

tained shall be so construed as to prevent the destruction of notices after the expiration of the time for which the same have been given.

Approved, 28th May, 1845.

[22] CHAPTER 5.

PUBLIC REVENUE.

AN ACT to amend an act entitled "An act to provide for assessing and collecting public revenue," approved February 15, 1844.

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

SECTION 1. One assessor to be elected in each county, on first Monday of August—to hold office one year. That there shall be elected on the first Monday of August in each year, by the qualified voters in each county in this territory, one county assessor who shall hold his office for the term of one year from the day of his election, and until his successor is duly elected and qualified, and shall perform all the duties that are or may hereafter be required of him by law.

SEC. 2. To give bond to county commissioners in \$300. Such assessor, before entering upon the duties of his office shall give bond, with two or more securities, to the acceptance of the board of county commissioners, in the penal sum of three hundred dollars, payable to said commissioners, for the use of the county, and conditioned for the faithful and impartial performance of his duties according to law, which bond shall be deposited with the clerk of the board of county commissioners and by him preserved.

SEC. 3. Office vacant if he does not give bond in twenty days after election. If any assessor shall not give bond and security as required in the preceding section, within twenty days after his election, his office shall be considered vacant.

SEC. 4. In case of vacancy, county commissioners to appoint. In all cases where the office of assessor shall become vacant by death, removal from the county, resignation, failure to give bond, or from any other cause, and the interest of the county requires that such vacancy shall be filled before the next annual election, the county commissioners shall forthwith appoint some suitable person in the county to fill the vacancy.

SEC. 5. Person appointed to give bond. The person so appointed shall give bond as required in the second section, and hold his office until the next annual election, and until his successor is elected and qualified.

[23]**SEC. 6. To begin to assess property in May.** The assessor shall, on the first day of May, or within three days thereafter, proceed to assess all the real and personal property within his county, subject to taxation, according to the provisions of the act to which this is amendatory.

SEC. 7. May appoint deputy if necessary—deputy to be approved by commissioners. That whenever any assessor elected or appointed as aforesaid, shall deem it necessary, he may appoint a deputy assessor, to be approved of by the board of county commissioners, who shall take an oath before the clerk of such board, for the faithful performance of his duties, and for whose acts the assessor shall be responsible.

SEC. 8. County treasurer to collect county tax that has been omitted by assessor. It shall be the duty of the treasurer of each county to assess a tax for county purposes at the rate established by the board of county com-

missioners on all real and personal estate that has been omitted by the assessor, whenever he shall ascertain that any property has been so omitted, and at the time he makes settlement with the board of county commissioners, he shall make and verify by affidavit, a list of property by him so assessed, and the taxes collected thereon.

SEC. 9. **Certain sections of the act amended, repealed.** The first, second, third, fourth, fifth and twentieth sections of the act to which this is amendatory, be, and the same are, hereby repealed.

Approved, 28th May, 1845.

CHAPTER 6.

PARTITION OF REAL PROPERTY.

AN ACT to amend an act entitled "An act to provide for the partition of real property."

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

SECTION 1. **Ninth section of said act amended so as to require notice to be printed for six weeks—proviso requires six months notice in half breed lands.** That the ninth section of an act entitled "An act to provide for the partition of real property;" approved January 4th, 1839, be so amended as to read as follows:—"the publication of such notice in each week for six weeks successively, in some newspaper printed most conveniently to the place where the court is held, shall be considered in all respects equivalent to a personal service aforesaid: provided, that in case there shall hereafter be a re-partition of the Half Breed tract of lands in the county of Lee, the parties petitioning for [24] the same shall, and are hereby required, to give six months notice of such petition for partition of said lands, in some newspaper published in the county."

SEC. 2. **Repeals contravening portions of said ninth section.** That so much of the ninth section aforesaid as contravenes the provisions of this act, be, and the same is hereby repealed.

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

Approved, 29th May, 1845.

CHAPTER 7.

TERRITORIAL AGENT.

AN ACT to abolish the office of Territorial Agent.

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

SECTION 1. **Office abolished—duties devolve upon territorial treasurer.** That the office of territorial agent be, and the same is, hereby, abolished; and that the territorial treasurer be, and he is, hereby, required to exercise all powers, and discharge all duties now required by law, of the territorial agent.