

management of the same, to commence on the 27th day of April 1875, and to report to him the result of their findings, and

WHEREAS, The committee so appointed did by virtue of commissions issued by the executive aforesaid, of said date, enter upon its duties, in connection with the trustees aforesaid at Eldora, Hardin county, Iowa, closing their labors on the 27th day of August 1875, as a joint committee, and as a special committee in reviewing the evidence and making up the report closing their labors on the 8th day of November, 1875, embracing a period of the number of days hereinafter stated, to each of said commissioners respectively:

William H. Leas, one hundred and eight days; Deborah Cattell, eighty-six days; Augustus C. Dodge, one hundred and six days, and

WHEREAS, Said commissioners have been paid by order of Gov. C. C. Carpenter, under sec. 764, chap. 7, Code of 1873, a per diem of three dollars and no more, for the number of days above stated, therefore

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

SECTION 1. That there be and is hereby appropriated out of <sup>Sums appro-</sup> any money in the state treasury not otherwise appropriated, the <sup>priated.</sup> several sums hereinafter mentioned, viz:

\$216, (two hundred and sixteen dollars) to William H. Leas; \$172, (one hundred and seventy-two dollars) to Deborah Cattell; and \$212, (two hundred and twelve dollars) to Augustus C. Dodge which shall be in full payment for the services of the above named persons under said commissions.

SEC. 2. This act being deemed of immediate importance, shall <sup>To take effect.</sup> take effect and be in force from and after its publication in the Iowa State Register, and Iowa State Leader, newspapers published in Des Moines, Polk county, Iowa.

Approved March 10, 1876.

I hereby certify that the foregoing act was published in the *Iowa State Register*, March 16, and in the *Iowa State Leader* March 18, 1876.

JOSIAH T. YOUNG, *Secretary of State.*

## CHAPTER 74.

### LEGALIZING ACTS OF A CONSTABLE IN TAYLOR COUNTY.

AN ACT to Legalize the acts of R. P. Berry, a Constable of Platte <sup>H. F. 270.</sup> Township, Taylor county, Iowa.

WHEREAS, At the general election in October A. D. 1875, R. <sup>Preamble.</sup> P. Berry, was elected to the office of constable in Platte township, Taylor county, Iowa, and

Bond executed but not recorded.

WHEREAS, His bond was duly executed but was not duly filed and recorded according to law, and

WHEREAS, The said omission occurred through no fault of his, therefore,

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

SECTION 1. That the official acts of the said R. P. Berry as constable aforesaid, are hereby legalized and made valid as if his bond had been filed and recorded according to law, and he is hereby relieved from the liabilities of section 684 of the Code.

Sec. 2. This act shall take effect and be in force from and after its publication in the Iowa State Register, and *Lennox* [Lenox] Time Table, without expense to the state.

To take effect.

Approved March 10, 1876.

I hereby certify that the foregoing act was published in the *Lenox Time Table*, March 18, and in the *Iowa State Register*, April 6, 1876.

JOSIAH T. YOUNG, *Secretary of State.*

## CHAPTER 75.

### TAKING AND CONDEMNING PRIVATE PROPERTY TO USE OF THE STATE.

H. F. 377. AN ACT to Repeal Section 1271 [Chapter 4, Title X: "Taking Private Property for works of Internal Improvement"] of the Code of 1873, and enact a Substitute therefor.

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

[SECTION 1.] That section 1271 of the Code of 1873, be and the same is hereby repealed, and the following enacted in lieu thereof, to-wit:

Code §1271.

How done, and for what purpose.

Sec. 1271. Whenever in the opinion of the governor, the public interest requires the taking of any real estate for the making or construction of any drains, sewers, yards, walls, buildings, or other improvements or conveniences for the use or benefit of the penitentiaries, hospitals for the insane, or any other institution of the state, upon or across lands being private property, the same proceedings may be had in the name of the state as provided in this chapter, and for that purpose the state shall be considered a person, and the proceedings shall be conducted by the district attorney of the district in which the land is situated, whenever directed by the governor, or the governor may appoint some other person for that purpose.

Approved March 10, 1876.