

SEC. 5. For printing blanks upon any paper mentioned **Blanks.** in the preceding section of this act, or any smaller paper, and when two or more blanks are printed upon a half sheet, one dollar shall be allowed for the first quire; thirty cents per quire for the balance of the first ream, and twenty cents per quire for any number exceeding one ream: *Provided*, That for this kind of blanks twelve sheets of paper shall constitute a quire.

SEC. 6. For printing headings to assessments or census **Headings.** blanks, one dollar fifty cents shall be allowed for the first quire, and fifty cents per quire for the balance of the first ream, and thirty cents per quire for any number exceeding one ream: *Provided*, That when a sheet is printed on both sides, twelve sheets shall constitute a quire, and when on one side, twenty-four sheets shall constitute a quire. **State printer.**

SEC. 7. For all work done by the present State printer after the taking effect of this act, the compensation shall be as herein provided.

SEC. 8. Chapter sixty-four of the laws passed at the regular session of the fifth General Assembly is hereby repealed. **Repeal.**

SEC. 9. This act to take effect from and after its publication in the Iowa City Republican and Maquoketa Excelsior.

Approved January 28, 1857.

I certify that the foregoing act was published in the Iowa City Republican Feb. 21, 1857, and in the Maquoketa Excelsior, June 16, 1857.

ELIJAH SELLS,
Secretary of State.

CHAPTER 185.

CITY OF DESMOINES.

AN ACT to incorporate the city of Des Moines, in Polk county.

SECTION 1. *Be it enacted by the General Assembly of the* **Boundaries.** *State of Iowa,* That all that portion of the State of Iowa, included within the following limits, to wit: Beginning at the northeast corner of section two (2), township sventy-

eight (78), range twenty-four (24) west fifth P. M., Iowa; thence west to the north-west corner of section five (5), township and range aforesaid; thence south to the southwest corner of section eight (8) in said township; thence east to the southeast corner of section eleven (11) in said township; thence north to the place of beginning, be, and the same is hereby declared a city corporate, by the name of Des Moines; and the inhabitants thereof are created a body corporate and politic, by the name and style of Des Moines; and by the name and style aforesaid, shall have perpetual succession, shall have and use a common seal, which they may alter, change, and renew at pleasure, and shall have power to sue and be sued, plead and be impleaded, defend and be defended in all courts of law and equity, to purchase, receive and hold property both real, personal and mixed, and to improve, protect or sell, lease, convey or dispose of the same; and for the better ordering and governing of said city, the exercise of the corporate powers of the same, hereby granted, and the administration of its fiscal, prudential and municipal concerns, with the conduct, government and direction thereof, shall be vested in a mayor and aldermen, consisting of fourteen members, to be denominated the city council; together with such other officers as are hereinafter provided for.

Wards.

SEC. 2. There shall be seven wards in the city, to be laid off at the discretion of the council, three of which shall be on the east, and four on the west side of the Des Moines River. The council may change the limits of the wards when they think proper: *Provided*, that the number of wards east of the river shall bear the same proportion to those on the west, for two years from the passage of this act.

Property vested in city.

SEC. 3. That the said city shall be, and hereby is invested as the lawful owner and proprietor, with all the real, personal or mixed estate, and all the rights and privileges thereof, together with all the property, funds and revenues, and all the monies, debts, accounts and demands due, 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 town of Fort Des Moines, together with all rights, in-

terests, claims or demands, in favor or against said town, may be continued, prosecuted, defended, and collected in the same manner as though this act had never passed.

SEC. 4. That the qualified electors of said city shall, on the first Monday in March A. D. 1857, elect, in the manner following, the first city council. In that portion of said city lying west of the Des Moines River, there shall be elected to said city council, by general ticket, eight aldermen. On the east side of the Des Moines River, there shall be elected to said city council, by general ticket, six aldermen.

At said election there shall also be elected by general ticket, a mayor for said city. The said mayor and aldermen so elected at said election, shall hold their offices until the first Monday in May ensuing, or until their successors are elected and qualified. The place for holding said elections at said first election, shall be as follows: In that portion west of the Des Moines River, at the court house. In that portion east of said river, at the capitol building.

The said first election under this charter shall be conducted as township elections are now conducted by law. The returns of said election shall be made to the then mayor of the town of Fort Des Moines, and certificates of election and oaths of office shall issue and be administered, as is now provided by the charter, and ordinances of said town. That the qualified electors of said city shall, on the first Monday in May, A. D. 1857, 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, shall at the same time elect fourteen aldermen, 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 qualification of their own members, and shall continue in office for the term of one year, and until their successors shall be elected 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 May, and after taking the oath of office before some officer qualified to administer oaths, shall elect from their own body a president pro tempore, and when so convened they shall proceed to elect a recorder, marshal, treasurer, assessor, two street commissioners, city engineer, and such other subordinate officers as a majority of said council may deem necessary, whose duties, term of office and compensation shall be governed by the ordinances of the city council passed from time to time, and shall require from them such bond as they may deem proper for the faithful discharge of the duties of their several offices. It shall be necessary to secure a two-thirds vote of said city council, to carry in the affirmative any proposition involving appropriations for any general purpose, or to grant the right of way to any railroad north of Elm street. Upon the petition of twenty-five property holders in any one ward or wards, asking that any grade of streets or other improvement or work of special public interest to such ward or wards, be constructed, the construction of which would require the raising of funds by special tax, it shall be the duty of the council to order an election in such ward or wards, on the question of voting a tax on the property therein, for the purpose of constructing such improvements or work; and if at such election, two-thirds of the votes cast by the qualified voters are in favor of the tax, the council shall proceed to levy the necessary assessment, and have the tax collected and the work constructed.

Special tax.

Notice of election.

SEC. 5. 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 held, the officer and officers to be elected, and cause a copy of such proclamation to be posted up in a public place in each of the wards of said city, at least ten days previous to such election; and every such election shall be open between the hours of nine and twelve o'clock in the forenoon, and from one to five 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 election, within two days thereafter, to

Polls open.

make out 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 protempore of the city council; and the mayor or president, 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 respective wards, should fail to effect any election, the mayor shall forthwith issue his proclamation for a second election, which in all things shall be notified, conducted, regulated, and the returns thereof made as in this act is prescribed, and the person or persons who shall be chosen at any second election, shall hold their office until the next 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 protempore 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 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 clerks of all city elections.

Failure to elect

Enter on duty.

SEC. 6. That each and every white male citizen, above the age of twenty-one years, who shall have been a resident of the city six months immediately preceding any election, shall be deemed a qualified voter of said city, and shall be entitled to vote in the ward where he may reside, for may-

Qualification.

or, 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, or if his vote shall be challenged by an elector, the judge of said election shall administer to the 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 this election, and a resident of this ward, and to the best of my knowledge, have attained the age of twenty-one years, and that I have not voted at this election.

Eligibility.

SEC. 7. 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.

Time and place
of meeting.

SEC. 8. 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 for 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.

Vacancies, how
filled.

SEC. 9. That whenever the office of mayor, alderman, recorder, marshal, treasurer, city engineer, street commissioner, assessor, 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 the duty of the council, as soon as may be, to appoint some suit-

able 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. 10. The mayor, aldermen, and other officers of said Oath of office. city, before entering upon the duties of their office, shall take an oath to support the Constitution of the United States and of the State of Iowa, and faithfully and impartially to perform their duty to the best of their ability. The oath of office may be administered by any person competent to administer oaths; that the recorder, marshal, city engineer, treasurer, assessor, street commissioner, and all other officers under the government of said city, shall give such bonds 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, forfeitures for negligence, carelessness, misconduct in office, and positive violation of duty as the said city council shall order and determine. It shall be the duty of said recorder to keep a true record of all the official proceedings of the council, which records shall be at all times open to public inspection, and he shall perform all such other duties as may be required of him by ordinance.

SEC. 11. Ordinances passed by the city council shall be Mayor sign or- signed by the mayor and attested by the recorder; and be-dinances. fore they take effect, shall be published once in one or more newspapers published in said city, at least six days. They shall also be recorded in a book to be kept for that purpose, and attested by the mayor and recorder.

SEC. 12. No member of the council shall receive any Compensation. compensation for their services unless the majority of those voting on the question shall vote an appropriation therefor.

SEC. 13. The city council shall hold its meetings at such Meeting.

times as it deems proper, having fixed stated times, and its meetings shall be public.

What the by-laws may embrace.

SEC. 14. The city council is invested with authority to make and establish such by-laws and ordinances as are necessary and proper for the good regulation, safety and health of the city, and the citizens thereof; to levy and collect taxes on all property within the limits of the corporation, which, by the laws of the State, is not for all purposes exempt; which tax must not exceed one and a half per cent. per annum on the assessed value thereof, and its collection may be enforced by such measures as may be deemed expedient: *Provided*, these measures be not more stringent and summary than those used for the collection of State and county taxes, to establish grades, and regulate and improve the side walks, alleys and streets, and to change the grade thereof, making compensation to any person injured thereby; to prevent and regulate the rolling of hoops, playing of ball, flying of kites, or any other amusements or practice having a tendency to annoy persons in the streets or on the side-walks, or to frighten teams and horses; to compel all persons to keep the snow, ice and dirt from the side-walk in front of the premises owned or occupied by them; to build market houses, public halls, establish and support public schools, provide drains, sewers, public wells, wharves, landing-places, and keep them in repair; and shall have the power to regulate by ordinance, the keeping and sale of gunpowder within said city; to regulate and control the places and manner in which farm products, wood, coal, and other articles may be disposed of in the corporate limits; to license, regulate and prohibit all theatrical exhibitions, public shows, showmen, keepers 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, if the laws of the State are not interfered with; to license and regulate livery stables, carts, wagons, porters, draymen, and every description of two and four-wheel carriages, and others who transport freight from one part of the city to another, and to limit their compensation; to provide for the prevention and extinguishment of fires, and to organize and establish fire companies; to regulate the fixing

of all chimneys, and the flues thereof, which are now, or ^{What the by-laws may embrace.} may hereafter be put up; to prohibit hogs, cattle, horses, and all other animals from running at large within said city; to provide against gambling, disorderly, and indecent houses and conduct; to make all other ordinary, proper and suitable police regulations, and impose penalties for the violation of such regulations, which penalties may be collected by civil actions in the name of the city; and also to establish and keep up free ferries across the Des Moines and Raccoon rivers; to require the property-holders of any street or part of a street, to pave the same or the sidewalks thereof, each in front of his own property, whenever the owners of two-thirds of the lots in such street or part of street, petition therefor; to borrow money for any object in its discretion, if at a regularly called election, under a notice stating the nature and object of the loan, and the amount thereof, as nearly as practicable, the citizens to determine in favor of a loan by a majority of two-thirds of the votes given at the election.

SEC. 15. That for the purpose of more effectually ^{Fires.} securing said city from the destructive ravages of fire, the said city council shall have the 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 buildings, or the addition to any building before erected, more than ten feet high, in any such square or fractional square, except the outer wall thereof shall be composed entirely of brick, or stone and mortar, and to ^{Building material.} 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. That the city council shall have power and ^{Nuisances.} 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 to cause all putrid substances, either animal or vegetable, to be removed; and to effect these objects, the said city council may, from time to time, give orders to the proprietor or

proprietors, or his or their agent or agents, and to the non-resident proprietor who have no agent therein, notice by publication in one or more newspapers printed in said city, for the period of two weeks, of all or any ground subject at any time to be covered by stagnant water, to fill up, raise, or drain such ground at their own expense; and the said city council shall designate how high such ground shall be **Draining and filling.** and 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 ground, 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 treasurer, 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 sale, by paying to the purchaser or purchasers the amount by them paid, together with fifty per cent. interest thereon.

Schools. SEC. 17. 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 pass all ordinances necessary for the good government of the same, and for the establishment and support of such public schools, the city council shall have power to levy and collect a special tax for that purpose.

Revenue. SEC. 18. 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 hands of the city treasurer, and shall not be drawn therefrom except by order 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 disburse-

ment 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 publish 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. 19. 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 personal, real, and mixed estate, money, funds, and resources, which from time to time may be owned by or of right belong 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 inhabitants thereof: *Provided*, that the city council shall not have power to sell any real estate belonging to the city of Fort Des Moines unless the qualified voters thereof in pursuance of ten days' previous notice given by order of the city council and posted up in a public place in each of the wards of the city, or publish in one or more of the newspapers printed in the said city, setting forth the time, place and purpose of voting, shall at such time and place, by a majority of written or printed ballots, express their assent thereto.

Care of city
property and
effects.

SEC. 20 The city council shall make out a duplicate of taxes in proportion to the valuation of the property of each individual in said city, on or before the first day of July in each year, to be signed by the mayor and countersigned by the recorder, which duplicate shall be delivered to the treasurer 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 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 assessments before making out or delivering such duplicate to the treasurer.

Tax list.

Distress & sale **SEC. 21.** The treasurer shall have power to sell personal property, and for want thereof, to sell real estate for the nonpayment 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 indorsement thereon; but no real estate shall be sold for the nonpayment of such taxes unless the assessment of such tax or taxes shall have been duly notified by publication, for at least three 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.

Redemption. **SEC. 22.** All real estate sold under or by virtue of section No. 21, 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 per 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 treasurer of said city shall, upon the payment of the fee of one dollar 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.

Supervisors. **SEC. 23.** That the city council of the city of Des Moines shall have the exclusive power of appointing supervisors and other street officers within said city, and of requiring each and every male person between the ages of twenty-one and fifty years who shall have resided one month in said city, to work two days on the streets of said city, or to pay two dollars in money as an equivalent therefor, and said city council shall have the power to regulate, by ordinance, the time and manner in which said street labor shall be rendered; how those liable to work shall be notified; the periods of time between which such labor shall be rendered in each year. The inhabitants of the city of Des Moines are hereby exempt from working on any road beyond the

limits of the city; and the said city is hereby constituted a road district.

SEC. 24. That the present mayor and councilmen of the town of Fort Desmoines shall have all the power and authority granted in this charter to the mayor and aldermen of the city of Desmoines, and said mayor and councilmen 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 and qualified. Authority to continue.

SEC. 25. That all ordinances and by-laws heretofore passed by the town council of the town of Fort Desmoines and now in force, shall be and remain, in force under the charter, until they shall be amended or repealed by the council of the city of Desmoines. Ordinances in force.

SEC. 26. The city council shall have exclusive power to provide for work on streets, alleys, public grounds, and wharves, and they shall provide for the collection and appropriation of such by ordinance. Street work.

SEC. 27. That all property, and road poll tax due from persons within the corporate limits shall be paid into the the city treasury; there shall be two road districts in said corporation; one on the west side of the Desmoines river, and the other on the east side of said river, and in each of the aforesaid districts there shall be a street commissioner under whose supervision all monies collected for street and road purposes shall be expended: *Provided*, all monies so collected shall be expended in the districts where they are levied or may fall due. Road dist. tax.

SEC. 28. The mayor shall be the presiding officer of the city council when present, and shall give the casting vote when there is a tie. In his absence the president pro tempore shall act as president for the time being. It is his duty to see that the law and ordinances passed by the city council are executed and their violation punished; to keep the common seal and to do and perform all other duties the city council may prescribe, that are not inconsistent with law. He is by virtue of his office invested with all the powers of a justice of the peace, for the purpose of hearing, trying and determining all offences committed against the laws and ordinances of said city, and shall receive the same fees that a justice of the peace would be entitled to in similar cases. Presiding officer.

- Appeals.** Appeals may be taken from the decision of said mayor as in cases of a justice of the peace. 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 to try such person or persons by the same rule that governs justices of the peace. He shall also have the power to administer oaths, and take acknowledgments of all instruments, and certify to same under the seal of said city, and the same shall be valid in law.
- Commitment.** SEC. 29. That it shall be lawful until other provisions shall be made by the city authorities, to commit all offenders against said by-laws, ordinances, regulations and the criminal laws of the State, to the jail in Polk county, or some other place provided by the city council; 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 said 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.
- Jury.** SEC. 30. On trial of causes before the mayor of said city, it shall not be necessary to empanel a jury unless it shall be demanded by one of the parties to such suit, before it is submitted to the mayor. The fees of the marshal or jurors in such case shall be the same as are allowed by statutes in similar cases for the State of Iowa.
- Marshal.** SEC. 31. The city marshal within the city, in matters of a criminal nature, arising under the law of the State, shall possess the same power, perform the same duties, and receive the same compensation as either constable in Des Moines township; he shall execute and return all process issued by the mayor under this act, or any ordinance of the city.
- Revise laws.** SEC. 32. The said city council shall have power to revise and remodel their by-laws and ordinances from time to time, and shall publish such revision and notification of them in one or more of the newspapers published in said city.

SEC. 33. When imprisonment shall constitute a portion Imprisonment. or all the punishment of offenders against the by-laws and ordinances of said city, such offenders, on conviction, may be committed to the jail of Polk county, or some other place prepared by the council, and the said city council may make provision by ordinance for all such offenders to work out the fine and cost of prosecution on the streets of said city.

SEC. 34. In all suits and prosecutions before the mayor, Process. where the city of Des Moines is a party, the marshal of said city, or any constable of Des Moines township, shall have the power to serve subpoenas or other process, anywhere within Des Moines township, or to perform any other duty devolving upon said marshal.

SEC. 35. When any tract of land adjoining the city of Additions. Des Moines shall have been or hereafter shall be laid out into town or city lots and duly recorded as required by law, the same may by a majority of the voters, at any regularly notified election, be annexed to said city and form a part thereof.

SEC. 36. That the said city council shall have power to Increase wards & aldermen. increase the number of wards and aldermen within said city whenever in their judgment, the exigencies of the city may require it: *Provided*, the number of aldermen on the east and west sides of Des Moines river respectively shall not be changed for two years.

SEC. 37. That this act shall be taken and received in all Evidence. courts and by all judges, magistrates or 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 proofs whatsoever.

SEC. 38. That all acts and parts of acts heretofore Repeal. passed relative to the incorporation of the town of Fort Des Moines, and coming within the perview of this act, be, and the same are hereby repealed.

SEC. 39. This act shall take effect from and after its publi-

cation in the Iowa Citizen and Iowa City Republican: *Provided*, That no expense for the publication of this act be incurred by the State.

Approved January 28, 1857.

I certify that the foregoing act was published in the Iowa City Republican Feb. 12, 1857, and Iowa Citizen, Feb. 16, 1857.

ELIJAH SELLS,
Sec'y of State.

CHAPTER. 186

BONDS.

AN ACT to authorize the county of Clayton to issue bonds to aid in the construction of certain railroads therein named.

Clayton county bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the county of Clayton is hereby authorized to issue bonds to aid in the construction of the Dubuque and Turkey Valley Railroad, and the McGregor, St. Peters and Missouri River Railroad, or either of them, and that the county judge may submit the question to the people in accordance with the provisions of the Code, either as a joint or several propositions, and whether submitted as a joint or several propositions, he shall specify in the proclamation the amount of bonds to be voted for each.

SEC. 2. This act shall be in force from and after its publication in the Elkader Tribune and North Iowa Times, without expense to the State.

Approved January 28, 1857.

I certify the foregoing was published in the Elkader Tribune, February 26, 1857.

ELIJAH SELLS,
Secretary of State.