

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 **Certain sections of the act amended, repealed.** The first, second, third, fourth, fifth and twentieth sections of the act to which this is amendatory, be, and the same are, hereby repealed.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That so much of the ninth section aforesaid as contravenes the provisions of this act, be, and the same is hereby repealed.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.

SEC. 2. Agent to deliver over books, &c., immediately. That the territorial agent shall immediately after the taking effect of this law, deliver over to the territorial treasurer all books, papers, moneys and effects of whatsoever nature, belonging to, or in any wise appertaining to said office of territorial agent.

SEC. 3. Salary to treasurer for performing duties of agent, \$125—to be paid by territory. And be it further enacted, that the territorial treasurer, for the duties required under this act, shall receive the sum of one hundred and twenty-five dollars, as a compensation for his services: provided, that such annual compensation by this act allowed, shall be paid only from the territorial fund for the erection of public buildings at Iowa City, without any pledge of the general faith of the territory.

SEC. 4. Takes effect after passage. This act shall take effect and be in force from and after its passage.

Approved, 29th May, 1845.

[25] CHAPTER 8.

PAYMENT OF EXPENSES OF CONVENTION.

AN ACT to provide for the payment of the expenses of the convention which assembled in Iowa City on the first Monday of October, A. D. 1844, to frame a constitution for the future state of Iowa.

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

SECTION 1. Auditor to audit, and issue warrants for all just accounts of convention. That the auditor of public accounts be, and he is hereby authorized and required to audit, allow and issue warrants upon the treasury of this territory, for the payment of all just accounts that may be presented regularly certified by the president and secretary of the convention convened in Iowa City, on the first Monday of October, A. D. 1844, for the formation of a constitution for the future state of Iowa.

SEC. 2. Takes effect after passage. This act to take effect and be in force from and after its passage.

Approved, 3d June, 1845.

CHAPTER 9.

SUPREME COURT PRACTICE.

AN ACT to amend an act entitled "An act defining the jurisdiction of the supreme court, and regulating the practice therein," approved 8th February, 1844.

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

SECTION 1. No writ of error issued to order of district court pending trial, shall stay proceedings. That no writ of error issued to any order of the district court, wherein such order shall be made during the progress of any