

SEC. 2. Duty of commissioners. Said commissioners shall in all other respects be governed by an act to provide for laying out and opening territorial roads, approved, January 17th, 1840.

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

Approved, January 14th, 1846.

[61] CHAPTER 64.

WILLIAM AND RACHEL EVANS.

AN ACT to divorce William H. Evans from his wife Rachel Evans.

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

SECTION 1. Evans and wife divorced. That William H. Evans, of the county of Davis, be divorced from his wife Rachel Evans.

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

Become a law, January 14th, 1846.

CHAPTER 65.

BLOOMINGTON.

AN ACT to amend an act entitled "An act to incorporate the town of Bloomington," approved, January 23d, 1839.

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

SECTION 1. Recorder not entitled to a vote. That the recorder of said town of Bloomington, shall not have a vote in any question before the president and trustees of said town of Bloomington, and shall exercise no other privileges than those expressly granted in the act to which this is amendatory.

SEC. 2. Mode of selling lots for taxes. That when it shall be necessary to sell real estate, in said town for non payment of taxes, the collector shall give four weeks notice of such sale, by posting on the court house door of said town, a list of the property to be sold, the time when, and the place where the same is to be sold; and the collector shall proceed to sell such real estate, to any bidder who will pay the taxes and costs thereon, for the least quantity of such real estate, to be taken off of the westerly side of such real estate.

[62] **SEC. 3. Collector to execute deeds.** That the collector shall execute to such purchaser, a deed to such real estate so purchased, which deed shall be prima facie evidence of the regularity of the proceedings, and in no case shall the title of the purchaser of such real estate be impeached, in a court of law or equity, unless the person impeaching the title, shall have tendered to such purchaser the amount for which such real estate was sold, and the interest due thereon, at the rate of fifty per centum per annum; provided, that nothing contained in this act, shall be so construed, as to effect the claim of the territory or county on real estate for taxes.

SEC. 4. Owner may redeem. The owner of any real estate, so sold, may redeem the same, at any time within two years after such sale, by paying to such purchaser, the sum for which such real estate was sold, and fifty per cent. per annum, together with the costs of sale, or by paying the same and costs with the interest, to the recorder for the use of such purchaser.

SEC. 5. Taxes for 1844-5. That the collector shall proceed to collect the taxes assessed for said town, for the year A. D. 1844, unpaid, in the same manner as the taxes are collected for the year A. D. 1845; and if it shall be necessary to sell real estate for the collection of taxes assessed for the year 1844, and for the year 1845, the collector shall collect the same in the manner prescribed by this act.

SEC. 6. Sales heretofore made. That the provisions of the third section of this act, shall be applied to all sales of real estate heretofore made in said town, for non payment of taxes; and if any such real estate shall not have been redeemed, the collector shall proceed to execute deeds to the purchasers or their assigns.

SEC. 7. Deeds to be acknowledged. All deeds executed by the collector, shall be executed and acknowledged by him, according to the law regulating conveyances, in his name, as collector of taxes for said town.

Approved, January 14th, 1846.

[63] CHAPTER 66.

CLAYTON COUNTY.

AN ACT to authorize Eliphalet Price, judge of probate in the county of Clayton, or his successor in office, to transcribe the records of said court.

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

SECTION 1. Price to transcribe probate records. That Eliphalet Price, judge of the probate court, in and for the county of Clayton, (or his successor in office) be and he is hereby authorized and required, to furnish for the use of said court, a good, sufficient, and well bound book, in which he shall make a true and faithful record of the proceedings of said court; and it is hereby made his duty to faithfully and truly transcribe and record in said book, all acts, doings, and proceedings of his predecessor in office.

SEC. 2. Shall be presented to commissioners. That as soon as he shall have performed the duties enjoined upon him by this act, he shall as soon as convenient, present and lay before the board of commissioners of said county, the record, together with all the papers he has transcribed, whose duty it shall be to examine the record and compare it with the papers so transcribed, and if said commissioners shall find the same to be correct and according to law, they shall immediately issue to said judge of probate, a certificate under the seal of said board, stating the same to be correct and according to law; which certificate the said judge of probate shall record in his office.

SEC. 3. Compensation for transcribing. That the board of commissioners in said county, shall allow the said judge of probate for said book and services, such reasonable sum as they shall deem right, to be paid out of the treasury of said county.

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

Approved, January 14th, 1844.