

[148] CHAPTER 121.

DEAF, DUMB, AND BLIND.

AN ACT to provide for the instruction of the deaf, dumb, and blind.

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

SECTION 1. Board of county commissioners to certify number of deaf and dumb, etc. That upon satisfactory evidence being adduced to the board of commissioners of any county in this state, that there is a deaf, dumb or blind person or persons, between the ages of ten and twenty-five years, residing in said county, it shall be the duty of said board to cause the clerk thereof to certify that fact together with the names and ages of such deaf and dumb or blind persons, and the names of their parents or guardians, to the superintendent of public instruction.

SEC. 2. Superintendent to certify to auditor—auditor to draw warrant. The superintendent of public instruction is hereby authorized upon the receipt of such certificate, and the application of such person, parent, or guardian of any deaf and dumb or blind person, to certify that fact to the auditor of state, who shall draw his warrant upon the treasury for the sum of fifty dollars each year, in favor of such person or guardian, to be applied to the education of said deaf and dumb or blind person.

SEC. 3. Not to receive more than \$100. No one of the beneficiaries provided for in this act shall be entitled to draw from the state treasury more than the sum of one hundred dollars.

SEC. 4. Amount may be drawn. A sum not exceeding five hundred dollars may be annually drawn from the state treasury for the education of the deaf and dumb, and a sum not exceeding two hundred and fifty dollars may be annually drawn from the state treasury for the education of the blind, to be appropriated agreeably to the provisions of this act.

SEC. 5. Superintendent of public instruction to report to legislature. The superintendent of public instruction shall report to the general assembly, at every regular session thereof, the number of deaf and dumb and blind persons in whose favor money has been drawn from the treasury, under the provisions of this act, and the amount which has been drawn.

SEC. 6. This act shall take effect after its publication by authority.

Approved, January 15, 1849.

[149] CHAPTER 122.

ATTACHMENT.

AN ACT to amend "an act allowing and regulating writs of attachment."

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

SECTION 1. Proceedings when property taken by attachment is claimed by a third party. That in all suits now pending, or that may hereafter be commenced in any of the courts of this state, where a writ of attachment has been or may hereafter be issued upon which property is seized by the officer

sueing the same, the defendant or defendants in said suit whose property is taken on said writ may give a written notice to the officer who has sued said writ, or who is in possession of the same. that he denies the courses set forth in the affidavit upon which said writ issued, and desires that the same may be tried by a jury; it shall be the duty of the officer upon receiving such notice to deliver the same to some justice of the peace in said county, together with a copy of the cause set forth in the affidavit of the plaintiff upon which said writ issued, upon the delivery of said notice and copy of the affidavit as aforesaid, the justice shall proceed to notify the parties and summon a jury, and proceed to try said issue in the same manner as the trial of the right of property is now had.

SEC. 2. Cause may be continued. That for good cause the justice may continue said cause in the same manner as other causes.

SEC. 3. Take effect. This act to take effect and be in force from and after its publication.

Approved, Jan. 15, 1849.

CHAPTER 123.

SCHOOL FUND.

AN ACT supplemental to the act of February 25th, 1847, entitled "An act to provide for the management and disposition of the school fund."

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

SECTION 1. Commissioners appointed to select lands granted to Iowa. That John M. Whitaker, of the county of Van Buren, William H. Morrison, of the county of Dubuque, and Robert Brown, of the county [150] of Jefferson, are hereby appointed agents to select the remainder of the five hundred thousand acres of land granted to the state of Iowa, upon the admission of said state into the Union, under the 8th section of the act of congress of September 4th, 1841. entitled "An act to appropriate the proceeds of the sales of the public lands and to grant pre-emption rights:" *provided*, the said Whitaker shall confine the selections made by him to the Fairfield land district, said Morrison to the Dubuque land district, and the said Brown to the Iowa City land district.

SEC. 2. Agents to take oath. Said agents shall take and subscribe an oath before some clerk of the district court in this state, for the faithful discharge of the duties required of them by this act, and shall file an authenticated copy of the same with the register of each land office in this state.

SEC. 3. Agents to select land in accordance with instructions of commissioner of land office. They shall then proceed to select the land in accordance with the instructions of the commissioner of the general land office of August 6th, 1847, and to report the same to the register of the land office in whose land district the selection is made.

SEC. 4. Compensation. They shall each be allowed the sum of three dollars for every day they may be necessarily employed in the discharge of their duties, and shall present their respective accounts, verified by oath, to the auditor of state, who shall audit and allow the same, and shall draw a war-