

CHAPTER 93.

LEGALIZING AN ELECTION IN MITCHELL COUNTY.

H. F. 460. AN ACT to Legalize the Election held in Mitchell county, Iowa, on the 12th day of October, A. D. 1875.

Preamble. WHEREAS, At an election held in Mitchell county, Iowa, on the 12th day of October, A. D. 1875, by order of the board of supervisors of said county, as provided by section 310 of the Code, the question, "shall stock be restrained from running at large?" was submitted, and at said election a majority of the legal votes cast were in favor of restraining stock from running at large; and that notice of said election was published in the Mitchell County News, a newspaper published in said county three consecutive weeks, there having been an omission of one week's publication. The board of canvassers duly declared the result of said election to be a law, therefore,

Defective notice.

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

Legalizing clause.

SECTION [1.] That the election held in Mitchell county, Iowa, on October 12th, A. D. 1875, on the question, "shall stock be restrained from running at large?" be and the same is hereby legalized, as are all the acts since done in pursuance of said stock law; and no act so done shall be declared invalid by reason of the failure or omission to give such notices as are provided by law.

To take effect. SEC. 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published at Des Moines, Iowa, and the Mitchell County News, a newspaper published at Osage, Mitchell county, Iowa, without expense to the state.

Approved March 14, 1876.

I hereby certify that the foregoing act was published in the *Mitchell County News*, March 30, and in the *Iowa State Register*, April 5, 1876.

JOSIAH T. YOUNG, *Secretary of State*.

CHAPTER 94.

SOLDIERS' ORPHANS' HOMES.

S. F. 20. AN ACT To Enlarge the Powers of the Trustees of the Soldiers' Orphans' Homes, and Provide for other Indigent Children of the State, and make Provision for Industrial Pursuits therein. [Additional to Code, Chapter 4, Title XI, "Of the Soldiers' Orphans' Homes."]

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

SECTION 1. That the board of trustees of the soldiers' or-

phans' home may receive into the care and privileges of the said home at Davenport, such destitute children as should, in their judgment, properly be admitted into said institution; *provided*, that the destitute children referred to, in this act, shall in all cases, have a legal settlement in this state; and *provided further*, that the soldiers' orphans' now at the other Iowa soldiers' orphans' homes shall be received at this institution and properly provided for before other children shall be received into this institution.

Who may be admitted; not restricted to soldiers' orphans.

Proviso.

SEC. 2. That all applications for the admission of such children shall be made through the board of supervisors of the county, wherein the person or persons to be admitted reside.

Application for admission: how made.

SEC. 3. That all children admitted to the said home under the provisions of this act, shall from and after the date of their reception be subject to all the rules and regulations therein in force; and the trustees of said home shall have all the control over and all the powers and rights of disposal of said children as are now or may be by law given them, in respect to the orphans of soldiers.

Government.

SEC. 4. That the propriety of admitting any child, under the provisions of this act, into the said home, shall be determined by the trustees of said institution. They may refuse to admit any child, who from any cause is deemed to be inadmissible.

Trustees to determine who shall be admitted.

SEC. 5. That payment to the said home, for the support and maintenance of children admitted as herein provided, and expenses of transmission of children to said home, shall be made by the state auditor, at the same time and in the same manner as is now or may be provided by law for the maintenance of soldiers' orphans.

Payment for support.

SEC. 6. The board of supervisors of the county from which such children are received into said home, shall make provisions for the payment, from any funds of the county not otherwise appropriated, for the amounts due monthly for the support of said children, and expenses of their transmission to said home, which amounts shall be paid to the state auditor at the same time that the state taxes are paid.

Board of supervisors shall provide.

SEC. 7. The trustees shall provide for the regular employment of all children received into the home, in some useful industrial pursuit, in order to enable them to support themselves after their discharge from the home, and shall also provide for each child the means of obtaining a common school education while such children remain inmates of the home. And any profits arising from any such labor shall go into the general support of the home, and shall be accounted for by the managers.

Employment.

Education.

SEC. 8. In cases of neglect or refusal of the board of supervisors of any county in the state to make the necessary levy for the support of children sent from said county, then, and in that case, the state board of equalization is hereby authorized and empowered to make the levy for such delinquent county or counties.

In case of refusal of board to make levy.

SEC. 9. *And be it further enacted*, That the soldiers' orphans now at the other state homes, shall be removed to the Davenport home within ninety days after the taking effect of this act.

Removal of orphans from other homes to Davenport.

SEC. 10. Section 1623 of the Code is hereby amended by

Code, §162B
amended.
Board of
trustees.

striking out from the second and third lines thereof, the words "one person from each of the counties in which the said homes are located, and one from the state at large," and by inserting in lieu thereof the words "three persons from the state at large."

Approved March 15, 1876.

CHAPTER 95.

CITIES AND TOWNS.

S. F. 22. AN ACT to Amend Section 500, Chapter 10, Title 4, of the Code.

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

Code, §500.

Loans.

SECTION 1. That section five hundred, of chapter ten, title four, of the Code of Iowa, be amended by striking out the word "three" in the third line of said section, and inserting the word "five"; *provided*, that the provisions of this act shall not apply to cities having over 6,000 inhabitants, or less than 4,500 inhabitants, and in all other cases such loans shall not exceed the sum of three per cent. on such property.

To take effect.

SEC. 2. This *bill* [act] being deemed of immediate importance, shall take effect from and after its publication in the *Iowa State Register*, and *Iowa State Leader*, papers published in Des Moines.

Approved March 15, 1876.

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

JOSIAH T. YOUNG, *Secretary of State.*

CHAPTER 96.

MCGREGOR AND MISSOURI RIVER RAILROAD COMPANY.

S. F. 34, 58½,
and 96.

AN ACT Relating to the Lands heretofore Granted to the McGregor and Missouri River Railroad Company, Resuming said Lands, and Re-granting the same upon new conditions to said Company, and Providing for Forfeiture thereof, and in case of such forfeiture, for the Disposition to be made of said Lands.

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

Falling to
comply with
chap. 58, 12th
G. A.

SECTION 1. That, whereas the McGregor and Sioux City railway company, now known as the McGregor and Missouri River railway company has failed to comply with the conditions and provisions of the acts of the twelfth general assembly of the state of Iowa, approved March 31st, 1868, entitled an act making a grant