

turbors of the peace; to suppress all riots and unlawful assemblies and in other respects to keep the peace in the county wherein he shall have been elected, and also to serve and execute all warrants, writs, precepts and other process to him lawfully directed and in all respects to do and perform all things appertaining to the office of constable within this Territory.

APPROVED, January 24th, 1839.

## CONSTRUCTION OF STATUTES.

AN ACT concerning the Construction of Statutes.

- SEC. 1.** *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That all laws shall be promulgated by being printed and published under the authority of the governor and legislative assembly in such manner as they shall direct. Laws to be printed and published by authority.
- SEC. 2.** All acts of incorporation shall be deemed public acts and as such may be declared on, and given in evidence, without specially pleading the same. Acts of incorporation. Pleadings and evidence.
- SEC. 3.** Every statute shall take effect at the same time throughout the Territory. Statutes to take effect at the same time, throughout the Territory.
- SEC. 4.** Every statute, which does not expressly prescribe the time when it shall go into operation, shall take effect on the thirtieth day next after the day on which it shall have been approved by the governor, or otherwise passed and approved conformably to the provisions of the constitution. And in 30 days after their approval, unless otherwise prescribed.
- SEC. 5.** In the construction of all statutes the following rules shall be observed, unless such construction would be inconsistent with the manifest intent of the legislature, or repugnant to the context of the same statute; that is to say—
- First.* All words and phrases shall be construed and understood according to the connection and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning. Rules for the construction of statutes. Intent of the Legislature. Approved usage. Technical phrases. Construction.
- Second.* Every word importing the singular number only, may extend and be applied to several persons or things as well as to one person or thing, and every Number. Persons.

Things.	word importing the plural number only, may extend and be applied to one person or thing, as well as to several persons or things, and every word importing the masculine gender only, may extend and be applied to females as well as males.
Gender.	
Joint authority.	<i>Third.</i> All words purporting to give a joint authority to three or more public officers, or other persons, shall be construed as giving such authority to a majority of such officers, or other persons unless it shall be otherwise expressly declared in the law giving the authority.
Grantor, how construed.	<i>Fourth.</i> The word "grantor" may be construed as including every person from or by whom, any freehold estate or interest passes in or by any deed, and the word grantee as including every person to whom any such estate, or interest, passes in like manner.
Grantee.	
Highway, how construed.	<i>Fifth.</i> The word "highway" may be construed to include county bridges, and it shall be equivalent to the words "county way," "county road," "common road" and "territorial road."
Inhabitant, who is meant.	<i>Sixth.</i> The word "inhabitant" may be construed to mean a resident in any city or town.
Insane person, who may be included.	<i>Seventh.</i> The words "insane person" shall be construed to include every idiot, non-compos, lunatic and distracted person.
Issue, who it includes.	<i>Eighth.</i> The word "issue," as applied to the descent of estates shall be construed to include all the lawful lineal descendants of the ancestor.
Lands, what is included.	<i>Ninth.</i> The words "land" or "lands," and the words "real estate," shall be construed to include lands, tenements and hereditaments, and all rights thereto, and interest therein.
Month and year, construction of.	<i>Tenth.</i> The word "month" shall be construed to mean a calender month, unless otherwise expressed and the word "year" alone shall be equivalent to the expression "year of our Lord."
Oath and affirmation.	<i>Eleventh.</i> The word "oath" shall be construed to include affirmations in all cases, where, by law, an affirmation may be substituted for an oath; and in like cases the word "sworn" shall be construed to include the word "affirm."
Sworn and affirm.	
Corporations and individuals.	<i>Twelfth.</i> The word "person" may extend and be applied to bodies politic and corporate as well as to individuals.
Seal of court or office.	<i>Thirteenth.</i> In all cases, in which the seal of any court, or public office, shall be required by law to be affixed to any paper issuing from such court, or office, the word "seal" shall be construed to include an
Impression of seal.	

impression of such official seal made upon the paper alone, as well as an impression made by means of a wafer or of wax affixed thereto.

*Fourteenth.* The word "State" when applied to the different parts of the United States shall be construed to extend to, and include the District of Columbia, and the several Territories so called; and the words "United States" shall be construed to include the said District and Territories.

State, United States, District of Columbia, and territories.

*Fifteenth.* The word "town" may be construed to include all cities and districts unless such construction would be repugnant to the provisions of any act specially relating to such cities or districts.

Towns, cities and districts. Exception.

*Sixteenth.* The term "will" shall be construed to include codicils as well as wills.

Will to include codicil.

*Seventeenth.* The words "written" and "in writing" may be construed to include printing, engraving, lithography and any other mode of representing words and letters.

Writing to include printing, engraving, &c.

*Provided, however,* That in all cases where the written signature of any person is required by law it shall be the proper hand writing of such person, or, in case he is unable to write, his proper mark.

Proviso, with regard to signatures.

APPROVED, January 19, 1839.

## COSTS AND FEES.

AN ACT to provide for the Compensation of Judges of Probate.

SEC. 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That the several judges of probate in this Territory, for all services required to be performed by them by the existing laws of this Territory, and not provided for in the "act concerning costs and fees," be allowed the same fees that are allowed to the clerks of the district courts for similar services.

Same fees for certain services as to clerks of district court in like cases.

APPROVED, January 21, 1839.

## COSTS AND FEES.

AN ACT concerning Costs and Fees.

SEC. 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That in all civil cases at law, unless otherwise provided, the party

Costs to follow judgment in all civil cases not