

CHAPTER 30.

ADDITIONAL JUSTICES OF THE PEACE.

S. F. 301. AN ACT relating to certain additional justices of the peace and constables, legalizing their official acts, and the official acts of canvassing boards with reference thereto. (Sec. 590, Code).

Justices and constables provided by Code.

WHEREAS Section 590 of the Code of Iowa provides for the election of two justices of the peace and two constables in each township, and Section 592 provides that one or two additional justices of the peace, and one or two additional constables may be elected in each township if the trustees so direct by posting up notices of the same at least ten days before election, and

Notice given but once.

WHEREAS, by many township trustees, and others, the so giving of notice of the election of such additional officers has been construed to mean that such notice was required only for the first election of such additional justices of the peace and constables, and not for any subsequent election of such additional officers, and

Officers acting where no notice was given.

WHEREAS there have been and are now throughout the State, many acting additional justices of the peace and constables; in townships where no such notice as required by said Section 592 was given, and where such additional officers were declared elected, and duly qualified in their said offices, and acted therein, and many such are still so acting therein, as such additional justices of the peace and constables, wherein the rights and remedies of the people have been affected and involved, and—

Doubts as to legality of official acts.

WHEREAS doubts have arisen as to the legality of the “official” acts of such additional justices of the peace and constables, so elected and qualified and as to the legality of the election and official title of such additional justices of the peace and constables who are still acting as such, therefore:

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

Acts of canvassing boards.

SECTION 1. That the acts of the several county and township canvassing boards within the state in canvassing the votes cast for additional justices of the peace and additional constables, and in declaring the results in said cases wherein there had been no previous notice as provided for in Section 592 of the Code be and the same are legalized and given the same force and validity as if the provisions of law in reference to previous notice had all been fully and strictly complied with in

Acts of officers while acting legalized.

each particular instances; and the official acts of all persons who qualified and acted in an official capacity as additional justices of the peace or additional constables in pursuance of the declaration of the canvassing board as hereinbefore alleged are hereby legalized and given the same force and validity as if the provisions of law in reference to previous notice had all been strictly complied with at the time of the election.

SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines Iowa. Publication.

Approved April 17, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 22, and *Des Moines Leader* April 23, 1890.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 31.

DRAWING MONEY FROM STATE TREASURY.

AN ACT Relating to the drawing of monies (moneys) from the State Treasury. H. F. 306.

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

SECTION 1. That all monies (moneys) now appropriated or that may hereafter be appropriated by general law or by special or general act of the Legislature shall be drawn in accordance with the act making such appropriation, provided that in no case shall such monies (moneys) or any portion thereof be drawn before the same is needed for use within thirty days from the date of the requisition. Money must be drawn in accordance with act.

SEC. 2. The treasurer of the several state institutions shall draw the whole or any part of any special or extraordinary appropriation for their respective institutions in accordance with the act making such appropriation provided that in no case shall the whole or any part of such appropriation be drawn until such sum or sums shall be needed for use within thirty days from the date of the requisition for the purpose of which said appropriation was made. State institutions governed.

SEC. 3. Any treasurer of any state institution having drawn or that may hereafter draw from the state treasury a larger sum of money than is needed for use within thirty days from the date of the requisition for the purpose for which such appropriation was made shall forthwith refund such sum or sums to the state treasury. Overdrafts to be refunded.