

er from their own number annually, at their meeting ^{Treas'r chosen.} in Jan., who shall receive and keep all moneys arising from the sale of the products of the farm or other source, and give bonds in such sum as the board of trustees may require. He shall pay over all moneys upon the war- ^{His duties.} rant of the President, countersigned by the Secretary. He shall render annually in the month of January, to the board of trustees, and as often as may be required by said board, a full and true account of all moneys received and disbursed by him.

Sec. 27. That M. W. Robinson, of Desmoine county, ^{First Board of Trustees.} Timothy Day, of Van Buren county, John D. Wright, of Union county, G. W. F. Sherwin, of Woodbury county, Wm. Duane Wilson, of Polk county, Richard Gaines, of Jefferson county, Suel Foster, of Muscatine county, J. W. Henderson, of Linn county, Clerment Coffin, of Delaware county, E. H. Williams, of Clayton county, and E. G. Day, of Story county, are hereby appointed and constituted the first board of trustees of the agricultural college and farm, who shall hold their office as may be determined under the provisions of the third section of this act.

Sec. 28. This act shall be in force from and after its ^{Take effect.} publication in the Iowa Farmer, Tri-Weekly Iowa State Journal and Tri-Weekly Citizen.

Approved March 22, 1858.

I hereby certify that the foregoing Act was published in the Iowa Farmer on the 25th day of March, 1858, in the Iowa Weekly Citizen on the 31st of March, 1858, and in the Iowa State Journal on the 27th of March, 1858.

ELIJAH SELLS,
Secretary of State.

CHAPTER 92.

UNCLAIMED GOODS.

AN ACT to regulate the sale of unclaimed goods, in the possession of Forwarding and Commission Merchants, Express Companies, and other common carriers.

SECTION 1. *Be it enacted by the General Assembly of*

the State of Iowa, That all goods, wares, merchandise or other property which has been transported by, or stored with any Forwarding and Commission Merchants, Express Companies, and other common carriers, shall be subject to a lien for the just and lawful charges for the transportation, advancing and storage of the same.

Goods subject to
lien for charges.

SEC. 2. That if any goods, wares, merchandise, or other property, shall remain for six months in the possession, uncalled for or unclaimed, of any Forwarding or Commission Merchant, Express Company, or other common carrier, with the just and legal charges unpaid thereon, the person or persons having the same in charge or possession shall give notice to the Marshal of the city if there be a Marshal, in which said person may reside, having such goods in store, charge or possession, and if there be no Marshal, then such notice must be given to the Sheriff of the proper county, which notice must be in writing, and must state when such goods, wares, or merchandise were received, the marks or brands by which such goods are designated if any, and if not designated by marks or brands, then by such other description or designation as may best answer the purpose of indicating what the goods are, and to whom consigned, also the charges paid upon such goods, accompanied by the original receipt for such charges, and by the bill of lading, also the other charges, if any, due and unpaid, which notice must be verified by oath or affirmation.

Goods on hands
six months may
be sold.

Notice given.

Goods described.

Officer examines
goods.

Invoices made.

SEC. 3. The Marshal or Sheriff, as the case may be, on receiving such notice, shall proceed to the place in which the goods, wares or merchandise contemplated in this Act, shall be stored or held in possession, and shall in the presence of the person in whose store or possession such goods, wares or merchandise may be, examine such goods, wares or merchandise, examining minutely the contents of any close package, which may be necessary to be opened to ascertain the nature of its contents, and such Marshal or Sheriff shall then and there take and make an inventory or invoice of such goods, or separate invoices or inventories where such goods, wares or merchandise may appear to belong, or to be consigned to

different persons, each separate invoice or inventory to contain a description of the goods consigned or belonging to each separate individual or firm.

SEC. 4. The Marshal, Sheriff or Constable so taking and making these invoices or inventories shall advertise the goods described in such invoice or inventory, in some newspaper of general circulation, published in the place where such goods, wares or merchandise may be in store, or held in possession, which advertisement must state that the goods, wares or merchandise so advertised have remained for six months uncalled for and unclaimed—that they are to be sold, specifying when and where—to defray the expense incurred upon the payment of the freight and the charges due and unpaid upon said goods, including the charge of advertising and selling such goods, which notice must be published in a weekly paper, if there be one in the place, if not, in the newspaper nearest to the place designated for six consecutive weeks, and one week in a daily, if there be a daily paper.

Goods advertised

Form of advertisement.

SEC. 5. The Marshal or Sheriff advertising such goods, wares or merchandise as aforesaid, shall at the time and place designated in the notice, put up at auction for sale to the highest bidder, such goods, wares and merchandise in such parts and parcels, as to such Marshal or Sheriff may appear best to effect a profitable sale.

Goods sold at auction.

SEC. 6. Nothing contained in this Act shall be so construed as to prevent the sale of perishable or damaged goods, immediately on their coming into the possession and being uncalled for, of any forwarding and commission merchant or other common carrier, but such sale must be made by a Marshal or Sheriff as contemplated in this Act, only on the affidavit of the person having the possession thereof, that such property is perishable, and the longest possible notice must be given of such sale in a daily paper if there be one in the place, if not by such other publication as may carry out the intention and provisions of this Act.

Perishable goods sold immediately.

Notice of sale.

SEC. 7. That said officer shall pay to the person or persons having a lien on said property the amount thereof, Provided, The proceeds of the property sold shall,

Charges paid.

Excess deposited
in Co. Treasury

after paying the expenses of sale be sufficient for that purpose, and the excess shall be by him forthwith deposited with the County Treasurer, subject to the order of the owner, said ownership being properly authenticated under oath, said officer shall also file with the County Judge a schedule of the property, the sum realized from the sale of each separate package, describing the same, together with a copy of the advertisement as hereinbefore provided, and said officer shall be entitled to such fees therefor as are legal in cases of sale under execution.

No owner applying,
proceeds go
to the School
Fund.

SEC. 8. Should the owner of the property sold, not make a demand upon the County Treasurer for any money that may be in the Treasury to his credit according to the provisions of this Act, the sum so unclaimed shall be accounted for by the County Treasurer, and placed to the credit of the county in the next subsequent settlement made by the Treasurer with the county, and should the sum so uncalled for or unclaimed, remain unclaimed and uncalled for during the period of one year, it shall then be paid into the school fund, to be distributed as other funds may be by law, which may be raised by a tax on the property of the county. But nothing herein contained shall be a bar to any legal claimant from presenting and proving his claim for such money at any time within ten years, and the claim being within that period presented and proved, it shall be paid out of the county treasury in which it was originally placed, without interest.

Ten y'rs redemption.

SEC. 9. This act shall take effect and be in force from and after its publication in the Iowa Weekly Citizen and Iowa State Journal.

Take effect.

Approved March 22d, 1858.

I hereby certify that the foregoing Act was published in the Iowa Citizen March 26th, 1858, and in the Iowa State Journal March 27th, 1858.

ELIJAH SELLS,
Secretary of State.