

at or near Mrs. Fesler's in Johnson county, running south under the bluff until it passes Benjamin W. Coe's house on the west; thence on a southerly direction until intersecting the road running from McClure's mill on English river, to Columbus city in Louisa county.

**SEC. 2. When to meet.** Said commissioners, or a majority of them, shall meet at the house of Mrs. Fesler's on the first Monday in April next, or within sixty days thereafter, and proceed to lay out and establish said road agreeably to the laws now in force on that subject.

**SEC. 3. Employ a surveyor—compensation.** That said commissioners shall take to their assistance a surveyor, two chain carriers and one marker, and proceed to their respective duties, and shall receive such compensation, and in such manner, as approved by law.

**SEC. 4. Take effect.** This act to take effect from and after its passage.

Approved, Dec. 27, 1848.

## CHAPTER 17.

### STATE PRINTER.

AN ACT to create the office of state printer, to provide for his election, to define his duties, and to establish the prices of public printing.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Office of state printer established.** That there is hereby established an office to be called the office of state printer.

**SEC. 2. When elected—term of office.** That a state printer shall be elected at the present session of the general assembly, by a joint vote of the two houses thereof, [39] who shall hold his office for the term of two years, and until his successor shall be elected and qualified.

**SEC. 3. Certificate of election—give bond.** That the president of the senate and the speaker of the house of representatives, shall, without delay, furnish to the person elected to the office of state printer, a certificate of his election, and within ten days after receiving the same, he shall give bond and security, and he shall take the oath of office, and enter upon the discharge of his duties at such time as is hereinafter provided for, and if he fail to do so, his office shall become vacant.

**SEC. 4. Bond to be given to the state—penalty—conditions—approved and filed.** That the bond of the state printer shall be given to the state of Iowa, shall be signed by at least three good securities, shall be in the penalty of five thousand dollars, shall be conditioned for the faithful and punctual performance of all the duties of his office, and shall be approved by the governor and secretary of state, and shall be filed in the office of secretary of state, to be by him recorded.

**SEC. 5. Enter upon duties.** That the state printer to be elected at the present session of the general assembly, shall enter upon the duties of his office, on the first day of May next; and state printers thereafter elected, shall hold office for the term of two years, and until their successors shall be elected and qualified.

**SEC. 6. Vacancy, the governor to appoint.** That if the office of state printer shall become vacant from death, resignation, or otherwise, the governor shall appoint a public printer, who shall give bond and qualify, and shall hold

his office for the same time that the person in whose stead he shall be appointed, would have held.

**SEC. 7. Office held at the seat of government—duties.** That the state printer shall hold his office at the seat of government, and shall print the laws, the journals of the two houses of the general assembly, the incidental printing thereof, and all forms and blanks that may be required to supply the offices of governor, secretary of state, auditor and treasurer, and superintendent of public instruction.

**SEC. 8. Materials to be used in printing.** That the laws, journals, and all other printing in book forms, shall be executed in small pica type, on pages to contain not less than fifteen hundred ems, and shall be printed on strong and fair paper of good quality, and the head notes and indexes, printed by the state printer, shall be in brevier type.

**SEC. 9. State printing to be executed neatly, etc.** That all the state printing shall be done in a neat, substantial, and workmanlike manner, and shall be promptly performed and delivered, so that the public business shall not be delayed, nor the public interest permitted to suffer from any failure to have the work done in a reasonable and proper time.

**SEC. 10. Fees of state printer—no charge allowed for constructive services.** That the state printer shall receive for his services the [40] following prices to-wit: For printing laws, journals, documents, and all other book or pamphlet work, 75 cents per thousand ems for composition, and double prices for rule and figure work; per token of an 8 page form for press work, 75 cents, and 87 cents per token, of an 8 page form, for paper; for folding, stitching, pressing, and binding the session laws and journals of the general assembly, in strong paper covers, 10 cents per copy; for printing, folding, stitching, and binding any larger volumes which are ordered to be bound in board or leather covers, such prices as may hereafter be fixed by law; for bills ordered to be printed by either house of the general assembly, 75 cents per thousand ems for composition, 75 cents per token for press work, and 87 cents per token for paper, the same to be printed on foolscap paper, in pica type, the lines numbered, beginning with the figure one (1) at the commencement of each section, with a space between lines not exceeding the size of pica; for printing blanks for the state officers hereinbefore mentioned, two dollars for the first quire, and 90 cents for each additional quire, and no charge shall be allowed for unnecessary blank paper or constructive services of any kind.

**SEC. 11. Secretary of state to examine work and give receipt therefor.** That it shall be the duty of the secretary of state, upon the completion of the printing of the laws and journals as aforesaid, to examine whether they have been properly executed according to the provisions of this act, and should they be thus executed, he shall give his receipt therefor, stating the same, together with the amount to which the printer is entitled for said work, and if not so executed, he may nevertheless, receive the same and give his receipt therefor, noting said deficiency in said receipt.

**SEC. 12. Auditor of state to issue warrant—duty when deficiency noted.** That the auditor of state, on the production of the aforesaid receipt of the secretary of state, shall issue his warrant on the state treasurer for the amount therein stated, and should there be a deficiency noted on said receipt, he is hereby required to order suit to be commenced immediately against the printer and his securities, on the bond hereinbefore provided for, and report the proceedings therein in his next report to the general assembly.

**SEC. 13. Accounts of state printer to be examined—auditor to draw warrant upon treasurer.** That the accounts of the state printer, for bills and all other job work done for each house of the general assembly, shall be carefully and strictly examined by a committee, and so much as is justly due to him

shall be certified to the auditor of state by the presiding officer of the house for which the work shall have been done, and thereupon the auditor shall draw his warrant upon the state treasurer, in favor of the public printer, for the amount thus certified.

**SEC. 14. Secretary to furnish copies of all laws, etc.—state printer to print the laws within fifty days—secretary to furnish index—proviso.** That the secretary of state shall furnish to the state printer, within ten days after the adjournment of the general assembly, at each [41] session, a copy of all acts, memorials, and joint resolutions, passed at each; and the state printer shall, within fifty days after such copy shall have been furnished to him as aforesaid, print all copies that may be by law required, and the secretary of state shall, within five days after the same are printed, make out and deliver to the public printer an index to the same, who shall, within thirty days, print the same and deliver to the secretary of state such copies of the laws, bound in such manner as is hereinbefore provided for: *provided*, that the time herein provided for printing laws shall not apply to the printing of any revised code of laws hereafter adopted by the general assembly.

**SEC. 15. Accounts to be audited.** That all other accounts for work done for the state by the state printer in pursuance of law, the payment for which is not hereinbefore provided for, shall be presented and allowed in the same manner as is provided for in the eleventh and twelfth sections of this act.

**SEC. 16. Secretary may issue certificate before the work is completed.** That at any time during the progress of the printing of the laws or journals of the general assembly, the secretary of state may issue his certificate for one-half the value of the work done and performed according to the requisitions of this act, to be ascertained by said secretary, and the amount so certified shall be audited and allowed as is provided in the twelfth section of this act.

**SEC. 17. Prices to govern the printing of the present session.** That the same price herein established shall be paid for the printing of the laws of the present session.

**SEC. 18. Repealing section.** That all acts and parts of acts contravening the provisions of this act, be and the same are hereby repealed.

**SEC. 19. Take effect.** That this act shall take effect and be in force from and after its publication in any two papers in this state by order of the secretary of state.

Approved, Dec. 29, 1848.

Published in the Reporter and Iowa Republican, January 3d, 1849.

## CHAPTER 18.

### HALF BREED LANDS.

**AN ACT** amendatory of an act entitled "an act to provide for the better settling and adjudicating of the several titles set up to the "Half Breed" lands in Lee county."

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Actions of right—duty of court.** That in all actions of ejectment or right, instituted under the act of [42] which this is amendatory, it shall be the duty of the court, before whom said action or actions shall be tried, to permit the defendant or defendants in such action or actions, to raise, on the trial of the same before the jury, the question of fraud in the inception, procurement, or execution of the title adduced by the plaintiff, or plaintiffs, in