

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.

they shall direct the sheriff to bind him to some person of useful trade, or occupation, until he shall arrive at the age of twenty-one years, the said court shall direct the sheriff to hire him out for any term not exceeding nine months: *Provided*, however, That if such person have a wife, or family, within the Territory, he shall be set at liberty, upon his entering into bond, with approved security, payable to the county treasurer, to return to his wife and family, and follow some useful employment for their maintenance and support.

May be bound, or hired out.

Married vagrants, and their bond to return home, &c.

SEC. 3. The money, arising from the hire of any vagrant, shall be applied, by the court, towards the payment of his debts; but if he shall not be indebted, or owe to the amount of his hire, the same, or the balance thereof, shall be paid to such vagrant, at the time his or their service expires, unless he shall have a wife, or children, in which event it shall be applied to their use; when any vagrant shall have entered into a bond and security, as last mentioned to the county treasurer, and the penalty thereof shall become forfeited, the court shall direct an execution to issue thereupon, having first given ten days' notice to the party, or parties, by *scire facias* that such execution will issue against the goods and chattels, lands and tenements of such security, the sheriff shall make distress and collect the amount as on other executions, and the money arising therefrom, shall be applied toward lessening the county tax.

Vagrant's hire, how disposed of.

Forfeiture of vagrant's bond, and proceedings against his securities.

Money how applied.

SEC. 4. All the justices of the peace, within their respective districts, shall see that this act is executed, and all the sheriffs, and constables, within the several counties, shall give information, to such justices, of all vagrants that may be, within their knowledge, in their respective districts, and grand jurors, employed for any county, shall make presentment of all such persons, within the county, as they may suspect to be vagrants, agreeably to this act, and, upon such presentment, the court shall direct some justice of the peace to issue his warrant, to bring such suspected persons before him, and, if upon examination, it appears, that they come within the description of vagrants, the same steps shall be taken against them, as heretofore directed to be taken against vagrants.

Duties of all justices of the peace, sheriffs, constables and grand jurors, as to vagrants, or persons suspected of vagrancy.

APPROVED, January 24, 1839.