

him after the expiration of his notarial commission, being from the 12th day of February, 1868, to the first day of October of the same year, are hereby legalized and made as valid as if the said acts had been done before the expiration of said commission. Official acts, after expiration of commission, legalized.

SEC. 2. This act to take effect from and after its publication in the Newton Free Press and the Jasper County Republican, without expense to the State.* Taking effect.

Approved, April 6, 1870.

CHAPTER 68.

FEEES OF THE CLERK OF THE DISTRICT COURT.

AN ACT to Amend Article 3, of Chapter 29, of the Revision of 1860. APRIL 6.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That article 3, of chapter 29, of the Revision of 1860, be amended by striking out the words "The clerk shall receive no fees," and insert[ing] therefor the words "The clerk's fees shall be paid from the county treasury." Clerk's fees where State fails to be paid from county treasury.

SEC. 2. This act to take effect, and be in force, from and after its publication in the State Register, and Des Moines Bulletin. Taking effect.

Approved, April 6, 1870.

I hereby certify that the foregoing act was published in the *State Register* and *Des Moines Daily Bulletin*, April 8, 1870.

ED WRIGHT, *Secretary of State.*

CHAPTER 69.

WORKING PRISONERS IN COUNTY JAILS.

AN ACT to Authorize the Working of Persons confined in the Jails of the State, and to Protect Prisoners.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That any able-bodied male person, APRIL 7.

*See Addenda.

Prisoners in jail between 16 & 50, under sentence, may be required to labor.

Court to decide as to hard labor.

Labor may be where.

Sheriff to superintend work when prisoner is confined for violating law.

Marshal to superintend, when.

Officer to prevent escape.

Penalty for attempting to escape, or refusing to labor.

Rev. § 5184.

Proviso.

over the age of sixteen years, and not over the age of fifty years, now or hereafter confined in any jail in this State, under the judgment of any court of record, or of any other tribunal authorized to imprison for the violation of any law, ordinance, by-law, or police regulation, may be required to labor during the whole or part of the time of his sentence, as hereinafter provided, and such court or other tribunal, when passing final judgment of imprisonment, whether for non-payment of fine or otherwise, shall have the power to determine, and shall determine, whether such imprisonment shall be at hard labor or not as contemplated in this bill.

SEC. 2. Such labor may be on the roads, streets, or public highways, on or about public buildings or grounds, or at such other places in the county, where confined, and during such reasonable time of the day, as the person having charge of the prisoners may direct, and not exceeding eight hours per day.

SEC. 3. In the case the sentence be for the violation of any of the statutes of the State, the sheriff of the county where the imprisonment is, shall superintend the performance of the labor authorized by this act, and shall furnish the tools and material, if necessary, to work with at the expense of the county in which the convict is confined, and such county shall be entitled to his earnings.

SEC. 4. When the imprisonment is pursuant to the judgment of any police court, police magistrate, mayor, or other tribunal of any incorporated city or town, for the violation of any ordinance, by-law, or other regulation, the marshal shall superintend the performance of the labor authorized by the provisions of this act, and shall furnish the tools and materials if necessary, at the expense of the city or town requiring the labor, and such city or town shall be entitled to the earnings of its convicts.

SEC. 5. The officer having charge of any convicts, for the purpose specified in this act, may use such means as, and no more than, are necessary to prevent escape, and if any convict attempt to escape, either while going from or returning to the jail, or while at labor, or at any time, or if he refuse to labor, the officer having him in charge, after due inquiry, may, to secure such person, or to cause him to labor, use the means authorized by section 5184 of the Revision of 1860: *Provided*, such punishment shall be inflicted within the jail or jail inclosure: *Provided, further*, that the time spent within the jail inclosure for refusal to work shall not be considered as any part of the time for which the prisoner is sentenced.

SEC. 6. For every day's labor performed by any convict, under the provisions of this act, there shall be credited, on any judgment for fine and costs against him, the sum of one dollar and fifty cents, and no person shall be entitled to the benefits of section 5005 of the Revision of 1860, if, in the opinion of the sheriff, the judgment may be satisfied by the labor of the person as herein authorized.

Prisoners to be credited for labor on fines.

Rev. § 5005.

SEC. 7. That if any officer or other person treat any prisoner in a cruel or inhuman manner, he shall be punished by fine not exceeding one thousand dollars, or by imprisonment in the county jail not exceeding twelve months, or by both such fine and imprisonment.

Cruel treatment punished.

SEC. 8. It shall be the duty of such officer having such prisoner in charge, to preserve the same from insult and annoyance, and communication with others while at labor, and going to and returning from the same, and may use such means as are necessary and proper therefor; and any person persisting in insulting, and annoying, or communicating with any prisoner, after being commanded by such officer to desist, shall be punished by a fine not exceeding ten dollars, or by imprisonment not exceeding three days.

Duty of officer in charge.

Persons insulting or annoying prisoners punished.

Approved, April 7, 1870.

CHAPTER 70.

STATE BANK ACT REPEALED.

AN ACT to Repeal an Act entitled an Act to Incorporate the State Bank of Iowa, and to Enable it to wind up its Affairs. APRIL 7.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That an act entitled, An act to incorporate the State Bank of Iowa, passed March 20, 1858, be and the same is hereby repealed, and the several branches organized under said law are hereby dissolved.

Rev. : ch. 68 repealed.

Branches dissolved.

SEC. 2. The officers of said bank, and of the several branches respectively, shall immediately proceed to redeem the notes and pay the liabilities of the same, and to wind up the affairs of said State Bank, and of the respective branches thereof in the manner provided in the next section.

Officers to wind up bank and branches.

SEC. 3. The officers of said State Bank shall immediately give notice of the winding-up of the affairs of said Bank, and the several branches thereof, by publication in the

Officers to give notice in newspapers.