this act, send a copy thereof by mail, to each and every person that has ever held a commission as commissioner for Iowa; which notice shall be addressed to the place of residence of each commissioner as shown by the certificates of qualification on file in his office.

Secretary to notify present commissioners.

SEC. 10. The Secretary of State shall, on or before the 10th day of July, 1870, send to the Secretary of State of each of the States and territories, a complete list of persons in their respective States, or territories, who are properly qualified as commissioners for Iowa, which list shall show the date of expiration of each commission, and request that a similar list of appointments for said State be furnished the State of Iowa.

List to other States.

Request for similar list from other States.

SEC. 11. The Secretary of State shall cause to be published with the session laws of the Thirteenth General Assembly, and of each subsequent General Assembly, a full and complete list of all commissioners for Iowa, who are duly qualified, and whose commissions do not expire on or before the 4th day of July, of the year in which such publication is made which list shall give the post-office address, date of qualification, and date of expiration of the commission of each commissioner.

List of commissioners to be published with laws.

SEC. 12. Commissioners of the like nature, appointed in this State, under the authority of any other of the United States or territories, are hereby invested with the

Powers of commissioners of other States.

authority of a justice of the peace, to issue subpoenas requiring the attendance of witnesses before them, to give their testimony by deposition or affidavit in any matter in which such deposition or affidavit may be taken by the law of such other State, and they are also authorized to administer oaths in any matter in relation to which they are required or permitted by such law of the other State; and false swearing in such cases is hereby made subject to the penal laws of this State, relating to perjury: *provided*, that such commissioner shall cause to be filed in the office of Secretary of State, a certificate of the Secretary of the State or territory for which he claims to act, that he is properly appointed and qualified as required by the laws of said State, and has in his possession a certificate that this section has been complied with.

Perjury.

Such commis-
sioners to file cer-
tificate of qualifi-
cation.Secretary of State
to keep record;
to collect fees.

SEC. 13. The Secretary of State shall keep in his office a complete record of all appointments made by the Governor, pursuant to the provisions of this act, and shall be authorized to collect, as fees, the sum of three dollars for each commission, and the amount now allowed by law for certificates.

Repealed: Rev.,
ch. 15; and acts
1864: ch. 119.

SEC. 14. Sections 188, 189, 190, 191, 192, 193, and 194 of the Revision of 1860, and chapter 119, of the [acts of the] Tenth General Assembly, be and the same are hereby repealed.

Taking effect.

SEC. 15. 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 Iowa Homestead, newspapers published in Des Moines, Iowa.

Approved, March 30th, 1870.

I hereby certify that the foregoing act was published in the *Daily Iowa State Register*, April 1, and *The Iowa Homestead*, April 15, 1870.

ED WRIGHT, *Secretary of State.*

CHAPTER 45.

PUBLIC LIBRARIES IN CITIES.

MARCH 30.

AN ACT to Authorize Cities to receive Donations of Ground and Library Buildings, and to maintain Free Public Libraries and Reading-Rooms.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That it shall be lawful for the city council of any city of the first or second class, in this