

CHAPTER 15.

ATTACHMENTS.

AN ACT to amend an act entitled "An act allowing and regulating writs of attachment" approved, February 16th, 1843.

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

SECTION 1. Affidavit of plaintiff and what it must contain. That the following shall hereafter be the requisites to be alleged in the affidavit for a writ of attachment.

First—The affidavit must state, that something is due from the defendant to the plaintiff, and as nearly as practicable the exact amount.

Second—It must state, that as deponent verily believes the said defendant is a non-resident of the territory—or, that he is in some manner about to dispose of, or remove his property, with intent to defraud his creditors, or that he has disposed, or removed his property with intent [15] to defraud his creditors, or that he has absconded, so that the ordinary process cannot be served upon him.

SEC. 2. Substitution of requisites in former act. That the above requisites shall be substituted for the 1st and 2d class of requisites in the 1st section of the act to which this act is amendatory, and the 1st and 2d class of said requisites are hereby repealed.

SEC. 3. Damages for unlawfully suing out. In any trial on an attachment bond, the jury may assess in favor of the plaintiff any damages he may have sustained by reason of the unlawful suing out of such writ of attachment, and may find exemplary damages.

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

Approved, January 17th, 1846.

CHAPTER 16.

LEGISLATURE.

AN ACT to repeal an act entitled "An act to postpone the election of the members of the house of representatives of the territory of Iowa, from August until April."

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

SECTION 1. Repeal of act of June 7, 1845. That an act entitled an act to postpone the election of the members of the house of representatives of the territory of Iowa from August until April, approved, June 7, 1845, be and the same is hereby repealed.

SEC. 2. General elections on first Monday in August. The election for members of the house of representatives shall hereafter be held at the time specified in the act entitled an act to change the time of holding the general elections, approved 29th January, 1844.

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

Approved, January 17th, 1846.