

SEC. 3. This act not to interfere with commander-in-chief. This act shall in no way interfere with the authority of the commander-in-chief, or any other officer, in calling out the militia, or any portion thereof, whenever, in their opinion, the public safety may require it.

SEC. 4. Adjutant general, his compensation. The adjutant general shall receive for his services one hundred dollars per annum.

Approved, 15th February, 1844.

CHAPTER 32.

SHERIFFS' DEEDS.

AN ACT to authorize sheriffs to make and execute deeds for land sold on execution under the redemption law.

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

SECTION 1. Sheriff required to make deeds for land sold under the execution laws, repealed by the act which took effect 20th February, 1843; provided said land shall not have been redeemed. That the sheriffs of each and every organized county in this territory be and they are hereby authorized and required to make and execute a good and sufficient deed to the purchaser of any real estate at sheriff's sale, under the law subjecting real and personal estate to execution, repealed by an act of the legislative assembly which took effect the 20th day of February, 1843: provided, said real estate shall not have been redeemed in accordance with said redemption law: and provided further, that the sale of said real estate shall have been in strict accordance with said redemption law.

SEC. 2. Upon return of certificate sheriff to make deed. That any person holding a sheriff's certificate for land sold by virtue of the last mentioned law, (the same not having been redeemed,) may present the same to the proper sheriff in the county where such real estate is situated; and the said sheriff shall thereupon make out and deliver a deed to the holder of said certificate, in accordance with the law under which the same was sold, the same as though said law had never been repealed.

SEC. 3. Sheriffs and coroners required to make deeds in certain cases. The sheriffs and coroners, as the case may be of the several counties in this territory, be and they are hereby authorized and required to make and execute good and sufficient deeds to the purchasers of any real estate at sheriff's or coroner's sale, under the law [56] subjecting real and personal estate to execution now in force in this territory.

SEC. 4. Time of taking effect. This act shall be in force from and after its passage.

Approved, 15th February, 1844.

CHAPTER 33.

SHERIFFS.

AN ACT amendatory of the several acts regulating the election and duties of sheriffs.

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

SECTION 1. Time of election. That an election for sheriff shall take place on the first Monday in August next, and on the same day every second year thereafter.

SEC. 2. Limitation of terms. That from and after the passage of this act no person shall be eligible to the office of sheriff for more than two successive terms in six years.

SEC. 3. Vacancy, how filled. That if a vacancy shall happen in the office of sheriff between general elections, by death, resignation or otherwise, such vacancy shall be filled by special election; and the clerk of the county commissioners' court, on being informed of such vacancy, shall order an election and give notice of the same as in case of special elections.

SEC. 4. Repealing clause. That so much of the acts to which this is an amendment as is inconsistent with the provisions of this act are hereby repealed.

SEC. 5. Time of taking effect. This act shall take effect from and after its passage.

Approved, 15th February, 1844.

CHAPTER 34.

MILITIA.

AN ACT to amend the militia law so as to form a fourth division.

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

SECTION 1. Certain counties to form fourth division. That the counties of Davis, Appanoose, [57] Wapello, Kiskekosh, Keokuk, Mahaska, and Poweshiek, shall form the fourth division of the militia of this territory.

SEC. 2. Counties forming first and second brigades. That said division shall be divided into brigades as follows, to wit: the counties of Davis, Appanoose, Wapello and Kiskekosh shall form the first brigade, and the counties of Keokuk, Mahaska and Poweshiek, shall form the second brigade.

SEC. 3. Time of taking effect. This act to take effect and be in force from and after its passage.

Approved, 15th February, 1844.

CHAPTER 35.

CORONERS.

AN ACT to amend an act entitled, "An act relative to coroners and their duties," approved December 23, 1839.

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

SECTION 1. In case of absence or disability of coroner to serve process, clerk to appoint some suitable person. That whenever there shall be a vacancy in the office of coroner, in any county in this territory, or whenever any coroner shall be absent, or from any cause unable to serve process, properly directed to him, it shall be lawful for the clerk of the proper district to appoint some suitable person to serve the same, in like manner as he is authorized to do by the provisions of the fourth section of the act to which this is an amendment, in all cases where there is no coroner.

Approved, 15th February, 1844.