

CHAPTER 164.

APPROPRIATION FOR E. W. STIER.

AN ACT Appropriating Two Hundred and Fifty Dollars (\$250), for the payment of E. W. Stier, of his Claim for Subsistence Furnished the Militia of Iowa Under the Border Defense Act of 1862. H. F. 56.

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

SECTION 1. That the sum of two hundred and fifty dollars (\$250) be, and the same is hereby appropriated, out of any funds in the state treasury not otherwise appropriated, for the payment to E. W. Stier, of his claim for subsistence furnished the militia of Iowa, under the Border Defense Act of 1862: *Provided*, that the said E. W. Stier give his receipt to the treasurer of state for the full payment of all claims upon the State for such subsistence, and all other services in connection therewith. \$250 appropriated.
For subsistence furnished State militia in 1862.

Approved April 12, 1886.

CHAPTER 165.

RELATING TO SALE AND TRANSFER OF GRAIN.

AN ACT regulating the Sale and Transfer of Grain in Elevators and other places of storage. H. F. 19.

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

SECTION 1. That all persons owning and dealing in corn, wheat, oats, rye, barley, and other grain, who may desire to sell, transfer, assign, pledge or hypothecate the same, or any part thereof, by issuing elevator or warehouse receipts, or certificates, are hereby required to file with the recorder of deeds, in the county where any such grain is stored, a written declaration, setting forth the name and residence of such person; that such person designs to own, keep or control a warehouse, elevator, crib, or other place for the storage and keeping of grain, an accurate description of the place and locality where the same is to be kept, owned or controlled, and of the elevator, warehouse, crib, or other place, the dimensions and quality thereof, and the names of any other persons than the one making the declaration, having any interest in the land or structure; such declaration shall be duly acknowledged and filed for record in the same manner as instruments for the conveyance of personal property. Persons dealing in grain required to file with recorder of deeds his declaration.
What it shall contain.

SEC. 2 Any person owning, keeping or controlling any such elevator, warehouse, crib, or other place for the storage of grain, and who has filed the declaration as provided in section I hereof, may execute and issue bills, certificates, or warehouse receipts, How acknowledged and filed.
By compliance with section 1 hereof license is given to deal in grain as herein provided.

for any grain that may actually be in said elevator, warehouse, crib, or other place described in his said declaration, or for any part or quantity thereof, and may hereby sell, convey, assign, transfer, pledge, or encumber said grain, or any part or quantity thereof. But such bill, certificate, or warehouse receipt, shall have written or printed on it a statement that the one issuing it has complied with section 1 hereof, with the book and page in the recorder's office where the same is recorded, the name and address of the party issuing it, and to whom issued, the location and description of the premises and elevator, warehouse, crib, or other place where the grain is stored, the date of issuance, and the quantity of grain and its kind, and shall be signed by the person issuing it; and bills, certificates and receipts issued in the manner and form aforesaid, shall operate and have the effect to transfer the title to the grain described in them, and vest the same in the holder thereof, and the holders thereof may sell, assign, transfer or otherwise dispose of the same in like manner, without the purchaser, assignee, or holder being required to have the same recorded, or give notice to protect himself against existing creditors or subsequent purchasers, as required in other cases where property is left to the possession of the vendor.

Method of transfer of grain.

Persons complying here-with shall keep record of sales and transfers, etc.

Subject to inspection.

For changing or destroying such record.

Penalty.

For issuing receipt on grain fraudulently.

Liable for damages.

Penalty.

SEC. 3. Every person making the declaration and issuing receipts and certificates for grain as herein contemplated, shall keep a regular well bound book, wherein shall be kept and entered, at the date of issuance thereof, a full account of each and every receipt or certificate, with the date of issuance, number, name of person to whom issued, the quantity and kind of grain covered by such; and such book shall be subject to the inspection and examination of each and every person holding any such receipt or certificate, his agent or attorney. Any person wrongfully altering, changing, or wilfully destroying any such book, shall, upon conviction, be fined not exceeding one thousand dollars, or imprisonment in the county jail not exceeding one year; and any person issuing any receipt or certificate, without entering and preserving in such book the required memorandum, shall be fined, upon conviction, not to exceed one hundred dollars for each certificate so issued, and be liable for all damages sustained in consequence of such omission.

SEC. 4. Any person who shall knowingly issue any such receipt or certificate for grain, when the grain described is not actually in the elevator, warehouse, crib, or other place mentioned therein, or shall knowingly, with intent to defraud, issue a second receipt or certificate for grain, for which, or part of which, any former receipt or receipts, certificate or certificates, are outstanding, uncancelled and valid and subsisting, shall, besides being liable for all damages caused by such second issue be guilty of felony, and for each offense be fined not to exceed one thousand dollars, and imprisonment in the penitentiary not exceeding five years.

SEC. 5. Any person owning, possessing, or controlling any elevator, warehouse, crib, or other place for storing grain, as provided in this act, who shall sell or remove, or knowingly permit to be removed therefrom, any grain, for which any receipt or certificate has been issued and is outstanding, held by any other person than the person issuing the same, and any person knowingly receiving, or helping to remove the same, shall be guilty of grand larceny, and punished as provided by statute, and such grain so removed shall be deemed and regarded as stolen property, and may be pursued and recovered, or its value recovered by the owner and holder of said receipt or certificate.

Removal of grain on which receipt is outstanding.

Larceny.

This Bill having remained with the Governor three days (Sunday excepted) the General Assembly being in session has become a law this 13th day of April, 1886.

FRANK D. JACKSON, *Secretary of State*

CHAPTER 166.

RELATING TO CONSTRUCTION OF SEWERS.

AN ACT Supplementary to Chapter 162 of the Acts of the Seventeenth General Assembly, Entitled "An Act to Authorize Cities of the First Class, Containing, According to any Legally Authorized Census or Enumeration, a Population of Over Thirty Thousand, to Provide for the Construction of Sewers. Additional to Code, Chapter 10, Title 4, Concerning Cities and Towns." S. F. 379.

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

SECTION 1. That all cities of the first class containing, according to any legally authorized census or enumeration, a population of over thirty thousand, authorized by Section 1 of Chapter 162, of the Acts of the Seventeenth General Assembly, to provide by ordinance for the construction of sewers shall have the power and be subject to the conditions and requirements hereinafter provided.

Cities of over 30,000 population shall have certain powers.

SEC. 2. In all cases wherein it shall be determined to assess the whole or any part of the cost of any such sewer on the lots adjacent thereto, such determination shall be by resolution of the Council and if part only of the cost is to be assessed the resolution shall fix the proportion thereof to the whole cost and in either case shall also fix the location of the sewer, designating the terminal points and the Council shall, from the freeholders of the corporation appoint three assessors, whose duty it shall be to make, with the assistance of the City Engineer, a careful estimate of the aggregate cost so to be assessed and to

Assessment of cost of sewers, how determined.

Location of sewer.

Council shall appoint three assessors.