

paid as provided by the law in such cases made and provided; but the State shall in no case be liable for any part of the expense incurred in the location of said roads.

SEC. 34. This act shall take effect and be in force from and after its passage.

Approved January 28, 1857.

CHAPTER 182.

RAILROAD GRANT.

AN ACT supplement to an act entitled an act to accept the grant and carry into execution the trust conferred upon the State of Iowa by an act of Congress, entitled an act making a grant of land to the State of Iowa in alternate sections, to aid in the construction of railroads in said State, approved May 15th, 1856, which said act of the Legislature of Iowa was approved July 14, 1856.

Disposition of lands. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the said companies may make such disposition of the lands granted by the act to which this is a supplement, by mortgage or deed of trust, as may be deemed proper for the purpose of securing any amount of construction bonds necessary for the completion of such roads; which may bear such rate of interest not to exceed ten per cent per annum, and may sell the same for the best price that can be procured. Said companies, nor either of them, shall ever be allowed to plead that such bonds are usurious or invalid: *Provided*, that the monies realized from the sale of the bonds aforesaid shall be applied exclusively to the construction and equipment of said roads.

Lien of Mortgage. SEC. 2. Any mortgage or deed of trust made upon the lands, roads, or the property of either, shall bind and be a valid lien upon all the property mentioned in such deed or mortgage including rolling stock; and the purchasers under a trustees sale or foreclosure of mortgage, shall have and enjoy all the rights of a purchaser on execution sale: *Provided further*, that nothing contained in this act shall be so construed as in any manner to interfere with, change or modify the rights of this State or of the United State to any lands granted by Congress to this State and by this State to

certain railroad companies therein, as a security for the completion of said roads, or to transfer any right in said lands otherwise than as subject to all the conditions imposed by the grant made by the United States to this State, and by the grant by this State to said companies or by either of said grants; and provided further, that the faith of the State is in no way pledged for the payment of said bonds.

SEC. 3. Any mortgage or trust deed made as before **Record.** mentioned shall be recorded in the office of the recorder of each county through which said road runs or wherein it owns or holds lands, and shall be notice to all the world of the rights of all parties under the same.

SEC. 4. This act to take effect from and after its publication in the Iowa City Republican and Iowa Capital Reporter.

Approved Jan. 28, 1857.

I certify that the foregoing act was published in the Iowa City Republican Feb. 14, 1857, and Iowa Capital Reporter, Feb. 17, 1857.

ELIJAH SELLS,
Sec'y of State.

CHAPTER. 183

TAX ON RAILROAD STOCK.

AN ACT relating to taxes upon non-resident stockholders of the Mississippi and Missouri Railroad.

SECTION 1. *Be it enacted by the General Assembly of the* **Treas. of Scott**
State of Iowa, That the treasurer of Scott county is hereby re- **co. pay over.**
quired to pay over to the treasurer of Cedar, Muscatine and
Johnson counties respectively, a portion of the county tax
hereafter collected from the non-resident stockholders of the
Mississippi and Missouri River Railroad company for the
years 1857 and 1858, equal to the number of miles con-
structed in each of said counties, so that each of said coun-
ties shall receive such portion of the taxes collected from
the non-resident stockholders as the number of miles con-