

CHAPTER 62.

CITY OF KEOSAUQUA.

AN ACT to incorporate the city of Keosauqua.

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

SECTION 1. Boundaries — incorporation — powers — government — officers. That all that part or tract of land recorded by James [143] Hall and Company, in the office of the recorder of deeds for Van Buren county, as the town of Keosauqua, the north-west quarter of section thirty-six, in township number sixty-nine north, of range ten west, of the fifth principal meridian, and also all territory lying in section thirty-five, in said township and range as lies east of the following line: commencing at a point where the section between sections thirty-five and thirty-six crosses the south-western boundary of said town of Keosauqua as surveyed by William D. McBride; thence north $32\frac{1}{4}$ " west, to a stone, making the boundary of said town of Keosauqua, and placed on the southern line of the north-east quarter of said section thirty-five; thence due north to a point on the northern line of said north-east quarter of said section thirty-five, forty rods west of the north-east corner of said section; thence east to said north-east corner of said section thirty-five, shall be and is hereby declared to be a city by the name and style of the City of Keosauqua, and the inhabitants thereof are hereby created a body corporate and politic, with perpetual succession, by the name and style of the City of Keosauqua, and as such by that name, shall be capable in law of contracting and being contracted with, of suing and being sued, pleading and being impleaded, answering and being answered unto, in all courts and places, in all matters whatsoever, and also of purchasing, using, occupying and conveying real, personal and mixed estate, and may have and use a corporate seal, and may change, alter and amend the same at pleasure, and shall be competent to have, exercise and enjoy, all the rights, immunities, powers and privileges, and be subject to all duties and obligations incumbent upon and appertaining to a municipal corporation; and for the better ordering and governing said city, the exercise of the corporation powers of the same hereby and herein granted, and the administration of its fiscal, prudential and municipal concerns, with the conduct, direction and government thereof, shall be vested in a mayor and aldermen consisting of seven members, to be denominated the city council, together with such other officers as are hereinafter mentioned and provided for.

SEC. 2. Vested rights of city. That the said city of Keosauqua shall be, and hereby [144] is invested, as the lawful owner and proprietor, with all the real, personal and mixed estate, and all the rights and privileges thereof, together with all the property, funds and revenues, and all monies, debts, accounts and demands due and owing or in any wise belonging to said city, or which by or under the authority of any former act or acts have been acquired, vested in, or is, or may be owing or belonging to the city of Keosauqua, together with all rights, interests, claims and demands in favor of or against said city, may be continued, prosecuted, defended and collected, in the same manner as though this act had never been passed.

SEC. 3. Election of city officers—city council—judges—term—journal—meet and take oath of office. That the qualified electors of said city shall, on the first Monday in April, anno domini, eighteen hundred and fifty-one and annually on the same day thereafter, elect a mayor, who shall have resided in said city one year, and the qualified electors shall at the same time elect six aldermen, who shall have resided in said city one year; and the

mayor and the aldermen so elected, when assembled together and duly organized, shall constitute the city council, a majority of whom shall be necessary to constitute a quorum for the transaction of business. They shall be the judges of the election returns and qualifications of their own members, and shall continue in office for the term of one year, and until their successors shall be chosen and qualified. They shall determine the rules of their proceedings and keep a journal thereof, which shall be open to the inspection and examination of every citizen, and may compel the attendance of absent members in such manner and under such penalties as they may prescribe, and they shall meet at some convenient place in said city on the second Monday in April, and after taking the oaths of office before some officer qualified to administer oaths; shall elect from their own body a president *pro tempore*.

SEC. 4. Recorder—assessor, marshal, collector, etc.—duties—fees—security. The city council, when convened on the second Monday in April, shall proceed to elect a recorder, who shall attend all meetings of the said council, and keep a record of all their proceedings; shall keep the corporate seal, and perform such other duties as the said council shall ordain and prescribe; they shall also appoint an assessor, a marshal [145] and collector, and treasurer of the said city, and such other subordinate officers as they shall think necessary and proper. The city council shall define the duties of the several officers appointed or elected by said council, subject to the provisions of this act; shall fix the nature and amount of compensation for their services, and shall require such security as they shall deem proper for the faithful discharge of their several offices.

SEC. 5. Proclamation for election—returns—record of election—vacancies by failure to elect—notice to officers elect—failing to qualify office vacated—judges and clerks. That in all elections for city officers, it shall be the duty of the mayor to issue a proclamation to the qualified voters of said city, setting forth the time of such elections, the place or places where the same shall be holden, the officer and officers to be chosen, and cause such proclamation to be posted up in three of the most public places in said city, at least ten days previous to such election. And every such election shall be opened between the hours of eight and ten o'clock in the forenoon, and continue open until four o'clock in the afternoon, and shall in all things be conducted agreeably to the laws regulating township elections for the time being, and it shall be the duty of the judges of said elections within two days thereafter, to make and direct the returns thereof to the mayor of said city, at his office, in the same manner that election returns are required to be made by the township trustees for the time being: provided, that in all the elections for mayor the returns shall be made and directed to the president *pro tempore* of the city council, and the mayor or president *pro tempore* of the city council, as the case may be, shall within five days after such election, open the returns which shall have been made as aforesaid, and shall make an abstract of all the votes and file the same with the city recorder, who shall make a record thereof in a book to be kept by him for that purpose, and the person or persons having the highest number of votes shall be declared duly elected; but if from any cause the qualified voters or any of the respective wards, as the case may be, should fail to effect any election at the time and in the manner herein provided, the mayor shall forthwith issue his proclamation for a second or other election, which in all things shall be notified, conducted, regulated, and the returns thereof made in and by this [146] act is prescribed, and the person or persons who shall be chosen at any such second or other election shall hold their offices until the next ensuing annual election, and until their successor or successors in office shall be elected and qualified; and it shall be the duty of the mayor or president

pro tempore of the city council immediately to notify such person or persons who may be elected as aforesaid, of his or their election, by causing a written notice thereof to be served upon him or them by the city marshal; and every person so chosen or elected as aforesaid, shall within ten days after his election, cause himself to be qualified to enter upon the duties of his office, and in default thereof, the office to which he shall have been elected, shall be deemed and considered in law to be vacated; and it shall be the duty of the city council to prescribe the time and manner, and provide the place or places, of holding all elections in said city for city officers, and of making the returns thereof not herein otherwise directed, and prescribed; and the said city council shall appoint judges and clerk for all city elections.

SEC. 6. Qualification of voters—voter challenged to take oath. That each and every white male citizen above the age of twenty-one years who shall have been a resident in said city six months immediately preceding any election for city officers, shall be deemed a qualified voter of said city, and shall be entitled to vote in the same or in the ward where he may reside for mayor, aldermen and such other officers as are in and by this act directed to be chosen by the qualified voters of said city, or of their respective wards therein, and all others which by public ordinance may be required to be chosen or elected; and when any person shall present himself to give his vote, and either of the judges shall suspect that such person does not possess the requisite qualifications of an elector who has previously given his vote at such election, the judge of said election shall tender to such person an oath or affirmation in the following form to wit: I, A. B. do solemnly swear or affirm (as the case may be) that I am a citizen of the United States, and that I have been a resident of this city six months immediately preceding the election; am a resident of this ward, if wards have been established, and to the best of my knowledge and belief have attained the age [147] of twenty-one years, and that I have not voted at this election.

SEC. 7. Member of council ineligible. That no member of the city council shall be eligible to any office within the gift of the city council during the year for which he may have been elected, nor shall any member of the city council be interested directly or indirectly, in the profit of any contract or job for work or services to be performed for the city.

SEC. 8. Mayor, his powers, etc.—appeal—conservator of peace—fees. That the mayor of the city of Keosauqua, who shall be elected by the provisions of this act, shall be, and is hereby invested with all the powers now granted by law to justices of the peace within this state, for the purpose of hearing, trying and determining all offences committed against the ordinances of said city, and shall have jurisdiction within said corporation over all subjects, civil and criminal, as is now or hereafter may be conferred by law upon justices of the peace within this state; and the same right of appeal or writ of certiorari from the judgment of said mayor in civil cases, shall be allowed as is now or hereafter may be authorized by law from the judgment of justices of the peace within this state; and the said mayor shall also be a conservator of the peace within the limits of said city. That the said mayor shall, as near as may be, conform to, and be governed by, the several acts in relation to justices of the peace now in force and which have heretofore been passed by the council and house of representatives of the territory, and by the general assembly of the state of Iowa. That the said mayor shall be allowed such fees for his services as are now or that hereafter may be allowed by law to justices of the peace for like services.

SEC. 9. Sign laws—preside—casting vote. That the mayor shall sign all by-laws and ordinances adopted and passed by the city council, and see that the same are published six days before they go into effect. He shall preside when present at the meetings of the city council and be denominated

president of the same, and when there is a tie, shall give the casting vote; he shall do and perform such other duties as the city council may prescribe and determine, not inconsistent with the provisions of the charter.

SEC. 10. Official oath—bond—fees—fine for neglect of duty—recorder's duty. That the recorder, marshal and collector, and treas- [148] urer, and all other officers under the government of said city shall, before entering upon the duties of their several offices, take an oath or affirmation to support the constitution of the United States, and of this state, and faithfully and impartially to perform the several duties of their offices, to which they may have been respectively elected or appointed, and when required shall give such bond to the city, with good and sufficient security, in such sum or sums, and with such conditions thereto, as the city council may from time to time direct; and in all cases not herein provided for, shall respectively be allowed and receive such fees and compensation for their services, and be liable to such fines, penalties and forfeitures, for negligence, carelessness, misconduct in office, and positive violation of duty, as the said city council shall order and determine. And it shall be the duty of said recorder to keep the seal of said city and all the records, papers and official documents thereunto belonging; he shall keep fair books wherein shall be kept the accounts of the city, attest all orders issued by the city council for payment of money, and enter the same in numerical order in a book to be kept for that purpose, and shall perform such other duties as shall be required of him by ordinance.

SEC. 11. Time and place of meeting of council—subordinate officers—powers and duties. That the city council shall provide for the times and places of holding their meetings not herein otherwise provided for, which shall at all times be open to the public. They shall provide by ordinance for the election by the qualified voters of said city, of such other city officers whose election is not herein otherwise provided for, as shall be necessary for the good government of said city, and the due exercise of its corporate powers, and which shall have been provided for by ordinance; and all city officers whose term of service is not prescribed and whose powers and duties are not defined in and by this act, shall perform such duties, exercise such powers, and continue in office for such term of time, not exceeding one year, as shall be prescribed by ordinance.

SEC. 12. Council to fill vacancies—pro tem. That whenever the office of mayor, councilman, treasurer, marshal, recorder or any other office in and by this act specified and provided for, shall become vacant by death, resignation, removal from the city or otherwise, it shall be [149] the duty of the city council, as soon as may be, to appoint some suitable person having the requisite qualifications to fill such vacancy, and the person so appointed shall continue in office during the remainder of the term for which his predecessor was elected, and in case of sickness or temporary absence of the mayor, the duties of his office during such sickness or temporary absence, shall be discharged by the president pro tempore who shall be obeyed and respected accordingly.

SEC. 13. Powers and duties of city council—fire, and violation of peace—gaming—ordinance. That the said city council shall have power, and it is hereby made their duty, to make and publish from time to time, all such ordinances as shall be necessary to secure said city and the inhabitants thereof, against injuries by fire, thieves, robbers, burglars and all other persons violating the public peace; for the suppression of gambling and riots, and indecent and disorderly conduct; for the punishment of all lewd and lascivious behavior in the streets and other public places in said city. They shall have power, from time to time to make and publish all such laws and ordinances as to them shall seem necessary to provide for the safety—preserve the health--

promote the prosperity, and improve the morals, order, comfort and convenience of said city, and the inhabitants thereof; to impose fines, forfeitures and penalties on all persons offending against the laws and ordinances of said city, and provide for the prosecution, recovery and collection thereof, and shall have power to regulate by ordinance the keeping and sale of gunpowder within the city.

SEC. 14. Fire companies—landings, wharfage, etc. That the city council shall have power to establish and organize fire companies, and provide them with proper engines and such other instruments as shall be necessary to extinguish fire and preserve the property of the inhabitants of said city from conflagration, and they shall have power to establish and constitute landing places, wharves, docks and basins, in said city, at or on any of the city property, and fix the rates of landing, wharfage and dockage of all steamboats, boats, rafts and other water crafts, and of all goods, wares, merchandise, produce and other articles that may be moored at, landed on, or taken from any landing, wharf, dock or basin belonging to said city.

[150] **SEC. 15. Council may prohibit building other than brick or stone.** That for the purpose of more effectually securing said city from the destructive ravages of fire, the said city council shall have power and authority, on the application of three-fourths of the whole number of owners and proprietors of any square or fractional square in said city, to prohibit in the most effectual manner, the erection of any building or an addition to any building before erected, more than ten feet high in such square or fractional square, except the outer walls thereof shall be composed entirely of brick or stone and mortar, and to provide for the most prompt removal of any building, or addition to any building, which may be erected contrary to the true intent and meaning of this section.

SEC. 16. Council may regulate taverns, groceries, etc.—may license or refuse—revoke. That the city council shall have power, and it is hereby made their duty, to regulate by good and wholesome laws and ordinances, all taverns, ale, beer, cider and porter shops, and places where spirituous or vinous liquors are sold in less quantities than one gallon, and all other houses of public entertainment in said city: all theatrical exhibitions and public shows, and all exhibitions of whatever name and nature, where admission is obtained on payment of money or any other reward. And the city council shall have full and exclusive power to grant or refuse license to tavern keepers, inn-holders, retailers of spirituous liquors by less quantities than one gallon, keepers of all porter, cider, beer houses and shops, and all other houses of public entertainment, showmen, keepers and managers of theatrical exhibitions, sale of goods, wares, merchandise, horses and other animals at public auction; keepers of billiard tables, ball and ten pin alleys, keepers of ferries and bridges, from said city, across the Des Moines river to the opposite shore; to exact, demand and receive such sum or sums of money as they shall think reasonable and expedient, to annex thereto such terms and conditions in regard to time and place, and other circumstances under which such license shall be acted upon, as in their opinion the peace, quiet, and good order of society and said city may require. And for the violation of said terms and conditions as aforesaid, the city council shall have power to revoke or suspend any such license whenever the good order [151] and welfare of said city may require it, in such manner as shall be provided for by ordinance.

SEC. 17. Nuisances—may sell lot—redemption. That the city council shall have power, and they are hereby authorized to require and compel the abatement and removal of all nuisances within the limits of said city under such regulations as shall be prescribed by ordinance, to cause the ground therein, where water shall at any time become stagnant, to be raised, filled

up, or drained, and cause all putrid substances of either animal or vegetable, to be removed; and to effect these objects the said city council may from time [to time] give orders to proprietor or proprietors, or to his, her or their agent or agents and to the non-resident proprietors who shall have no agents therein, notice by publication in one or more of the newspapers printed in said city for the period of two weeks, of all or any ground subject at any time to be covered with stagnant water, to fill up, raise or drain such ground at their own expense, and the said city council shall designate how high such grounds shall be filled up and raised or in what manner they shall be drained and fix some reasonable time for filling up, raising or draining the same, and if such proprietor or proprietors, or agents shall neglect or refuse to fill up or drain such grounds in such manner and within such time as the said city council shall have designated and fixed, they shall cause the same to be done at the expense of the city and assess the amount of the expenses thereof, on the lot, or lots of ground so filled up, raised or drained as aforesaid and place the assessment so made as aforesaid in the hands of the city collector, who shall proceed to collect the same by the sale of such lot or lots, if not otherwise paid, in such manner and under such restrictions and regulations as may be prescribed by ordinance; provided, the proprietor or proprietors shall have the privilege and right to redeem such lot or lots within one year after such sale by paying to the purchaser or purchasers the amount by them paid, together with twenty-five per cent. interest thereon.

SEC. 18. Supervisors—prohibit animals from running at large—drays, etc. That the said city council shall have the exclusive power of appointing supervisors and other officers of streets and highways within the said city, and if collected in money [152] or labor any sum not exceeding one dollar annually as a road tax, from each and every person liable by law to pay such tax or labor, on the highways. They shall have power whenever the public convenience or safety shall require it, to prohibit hogs, cattle, horses and all animals from running at large in the streets, lanes, alleys, commons and other public places in said city, they shall have power to license and regulate all carts, wagons and drays and every description of two and four wheeled carriages which may be kept in said city for hire, and all livery stables, brokers and loan offices.

SEC. 19. Schools. That said city council shall have power whenever they deem it expedient, to provide for the establishment and support of public schools within said city; and to pass all ordinances necessary and proper for the good government of the same.

SEC. 20. Finances—publish receipts and expenditures. That all money raised, recovered, received or collected by means of any tax, license, penalty, fine, forfeiture, or otherwise made under the authority of this act, or which may belong to said city, shall be paid into the city treasury and shall not be drawn therefrom except by order or under the authority of the city council; and it shall be the duty of the city council to liquidate and settle all claims and demands against said city, and to require all officers, agents or other persons entrusted with the disbursements or expenditure of the public money to account to them therefor at such time and in such manner as they may direct, and they shall annually cause to be published for the information of the citizens, a particular statement of the receipts and expenditures of all public monies belonging to said city, and also of all debts due and owing to and from the same. And the city council shall have power to pass all such laws and ordinances as may be necessary and proper to carry into effect the powers herein and by this act granted.

SEC. 21. Laws and ordinances not to take effect until published. That every law or ordinance of said city before it shall be of any force or validity, or in any manner binding on the inhabitants thereof or others, shall be signed by the mayor and published in one or more newspapers in said city, or by posting up three written or printed notices of the same, [153] in three of the most public places in said city at least six days previous to the taking effect of the same.

SEC. 22. Grade of wharves and streets. The city council shall have exclusive power to establish and regulate the grades of wharves, streets and banks along the Des Moines river within the corporate limits of said city.

SEC. 23. Process—try offenders—costs—imprisonment—fees—criminal. And the mayor within said city shall have full power and authority, and it is hereby made his duty at such times as complaint and application shall be duly made before him, to issue all needful process for the apprehension of offenders against any of the by-laws, ordinances or regulations of said city, and to hold a court for the trial of all offenders within said city, and the same to fine, imprison, or discharge as the by-laws, ordinances and regulations of said city and the facts of the case may require, and for that purpose he is authorized and required to cause to come before him when necessary, a jury of six citizens of said city, who shall be qualified voters of said city; and all such offenders on conviction, shall be liable for the costs of prosecution and judgment shall go accordingly, and in case of acquittal the same shall be paid by the corporation having first been allowed by the city council; and shall be executed and returned by the marshal within said city, and until other provisions shall be made by the city authorities, it shall be lawful to commit all offenders against said by-laws, ordinances and regulations, on conviction, to the jail in Van Buren county, and in case where a portion or all the punishment shall be imprisonment, the keeper of said jail is hereby required to receive such person or persons, on the proper warrant of the mayor, into his custody in the same manner as in ordinary cases, and all expenses of such imprisonment, in cases where the same cannot be collected from the person or persons convicted and imprisoned, shall be paid out of the city treasury. The fees of the mayor, marshal or jurors in such cases shall be the same as are allowed by statute in similar cases for the state of Iowa. The said mayor is also hereby authorized to issue all needful process to arrest any offenders against the criminal laws of the state, and shall proceed [154] to try said person or persons by the same rules that govern justices of the peace.

SEC. 24. Marshal, his duties. The city marshal shall, within the city, in matters of criminal or civil nature arising under any law of the state, possess the same powers, perform the same duties, and receive the same compensation, as either constable in Van Buren township. He shall execute and return all process issued by the mayor under this act or any ordinance of the city.

SEC. 25. Trials, summary manner. That all trials for the violation of the by-laws, ordinances and regulations, shall be in a summary manner, and that no person shall for any offense be deprived of his or her liberty, or be fined in any sum not less than one nor more than fifty dollars unless convicted by a jury of six citizens of said city qualified to vote as aforesaid.

SEC. 26. Real and personal property—cannot sell without consent of voters. That the said city council shall have the custody, care and management of all personal, real or mixed estate, and other corporate property of said city, and all the real, personal and mixed estate, money, funds and resources which from time to time may be owned by, or of right belonging to said city, with full power to purchase, hold possess, use and occupy and

to sell and convey the same, for the use and benefit of the said city and the inhabitants thereof; provided, that the city council shall not have power to sell any real estate belonging to the said city of Keosauqua, unless the qualified voters thereof in pursuance of ten days previous notice given by order of the city council, and published in one or more of the newspapers printed in said city, setting forth the time, place and purpose of voting, and there shall be a majority of written or printed ballots given expressing their assent thereto.

SEC. 27. Tax. The city council shall have power to levy an annual tax upon all property real and personal within the limits of the said city, subject to taxation for county revenue to carry into effect the provisions of this act; provided, that no such tax shall in any one year exceed one-half of one per cent. upon the assessed value of the property upon which the same is levied.

SEC. 28. Duplicate—collector to collect and pay over—may correct. The city council shall make out a duplicate of taxes [155] in proportion to the valuation of the property of each individual in said city, on or before the first day of May in each year, to be signed by the mayor and countersigned by the recorder, which duplicate shall be delivered to the collector of said city whose duty it shall be to proceed to collect the same, within such time and in such manner as the by-laws or ordinances of the said city shall require, and to pay over the amount of such tax so collected, upon an order of the city council signed and countersigned in the same manner as provided for said duplicate; provided, that the said council shall have power on the complaint of any person aggrieved, to correct or amend any illegal or erroneous assessment before making out or delivering such duplicate to the collector.

SEC. 29. Collector may sell personal and real estate—publication. The collector shall have power to sell personal property, and for want thereof, to sell real estate for the non-payment of taxes within said city; giving the purchaser a certificate of such sale setting forth a brief description of the property so sold, and at what time he will be entitled to a deed, which certificate shall be assignable by endorsement thereon, but no real estate shall be sold for the non-payment of such taxes unless the assessment of such tax or taxes shall have been duly notified by publication for at least six consecutive weeks before the day when the said taxes are payable, in some newspaper published in said city or by notice posted for the same length of time in some public place in each ward thereof, nor unless the intended sale of such real estate shall have been notified in the same manner and for the same length of time prior to such sale.

SEC. 30. Redemption—deed. All real estate sold under or by virtue of section twenty-nine, may be redeemed by the owner thereof at any time within two years from the date of the sale thereof, by paying the amount of the taxes for which the same was sold with costs of advertising and sale and fifty per cent interest per annum upon the whole amount of such taxes and costs, but if any real estate so sold remain unredeemed at the expiration of two years from the date of the sale thereof, the collector of said city shall upon the payment of a fee of one dollar to him by the purchaser of such real estate at said sale [156] his assignee or legal representative make, execute and deliver a deed of such real estate to the said purchaser or his assignee or representative.

SEC. 31. Council may submit question to borrow money. That whenever in the opinion of the city council it is expedient to borrow money for any public purpose the question shall be submitted to the citizens of Keosauqua, the nature and object of the loan shall be stated, and a day fixed for the

electors of said city to express their wishes, the like notice shall be given as in cases of election, and the loan shall not be made unless two-thirds of all the votes polled at such election shall be given in the affirmative.

SEC. 32. **Build a bridge at Keosauqua.** That twenty days at least before the said city council levy the tax for the city purposes for the year 1851, they shall give notice by posting up notices in six of the most public places in said city, submitting to the voters of said city the question whether a tax shall or shall not be levied under the restrictions hereinafter provided, toward the erection of a bridge across the Des Moines river at Keosauqua, they shall specify in said notice the time and place, when and where said vote shall be taken and established all needful rules regulating the same, consistent with law.

SEC. 33. **Three-fourths vote—tax levied.** Should three-fourths of the voters voting at said election vote in favor of levying said tax, it shall be the duty of the said city council at the time they levy a tax for city purposes for the year 1851, to levy an additional tax upon all the real and personal estate within the incorporated limits of said city, excepting that set apart for public uses, of not more than two and a half per cent. upon the assessed value thereof, and from said vote so taken they shall be also authorized to levy a tax for the year 1852, at the time of levying the city tax for said year.

SEC. 34. **Levy and collection.** In making the levy they shall take the assessment returned by the proper officer as the proper basis, and the same shall be collected by the same officer and in the same manner as the city tax is required to be collected, except as herein otherwise provided, the same shall constitute a fund separate and distinct from all other means belonging to the city and shall be used exclusively for the purpose of building the bridge aforesaid.

[157] SEC. 35. **Demand—distress and sale.** The tax so levied shall be received by the city collector up to the first day of August next after its levy, and if not paid then the proper officer shall proceed to collect the same, or that remaining unpaid by distress and sale of the personal property of the owners against whom such tax is assessed, if any is to be found, and if no such personal property is found subject to such distress and sale, the proper officer shall immediately after the first day of September the next following, proceed to advertise and sell such real estate upon which said taxes remain unpaid in the same manner and with like effect as sales of real estate for tax due for city purposes are advertised and sold.

SEC. 36. **Receipt—stock.** The collector shall deliver to the person paying said tax, duplicate receipts, specifying the amount paid and the description of the property upon which said tax was paid, and upon the deposit of one of said receipts with the treasurer of the Keosauqua bridge company said company shall cause to be issued to such individual a certificate declaring him entitled to stock in said bridge company, to the amount of such tax and he shall accordingly so become a stockholder.

SEC. 37. **Bridge money paid company proviso.** Said tax hereby authorized for bridge purposes, shall be paid into the city treasury, shall be kept separate, and shall there remain subject to the order of the said bridge company at present or hereafter organized: provided, that before said tax shall be so paid over, the said company shall be recognized as such by the city council by order upon the records, and the said company shall cause a copy of their articles of incorporation to be filed with the city records.

SEC. 38. **City warrants not received.** City warrants shall not be received in payment of the said tax for bridge purposes and the fund so raised shall be appropriated entirely for said purpose, without any deduction for pay

of officers; but the city council shall allow the proper officers reasonable compensation for their service herein.

SEC. 39. Any person may pay tax and obtain cost. Whenever the collector is authorized to collect the tax so levied for bridge purposes, by distress, any person may voluntarily pay said tax upon any property so assessed and taxed, and he shall be entitled to receive from said collector duplicate receipts, and by filing one of the same as [158] above provided, the person so paying the tax shall be entitled to stock in said company, in the same manner as above provided; but he shall not thereby have any lien upon the property on which he shall so voluntarily pay taxes.

SEC. 40. Present officers of city to have power. That the present mayor and aldermen of the city of Keosauqua, shall have all power and authority granted in this charter to the mayor and aldermen, and the said mayor and aldermen are hereby authorized to perform all the duties prescribed in this charter from and after its passage, until their successors in office shall be elected by the citizens of Keosauqua, and qualified to fill such office.

SEC. 41. Public act. That this act shall be taken and received in all courts and by all judges, magistrates and other public officers, as a public act, and all printed copies of the same which shall be printed by, and under the authority of the senate and house of representatives of the state of Iowa, shall be admitted as good authority thereof, without any other proof whatsoever.

SEC. 42. Repeal. That all acts and parts of acts heretofore passed relative to the incorporation of said city of Keosauqua, and coming within the perview of this act, be and the same are hereby repealed.

SEC. 43. To take effect. This act shall take effect and be in force from and after its passage.

Approved, February 5, 1851.

CHAPTER 63.

DES MOINES RIVER IMPROVEMENT.

AN ACT supplemental to an act providing for the more vigorous prosecution of the Des Moines river improvement etc., approved Feb. 1st 1851.

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

SECTION 1. Secretary of board of public works to record deeds—fees. That the present secretary of the board of public works, be and he is hereby authorized, to make out and record all deeds for lands sold by the board of public works up to the [159] date of the taking effect of the act to which this is supplementary, and, that he be allowed the fee as provided by the 5th section of an act providing for the re-organization of the board of public works etc., approved January 15th, 1849.

SEC. 2. To be paid in lands—\$2 per acre—record books. That the register of the said land office allow said secretary, to enter lands to the amount of his fees for making out and recording said deeds, at the rate of two dollars per acre, and that they be delivered to the purchasers free of charge; provided, said secretary furnish the record books for said deeds free of charge to the state.

Approved, February 5th, 1851.