

SEC. 2. This act shall take effect from and after its publication in the Keokuk Daily Evening Times, Daily Gate City, and Fort Madison Plain Dealer, which shall be without expense to the state.

Approved January 23, 1857.

I certify the foregoing was published in the For Fort Madison Plain Dealer Feb. 27, 1857.

ELIJAH SELLS,  
Sec'y of State.

[107] CHAPTER 99.

BRIDGE.

AN ACT to make the bridge across North Skunk River at Union Mills, a part of the public highway.

*Be it enacted by the General Assembly of the State of Iowa,*

SECTION 1. **Bridge made a highway.** That the bridge across North Skunk river at Union Mills, on the state road leading from Oskaloosa, in Mahaska county, to Montezuma, in Poweshiek county, is hereby declared, and shall hereafter be considered a part of said road.

SEC. 2. This act to take effect from and after its publication in the Iowa City Republican and Oskaloosa Herald, without expense to the state.

Approved January 23d, 1857.

I certify that the foregoing act was published in the Iowa City Republican, Feb. 11, 1857, and Oskaloosa Herald, Feb. 13, 1857.

ELIJAH SELLS,  
Sec'y of State.

CHAPTER 100.

CENTERVILLE.

AN ACT to incorporate the town of Centerville.

*Be it enacted by the General Assembly of the State of Iowa,*

SECTION 1. **Boundaries.** That the north-east quarter of section thirty-six, and the east half of the north-west quarter of section thirty-six, also a tract of land lying immediately south of said last described tract of land, described as follows, to wit: commencing at the south-east corner of the north-east quarter of section thirty-six, thence south twenty rods, thence west two hundred and forty rods, thence north twenty rods, thence east to the place of beginning, all in township sixty-nine, north, of range eighteen west, together with all additions that have been regularly recorded, or that may hereafter be made and recorded according to law, be, and the [108] same is hereby made and constituted a body corporate, under the name and style of the town of Centerville; and that said corporation shall have all the rights, powers and duties of corporations, and may sue and be sued, contract and be contracted with, in the name of the town of Centerville, and have perpetual succession.

**SEC. 2. Officers—elections.** Said town shall annually elect, on the first Monday of April in each year, one mayor, six councilmen, one marshal, who shall hold their office for one year, and until their successors shall be elected and qualified according to law, who shall be elected by the legal voters of said town. The first election herein contemplated may take place at any time after ten days from the publication of this act: provided, five days' notice thereof be given by posting up such notice in at least three public places in said town, and at all subsequent elections the same notice shall be given of such election, or by publication in some newspaper published in the county; said first election may be conducted by any persons appointed for that purpose by the county judge of Appanoose county, Iowa, and subsequently by the mayor and recorder, and any three of the council, or by persons appointed by the mayor for that purpose after being duly qualified; and in case of a failure to elect said officers at any annual election, it shall be the duty of said judge to call an election for that purpose, as is provided herein for said first election, when notified of such failure of such election, by at least six of the legal voters of said town, but the same notice shall be given as at the annual election.

**SEC. 3. Duties of mayor.** It shall be the duty of the mayor to see that the laws and ordinances of the town are executed and their violation prohibited, to superintend and direct the official conduct of the subordinate officers, to sign and seal all commissions, licenses and permits granted by the town council, and to perform such duties and exercise such powers as pertain to the office of mayor of a town, and such as may be granted or imposed by the ordinances of the town, consistent with law.

**SEC. 4. Judicial powers.** He shall be a conservator of the peace, within the town, and ex-officio a justice of the peace, and is invested with jurisdiction for the violation of the ordinances of [109] the town, and with criminal jurisdiction of offenses against the laws of the state, committed within the town and with civil jurisdiction limited to the town in the same manner as that of a justice of the peace is or may be limited to his or their townships; he shall not be disqualified from acting in such judicial capacity, by any proceedings being in the name or in behalf of the town: provided, that in case of the inability of the mayor, or absence, any justice of the peace of Ceter township may take cognizance and jurisdiction of cases arising under any of the ordinances of said town, such inability being entered of record of the justice acting in such cases.

**SEC. 5. Appeals.** Appeals to the district court in the same county shall be allowed, from the judgments and decisions of the mayor, in the same cases, time and manner as may at any time be allowed by law from those of justices of the peace, and they shall be tried as in other cases: provided, nothing herein shall preclude the rights of trial by jury, or change of venue, as authorized by law; and the mayor shall receive the same fees for like services, and be governed by the same rules as justices of the peace. He shall be the presiding officer of the town council, when present, and in his absence the council may appoint a president for the time being, from their own body.

**SEC. 6. Recorder's duty.** The recorder shall record the doings and acts of the board of councilmen, and attest and publish all ordinances passed by the same, and shall receive such fees for his services as the council may direct.

**SEC. 7. Marshal's duty.** The marshal of said town shall be the ministerial officer of the mayor, and conservator of the peace, and may exercise the

duties of constable in Center township, in Appanoose county, who shall have the same fees as constable.

**SEC. 8. Council make ordinances.** The city council is invested with authority to make ordinances to secure the inhabitants against fire, against violations of the law and the public peace, to suppress riots, gambling and drunkenness, or indecent or disorderly conduct, to punish lewd behavior in public places, and generally to provide for the safety and prosperity and good order of the town, and the health, morals, comfort, and [110] convenience of the inhabitants; and to impose penalties for the violation of its ordinances, not exceeding one hundred dollars, which may be recovered by civil action in the name of the town, or by complaint before the mayor, as in criminal proceedings before a justice of the peace; and the law of the state relating to carrying into effect a judgment of a justice of the peace imposing a fine, shall be applied to judgments in the case, but the charges thereof must be borne by the town.

**SEC. 9. Power to levy taxes.** The council shall have power to levy and collect a tax not to exceed one per cent. on the taxable property of said town, provided the same be adopted by a majority of the votes cast at an election held in said town for such purpose, under such regulations as the board of councilmen may adopt; and provided further, that no law or ordinance shall be passed by said council unless a majority of the whole six councilmen shall vote for the same.

**SEC. 10. License shows, etc.** The council have exclusive authority to provide for license, regulation and prohibition of all exhibitions, shows, theatrical performances, billiard tables, ball and ten-pin alleys, and places where games of skill or chance are played; but the above authority extends to no exhibition of a purely literary or scientific character; and prohibit the retail of intoxicating liquors, unless such prohibition would be inconsistent with the laws of the state at the time existing; and the said council is authorized to revoke or suspend any of the above licenses when it deems the good order and the welfare of the town require it. The council may also prohibit hogs from running at large in the streets, alleys, and public grounds, whenever the public convenience may require it.

**SEC. 11. Council meets.** The council shall hold its meetings as it sees fit, having fixed stated times, and provide the manner of calling them together by ordinance, and its meetings shall be public.

**SEC. 12. Repeal.** All former charters or articles of incorporation coming in opposition to this act are hereby repealed.

**SEC. 13.** This act shall take effect from and after its [111] publication in the Iowa Flag and the Iowa City Republican, at the expense of the said town of Centerville.

Approved January 23, 1857.

I hereby certify that the foregoing act was published in the Iowa City Republican, March 18, 1857.

ELIJAH SELLS,  
Sec'y of State.