

ministrator, or guardian, service of the same be made and had by publication of such notice in some weekly newspaper published in said county four weeks in succession.

SEC. 2. **Nearest county.** When there is no newspaper published in such county, then said notice may be published in the newspaper published nearest to the county seat of the county in which said order is made, which publication may be proved as required in like cases in the district court.

SEC. 3. **Effect.** Service made as above, shall be as effectual as if personally served, and suits and proceedings may be prosecuted or commenced, had and maintained, in all respects, as if such notice or notices, order or orders, had been personally served.

Approved, January 24th, 1853.

CHAPTER 87.

POTTAWATTAMIE COUNTY.

AN ACT to legalize the assessment of Pottawattamie county, for the years 1851 and 1852.

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

SECTION 1. **Legalized.** That the assessment of tax for the county of Pottawattamie for the years 1851 and 1852, be and the same is hereby legalized.

SEC. 2. **Take effect.** That this act shall be in force from and after its publication in the "Western Bugle, and Guardian and Sentinel," newspapers published at Kaneshville.

Approved, January 22d, 1853.

CHAPTER 88.

TOWN SITES.

AN ACT regulating the disposal of lands purchased in trust for town sites.

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

SECTION 1. **Town site—enter in trust.** That whenever any portion of the surveyed public lands of the United States within any organized county in the [146] state of Iowa, has been or shall be settled upon and occupied as a town site, and therefore not subject to entry under existing pre-emption laws, it may be lawful and shall be the duty (if required by the occupants of such land) of the corporate authorities of said town, if incorporated, and if not, of the county judge of the county in which said town is situated, and if furnished by said occupants with money sufficient to enter at the proper land office, the land so settled and occupied, in trust for the several use and benefit of the occupants thereof, according to their respective interests.

SEC. 2. **Deeds—payment—proportion of expense.** After purchasing as above prescribed such land, it shall be the duty of said corporate authorities,

or county judge, as the case may be, to make out, execute, and deliver to each person who, as an occupant, may be entitled to the same, a deed in fee simple for such part or parcels, lot or lots of said lands as he or they may lawfully be entitled to, on the payment by said occupant of his proper and due proportion of the purchase money of said land, together with his proportion of such sum as may be necessary to pay for so much of said land as may be occupied as streets, alleys, and public grounds, and also his proportion of the expense incurred in laying off said town, together with the sum of one dollar for each deed, which last named sum shall be the only compensation of said corporate authorities or county judge for their or his services in performing the duties herein prescribed.

SEC. 3. Laying off towns—sale. Should any portion of the lands purchased in pursuance of this act, not be claimed or laid off by actual bona fide occupants or claimants, it shall be the duty of said corporate authorities, or county judge, as the case may be, to lay off into lots such lands, making such streets, alleys, and public grounds, as may be required for said town, such unclaimed lots to be, by said authorities or county judge, sold to the highest bidder at a public sale after giving four weeks' public notice thereof, and the proceeds of the sale of said lots to be appropriated to building school houses in such town.

SEC. 4. Take effect. This act to be in force from and after its publication in the Iowa Capital Reporter and the Iowa Republican; pro- [147] vided, that said publication be made without expense to the state.

Approved, January 22, 1853.

I certify that the foregoing act was published in the Iowa Capital Reporter Feb. 9th, and in the Iowa Republican, February 2nd, 1853.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 89.

LAWS.

AN ACT providing for the publication of the laws of the present session.

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

SECTION 1. Number to be printed—distribution. That four thousand copies of the laws, resolutions, and memorials, passed at the present session of the general assembly, be published under the superintendence of the secretary of state. Three thousand copies of which shall be distributed by said secretary among the organized counties in this state, in proportion to the population of each, giving twenty copies, at least, to each county; the remainder to be distributed to counties hereafter organized.

SEC. 2. Compensation. The secretary of state is allowed the sum of four hundred dollars for superintending the printing, indexing, and distributing said laws throughout the state.

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

Approved, January 24, 1853.