

Take effect § 11. This act shall be in force and take effect, from and after its publication in the Dubuque Tribune.

APPROVED, January 13th, 1855.

CHAPTER 18.

CHARTER OF THE CITY OF LE CLAIRE.

AN ACT to incorporate the city of Le Claire.

Incorporation. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the inhabitants of the Town of Le Claire, in the county of Scott, and State of Iowa, be, and they are hereby constituted a body politic and corporate, by the name and style of the City of Le Claire, and by that name shall have perpetual succession, and may have and use a common seal which they may change at pleasure.

Boundaries. § 2. All that District of country embraced within the following limits, and such additions as hereinafter provided, shall be the limits of the boundaries of said city; to-wit: beginning at a point in the middle of the main channel of the Mississippi river, where a line drawn due east from the southeast corner of the Le Claire reserve would intersect the middle of said main channel, running then due west until that line intersects the western boundary line of the present Town of Le Claire, thence due north, by and along said western boundary line, until the same extended intersects the extended east and western boundary line, between the Rich estate and the original town of Parkhurst, thence due east on said east and west boundary line, to the middle of said main channel of the Mississippi river, and thence down and along the middle of said main channel to the place of beginning; are hereby declared to be within the boundaries of said city of Le Claire.

Additions. § 3. All tracts of land laid off in town lots, and duly recorded as required by law for the recording of town plats, adjoining said city of Le Claire, or whenever any tract of

land adjoining said city and shall have been laid off, or shall hereafter be laid off into town lots, and duly recorded as required by law, the same shall be annexed to, and form a part of said city of Le Claire.

§ 4. The inhabitants of said city, by the name and style ^{Powers} aforesaid, 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, of purchasing, using, occupying, enjoying and conveying real personal and mixed estates, in said city; of purchasing, receiving and holding property, real, personal and mixed, beyond the city for burial grounds, or for other purposes for the use of the inhabitants of said city, and shall be competent to have, exercise, and enjoy all the rights, immunities, powers and privileges, and be subject to all the duties and obligations incumbent upon and appertaining to a municipal corporation, and for the better ordering and governing said city. The exercise ^{City Council} of the corporate powers of the same hereby and herein granted, and administration of its fiscal, prudential and municipal concerns, with the direction conduct and government thereof, shall be vested in a Mayor and board of Aldermen, consisting of at least six members, two from each ward, to be denominated the City Council, together with such other officers as are hereinafter mentioned and provided for.

§ 5. It shall be the duty of the present board of officers ^{Wards} of the town of Le Claire, at least one month previous to the first Saturday in March, A. D. 1855, to divide the said city hereinbefore bounded and described, into three equal wards, or as nearly equal as practicable; provided, that the said city council of the said city, as hereinbefore provided for, upon being duly elected and qualified, may confirm the boundaries of said wards, or may change, unite or divide them, or any of them, whenever they shall think it necessary or proper.

§ 6. That the said City of Le Claire shall be, and hereby ^{City property} is invested as the lawful owner and proprietor, with all the real, personal and mixed estate, all the rights and privileges thereof, together with all the property, funds and revenue,

and money, debts, accounts and demands, due and owing, or in anywise belonging to said city, or which by or under any former act or acts have been acquired, vested in, or is or may be owing belonging to the City of Le Claire, together with all rights, interests, claims and demands, in favor or against said city, may be continued, presented, defended, and collected in the same manner as though this Act had never been passed.

Election.

§ 7. That the qualified electors of said city shall, on the first Saturday in March, A. D. 1855, and annually on the same day thereafter, elect a Mayor who shall have resided in said city one year, and the qualified electors of said city in each ward, shall at the same time elect six Aldermen, (two from each ward,) who shall have resided in said city one year; and the Mayor and 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 Saturday in March, A. D. 1855, and after taking the oath of office before some officer qualified to administer oaths, shall elect from their own body a president pro tem.

Council.

Quorum.

Journal.

Meetings.

Recorder.

§ 8. That the qualified electors of said city shall, at the time specified in the preceding section, and annually thereafter, 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, and the qualified electors of said city shall also at the time and times aforesaid, elect an Assessor, Marshall, Collector and Treasurer of said city, and all other subordinate officers. The council shall define the duties of the several officers elected, subject to the provi-

City officers.

sions 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 the duties of their several officers.

§ 9. That in all elections for city offices, it shall be the duty of the Mayor to issue a proclamation to the qualified electors 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 agreeable to the laws regulating township elections for the time being, and it shall be the duty of the judges of said election, within two days thereafter, to make and direct the return 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 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 any 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 of said city or any of the 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, as in and by this act is prescribed, and the person or persons who shall be chosen at any such second or other election, shall hold their office 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 to 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 clerks for all city elections.

Qualification
of voters.

§ 10. 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 a vote in said city, or in the ward where he may belong or reside, for Mayor, Alderman, and all the other officers of said city, or of their respective wards therein, 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, or if his vote shall be challenged by any elector who has previously given his vote in such election shall tender to such person on oath or affirmation in the following form, to-wit: I do solemnly swear (or affirm) that I am a citizens of the United States, and that I have been a resident of this city six months immediately preceding this election, and a resident of this ward, and to the best of my knowledge and belief have attained the age of twenty-one years, and that I have not voted at this election.

Challenge.

Oath.

Eligible.

§ 11. 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 indi-

rectly, in the profit of any contract or job for work or services to be performed for the city.

§ 12. That the Mayor shall sign all by-laws and ordinances adopted and passed by the city council, and cause the same to be published six days before they go into effect, he shall preside when present at the city council when in session, 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 this act. Mayor's duty.

§ 13. That the Recorder, Assessor, Marshall, Collector, Treasurer, and all other subordinate officers of said city, shall before entering upon the duties of their respective offices take an oath or affirmation, faithfully and impartially to perform the several duties of their offices, to which they have been elected, 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. Qualification of officers.

And it shall be the duty of the 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 the payment of money, and enter the same in numerical order in a book kept for that purpose, and shall perform such other duties as shall be required of him by ordinance. Fees.
Maintenance.
Recorder.

§ 14. 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 neces- Duty of council.

sary 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 a term of time, not exceeding one year, as shall be prescribed by ordinance.

Vacancy.

§ 15. That whenever the office of Mayor, Councilman, Treasurer, Recorder, or any other officer in and by this act specified and provided for, shall become vacant by death, resignation, removal from the city, or otherwise, it shall be the duty of the presiding officer of the council as soon as may be, to issue a proclamation to the qualified electors, setting forth the vacancy and the manner of its occurrence and the place or places where a special election will be holden, and the time thereof, for the purpose of choosing an officer to fill such vacancy, and the person so chosen when duly qualified shall enter upon the duties of such office, and continue therein 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.

Ordinances.

Injuries

§ 16. 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 riots and gambling, 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

Health and morals.

its inhabitants, 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.

§ 17. That the city council shall have power to establish ^{Fire companies.} and organize all 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, ^{Landings.} 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 moved at, landed on, or taken from any landing, wharf, dock or basin belonging to said city.

§ 18. That for the purpose of more effectually securing ^{Prohibit the erection of wooden buildings.} said city from the destructive ravages of fire, the said 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 the addition to any building before erected, more than ten feet high in any square or fractional square, except the outer wall 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.

§ 19. That the city council shall have power and it is ^{Ordinances.} hereby made their duty, to regulate by good and wholesome laws and ordinances, all houses of public entertainment in said city, all theatrical exhibitions, and public shows, and all ^{Exhibitions.} exhibitions of whatever name or nature to which admission is obtained on payment of money or any other reward, to license and establish ferries across the Mississippi river from ^{Ferries.} said city to the opposite shore, to fix the rates of the same, and to impose reasonable fines and penalties for the viola-

Licenses.

tion of any such laws and ordinances. And the city council shall have full and exclusive power to grant or refuse license to all houses of public entertainment, showmen, keepers and managers of theatrical exhibitions, and other exhibitions for money or other reward, auctioneers for the sale of goods, wares, merchandise, horses and other animals, at public auction, keepers of billiard tables, ball and ten-pin alleys; keepers of ferries from said city across the Mississippi river to the opposite shore; and in granting any such license it shall be lawful for said city council 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 as said city may require. And for the violation of said terms and considerations as aforesaid, the city council shall have power to revoke or suspend any such license, whenever the good order and welfare of said city may require it, in such manner as shall be provided by ordinance.

Violations.**Nuisances.**

§ 20. 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 the water shall at any time become stagnant to be raised, filled up or drained, and to cause all putrid substances of either animal or vegetable to be removed; and to effect their objects, the said city council may from time to time give orders to the proprietor or proprietors, or to his her or their agent or agents, and to the non-resident proprietors who have no agents therein, notice by publication in one or more of the newspapers printed in said city, or in the county in which said city is located, 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, raise 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 expense 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 ten per cent. interest thereon.

§ 21. That one or more street commissioners, as may be deemed necessary by said council, shall be elected annually by the qualified voters within the said city on the first Saturday of March in each year, whose compensation shall be regulated, and whose duties defined by said city council; the said city council shall have power whenever the public convenience or safety shall require it, to prohibit hogs, cattle, horses and all other 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.

§ 22. 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.

§ 23. 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

- Account.** 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 expenditures of the public money, to account to them therefor, at such time and in such manner as they may direct, and they shall annually publish for the information of the citizens, a particular statement of the receipts and expenditures of all public moneys 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.
- Powers.**
- Publication of ordinances.** § 24. 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 at least six days, or written or printed copies of said law or ordinance posted in three of the most public places in said city for the aforesaid mentioned time of six days.
- Grades.** § 25. The city council shall have exclusive power to establish and regulate the grades of wharves, streets and banks, along the Mississippi river within the corporate limits of said city.
- Process.** § 26. 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 the 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
- Fine, fine and imprisonment.**
- Jury.**

and returned by the marshal within said city council, 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 ^{Jail.} in Scott 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 case 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, ^{Fees.} 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 offender against the criminal laws of the State, and shall proceed to try said person or persons by the same rules that govern Justices of the Peace.

§ 27. The city Marshal shall within the city in matters ^{Marshal,} of a criminal 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 Le Claire township; he shall execute and return all process issued by the Mayor under this Act or any ordinance of the city. ^{Powers & duty.}

§ 28. That all trials for the violation of the by-laws, ^{Trials,} ordinances and regulations, shall be in a summary manner and that no person shall for any offence 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.

§ 29. That the said city council shall have the custody, ^{Care of property.} 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, ^{Purchase.} possess, use and occupy and to sell and convey the same, for the use and benefit of the said city, and the inhabitants ^{Sell.}

thereof; provided, that the city council shall not have power to sell any real estate belonging to the said city of Le Claire, 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, or posted in three of the most public places of 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.

Limit.

Tax.

§ 30. The city council shall have power to levy an annual tax upon all property, real and personal, within the limits of 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.

Duplicate.

§ 31. The city council shall make out a duplicate of taxes in proportion to the valuation 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 is provided for such 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.

Collection.

Correction.

Sale.

§ 32. 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.

§ 33. All real estate sold under or by virtue of section Redemption. thirty-two, may be redeemed by the owner thereof, by paying the amount of the taxes for which the same was sold, at any time within two years from the date of the sale thereof, together with the 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 two dollars to him by the purchaser of such real estate at such sale, his assignee or legal representative, make, execute and deliver a deed of such real estate, to the said purchaser or his assignee or representative. Deed.

§ 34. The said city council whenever they think it expedient, shall have power by ordinance to borrow money on the credit of the city; provided it shall not exceed \$20,000, and also, to appropriate money, and to provide for the payment of all debts and expenses of the city. Borrow money.

§ 35. That the present president and trustees of the town Town officers of LeClaire, shall have all the power and authority granted in this charter to the Mayor and Aldermen, and 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 LeClaire and qualified to fill such offices.

§ 36. That this Act shall be taken and received in all Public act. 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, shall be admitted as good authority thereof without any other proof whatever.

§ 37. That all acts and parts of acts heretofore passed Repeal. relative to the incorporation of said city of LeClaire, and

coming within the purview of this Act, be and the same are hereby repealed.

Take effect. § 38. This Act shall take effect and be in force from and after its publication in the Democratic Banner, published in Davenport, Iowa.

APPROVED January 13, 1855.

I certify the foregoing to be a true copy from the original roll on file in my office.
GEO. W. McCLEARY, Sec. of State.

I certify that the foregoing Act was published in the "Democratic Banner" on the 2nd day of February, 1855.

GEO. W. McCLEARY, Sec. of State.

CHAPTER 19.

STATE ROAD.

AN ACT to establish a State road from Winterset to Jefferson.

Commissioners; Winterset to Jefferson meet.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That John Young, of Madison county, Thomas Moore, of Dallas county, and Benjamin Mitchel, of Guthrie county, be, and they are hereby appointed Commissioners to locate and establish a State road, beginning at Winterset, thence via Wiscotia and Panora, to Jefferson, in Green county.

§ 2. Said commissioners shall meet at the court house in Winterset, on the third Monday in February; or within six months thereafter.

Take effect.

§ 3. This act shall take effect from and after its publication in the Fort Des Moines Star; but said publication shall not be at the expense of the State.

APPROVED January 15th, 1855.

Published in the Fort Des Moines Star March 1st, 1855,

GEO. W. McCLEARY, Sec'y of State.