

## TOWN PLATS.

AN ACT to provide for the recording of Town Plats.

- SEC. 1.** *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That when any county commissioners, or other person or persons, wish to lay out a town in this Territory, or an addition, or subdivision of out-lots, said commissioners, or other person or persons, shall cause the same to be surveyed, and a plat, or map, thereof made, by the county surveyor, if any there be in the county in which said town, or addition, is situated, but if there be no county surveyor in the county, then, in that case, by the county surveyor, of an adjacent county, which plat, or map, shall particularly describe, and set forth, all the streets, alleys, commons, or public grounds, and all in and out-lots, or fractional lots, by him surveyed within, adjoining, or adjacent to said town, giving the width, courses, boundaries, and extent, of all such streets and alleys.
- SEC. 2.** All the in-lots, intended for sale, shall be numbered, in progressive numbers, or by the squares, in which they are situated, and their precise length, and width, shall be stated, on said plat or map. Out-lots shall not exceed ten acres, and shall, in like manner, be surveyed and numbered, and their precise length and breadth stated on the plat, or map, together with any streets, alleys, or roads, which shall divide, or border, on the same.
- SEC. 3.** The county commissioners, proprietor, or proprietors of the town, addition, or subdivision of out-lots, by themselves, or agents, shall, at the time of surveying and laying the same, plant and fix, at a corner of the public ground, or at a corner of a public lot, if any there be, and if there be none, then at the corner of some one of the in-lots, in the town, and at the corner of each out-lot, a good and sufficient stone, of such size and dimensions, and in such manner, as the surveyors shall direct, for a corner from which to make future surveys, and the point, or points, where the same may be found, shall be designated on the plat, or map.
- SEC. 4.** The plat, or map, after having been completed, shall be certified by the surveyor, and the county commissioners, and every other person, or persons, whose duty it shall be to comply with the foregoing requisitions, shall, at, or before, the time of offering such plat, or map, for record, acknowl-
- By whom any town, or addition thereto, may be laid out
- By whom surveyed, and what shall be set forth in the map, or plat
- In-lots, how numbered, &c.
- Out-lots, their size, number, & boundaries.
- Corners, marked, how and under whose direction; and to be designated on plat.
- Town plats, to be certified, acknowledged, and recorded.

edge the same, before any person authorized to take the same, a certificate of such acknowledgment shall, by the officer taking the same, be endorsed on the plat, or map, which certificate of the survey and acknowledgment, shall also be recorded, and form a part of the record.

SEC. 5. When the plat, or map, shall have been made out, and certified, acknowledged and recorded, as required by this act, every donation, or grant, to the public, or any individual, or individuals, religious society, or societies, or to any corporation, or bodies politic, marked, or noted, as such, on said map, or plat, shall be deemed in law, and in equity, a sufficient conveyance, to vest the fee simple of all such parcel, or parcels of land, as are therein expressed, and shall be considered, to all intents and purposes, a general warranty against such donor, or donors, grantee or grantees, for his, her, or their use, for the uses and purposes therein named, expressed, and intended to be, for the streets, alleys, ways, commons, or other public uses, in any town, or city, or addition thereto, shall be held, in the corporate name thereof, in trust to, and for, the uses, and purposes, set forth, expressed or intended.

Donations, or grants, made on plats, or maps, of towns, and the binding effect thereof.

SEC. 6. If the county, in which said town, or addition, is situated, shall not be organized, then, and in that case, the plat, or map, shall be recorded in the recorder's office of that county to which the county, in which said town is situated, shall, at the time, be attached for judicial purposes.

Towns, in unorganized counties, where to be recorded.

SEC. 7. If any county commissioners, or other person or persons, whose duty it is to comply with the requisitions of this act, shall neglect, or refuse, so to do, he, or they, shall forfeit and pay the sum of one hundred dollars, for each and every month, he, she, or they, shall delay a compliance.

Forfeiture for violating this act.

SEC. 8. If any county commissioner, or other person, or persons, shall dispose of, offer for sale, or lease, for any time, any out, or in-lots, in any town, or addition to any town, or city, or any part thereof, which shall, hereafter be laid out, until all the foregoing requisitions of this act shall have been complied with, every person so offending, shall forfeit and pay twenty-five dollars, for each and every lot, or part of a lot, sold or disposed of, leased, or offered for sale.

Additional forfeitures, as to the premature sale of lots.

SEC. 9. The county surveyor, who shall survey, lay out, and plat, any town, or addition, shall receive

Compensation of county surveyors.

such compensation as is prescribed by an act defining the duties and compensation of county surveyors.

Suits for forfeitures, &c., how brought; and receipts from treasurer, with whom filed.

SEC. 10. All forfeitures, and liabilities, which may be incurred, or arise, under this act, shall be prosecuted for, and recovered in, the name of the county treasurer, and any officer or officers, paying over any money to the said treasurer, under any of the provisions of this act, shall take his receipt therefor, and forthwith file the said receipt, with the clerk of the board of county commissioners, and the said clerk shall charge the amount of said receipt, in account against said treasurer, on the books of the county commissioners.

APPROVED, January 25, 1839.

## VAGRANTS.

AN ACT concerning Vagrants.

Who may be deemed and considered as vagrants.

SEC. 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa.* That every person, who does, or is suspected to, get his livelihood by gaming, and every able bodied person, who is found loitering, and wandering about, and not having wherewithall to maintain himself, by some visible property, and who doth not betake himself to labor, or some honest calling, to procure a livelihood, and all persons who may become chargeable to the county, and all other idle, vagrants, dissolute persons, rambling about, without any visible means of subsistence, shall be deemed, and considered, as vagrants.

Proceedings against vagrants, before justices of the peace.

SEC. 2. When any such person is found, in any county, any justice of the peace shall, from information, or from his own knowledge, issue his warrant to the sheriff, or constable, to bring such person before him, and if, upon examination, it shall appear to such justice, that he comes within the description of vagrants, agreeably to this act, he shall commit him to the jail of the county, until the next district court, unless he enters into bond, payable to the county treasurer, in the sum of fifty dollars, with sufficient security, or securities, to be adjudged of by the justice, for his appearance before the said court, and to abide the determination thereof; if, upon examination, it appears to the said court, that such person is within the description, and is a minor,

In the district court, where the vagrant is a minor.