

commissioners in and for the county of Linn, be and they are hereby authorized and required to lay off the county aforesaid into three county commissioners' districts, prior to the first day of August, A. D. eighteen hundred and forty-one, making the division as nearly as possible in proportion to the population of said county; and the [20] districts shall be classified by said commissioners as districts number one, number two, and number three.

**SEC. 2. Election of commissioners—commissioners to be elected from each district alternately.** That at the next general election there shall be elected from district number one one county commissioner; and alternately thereafter there shall be elected from each district one county commissioner annually, in accordance with the provisions of an act organizing a board of county commissioners in each county in this Territory, approved December 14, A. D. eighteen hundred and thirty-eight, in like manner as though the county had been divided under the provisions of said act.

Approved December 31, 1840.

## CHAPTER 26.

AN ACT providing for the service of writs by copy in certain cases.

*Be it enacted by the Council and House of Representatives of the Territory of Iowa:*

**SECTION 1. Writs may be served by reading and delivering copy.** That all writs of summons, issuing from any court of record in this Territory, shall be served by reading and delivering a copy thereof, attested by the officer serving the same, to the defendant, if found; and if not found, by leaving an attested copy at his dwelling house or usual place of abode, with some person of the family of fifteen years of age, and stating the contents to said person.

**SEC. 2. Suits against corporations, how summons to be served.** That in all suits against any corporation, the summons shall be served by leaving an attested copy thereof with the clerk, cashier, secretary, agent, or any other officer having charge of their business; and if there be no such officer found within the county the summons may be served on any member of the corporation.

**SEC. 3. Suits against county commissioners.** That in all suits against the board of commissioners of any county, or against the inhabitants of any county in this Territory, the summons shall be served by leaving an attested copy thereof with one of the commissioners, or with the clerk of the board of county commissioners.

Approved December 31, 1840.

## [21] CHAPTER 27.

AN ACT supplemental to an act regulating practice in the district courts.

*Be it enacted by the Council and House of Representatives of the Territory of Iowa:*

**SECTION 1. Of actions of tort—plaintiff not to recover more costs than damages.** That in all actions of tort brought originally in any of the District Courts of this Territory, if the plaintiff or plaintiffs recover less than fifty dollars, such plaintiff or plaintiffs shall recover no more costs than damages.