

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 That section 1271 of the Code of 1873, be and the same is hereby repealed, and the following enacted in lieu thereof, to-wit: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