

infirmities. That when any person has been, or shall hereafter be received into any poor house, as a pauper, on account of any infirmity or disease, the directors of such poor house may, when in their opinion such person is so far restored to health and bodily strength, as to be able to support himself or herself, direct the superintendent of such poor house, to discharge such person therefrom.

SEC. 12. Provision for non-resident paupers not in a condition to return home. That if any paupers shall be in a situation, that will not admit of their removal to the poor house, or to their proper residence, the directors of the poor house shall have power to provide for the maintenance and support of such paupers, out of the county treasury, in the same manner as if such paupers were in the poor house, until their condition will admit of their removal to the poor house, or to their proper residence.

SEC. 13. Power of commissioners to levy a tax when the ordinary revenue proves insufficient. That the county commissioners be, and they are hereby authorized and empowered, in case the ordinary revenue of the county shall prove insufficient for the support of the poor, to levy and collect a poor tax, not exceeding one mill on the dollar, of the valuation of the property taxable for county and territorial purposes, to be entered on the grand list and collected as other taxes.

SEC. 14. Allowance to directors. That the county commissioners may allow the directors for their services, such sum as they may deem reasonable, not exceeding one dollar and fifty cents per day, for every day necessarily employed in the duties of their appointment, to be paid out of the county treasury, on the order of said commissioners.

Approved, February 17, 1842.

[86] CHAPTER 94.

AN ACT to amend an act, subjecting real and personal estate to execution.

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

SECTION 1. When real estate shall be levied upon by virtue of an execution—certificate of sheriff to purchaser or plaintiff—deed to purchaser in case of nonredemption. That whenever any real estate, shall be levied upon, by virtue of an execution, issued upon any judgment, order or decree obtained in any court of record, either at law or in equity, the same shall be sold for the best price the same will bring at public auction, and the sheriff shall give to the purchaser thereof, or to the plaintiff in execution, if the same was bid off by him, a certificate, stating the price for which the same was sold, the day of the said sale, and that in fifteen calendar months, from that date, the purchaser, or plaintiff in execution, will be entitled to a deed to said land, unless the same shall be redeemed as hereinafter provided.

SEC. 2. Possession of defendants—right of creditors to redeem—duty of the sheriff if the land shall not be redeemed. That the defendant in execution, shall remain in possession of said land so sold, during the said fifteen months; that said defendant, his executors or administrators, shall have the right to redeem said land, at any time before the expiration of twelve calendar months, from the said day of sale; and any person who may be a judgment creditor of said defendant at the expiration of said twelve months, may within three calendar months thereafter, redeem said real estate, by paying to the plaintiff in execution, or to the sheriff for his use, the amount for which the said land

sold, with ten per cent. added thereto, and if the said land shall not be redeemed as aforesaid, it shall be the duty of the sheriff to make to the purchaser, or plaintiff in execution, a deed which shall operate as a conveyance of all the right, title and interest of said defendant in execution, to said real estate, and shall be prima facia evidence of the regularity of the sheriff's proceedings.

Approved, February 17, 1842.

CHAPTER 95.

AN ACT regulating the keeping of stallions and jacks.

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

SECTION 1. Exclusion of stallions and jacks from the limits of any town or village. That it shall not be lawful for any person to keep or let to mares, any stallion or jack, within the limits of any town or village in this territory, or within two hundred yards thereof, unless such person shall provide an inclosure so arranged as to obstruct the view from all the inhabitants in the town and vicinity as aforesaid; any person so offending, shall on conviction thereof, be fined not less than one nor more than five dollars, for every such offence, which fine shall be collected on complaint to any justice of the county where the offence may be committed.

Approved, February 17, 1842.

[87] CHAPTER 96.

AN ACT to provide for receiving the proportion of money to which Iowa will be entitled under the distribution law.

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

SECTION 1. Treasurer of the territory to receive distribution. That the treasurer of the territory be and he is hereby authorized, to receive from the proper authorities of the United States, all sums of money to which said territory may be entitled under the provisions of the act of congress, of the fourth of September 1841, entitled "an act to appropriate the proceeds of the sales of the public lands," etc.

SEC. 2. Subject to appropriation by assembly. And the said treasurer is hereby required to keep all sums of money received as aforesaid, subject to appropriations hereafter to be made by the legislative assembly.

Approved, February 17, 1842.