

contract or proposition submitted to them, then and in that case such contract or proposition shall be binding upon the parties thereto, but if a majority of the people voting on such proposition are against the same then it shall be null and void; *Provided*, That no sale, contract or other disposition of said swamp or overflowed lands shall be valid, unless the person or company to whom the same are sold, contracted or otherwise disposed of to, shall take the same subject to all the provisions of the acts of Congress of September the 28th, 1850, and shall expressly release the State of Iowa and the county in which the lands are situate, from all liability for reclaiming said land.

Contract made binding.

Company assumes the liability of county.

SEC. 4. It is further provided that this act shall be so construed as not to interfere with any pre-emption claim under the act of 1855, Chapter 156; *Provided*, said claimant was an actual and bona fide settler upon such land as provided in section nine of said act and has not assigned his said pre-emption.

Pre-emptions secured

SEC. 5. Nothing in this act shall be so construed as to authorize or allow the people of any county or officer thereof in any manner to contract or otherwise dispose of the swamp or overflowed lands belonging to any county attached thereto for election, judicial or other purposes.

Lands exempted.

Approved March 22d, 1858.

## CHAPTER 133.

### JURORS DRAWN.

AN ACT to amend Chapter ninety-six of the Code.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 1633 of the Code be, and the same is hereby amended, so as to read as follows: Two jury lists, one consisting of seventy-five persons, to serve as Grand Jurors, and one consisting of one hun-

Two lists made annually.

dred and fifty persons, to serve as Petit Jurors, and both lists composed of persons competent and liable to serve as jurors, shall be annually made in each county, from which to select jurors for the years commencing on the first day of January annually.

**In September.** SEC. 2. Section 1635 of the Code is amended by striking out March and inserting in its place September.

**Code amended.** SEC. 3. Section 1636 of the Code is hereby amended by striking out the word April and inserting in its place the word "general."

**Lists return'd by canvassers.** SEC. 4. Section 1637 of the Code is hereby amended so as to read as follows: The Judges shall thereupon make the requisite selection and return list of names as selected to the County Judge, with the returns of election, and further, provided that in case the judges of election shall fail to make and return said lists as herein required, the county canvassers shall at the meeting to canvass the votes polled in the county, make such lists for the delinquent townships.

**Jurors for 1858.** SEC. 5. The persons selected as jurors at the April election in (1858) one thousand eight hundred and fifty-eight shall be required to serve only until January first, one thousand eight hundred and fifty-nine.

**Illegal selections remedied.** SEC. 6. Where from any cause the persons summoned to serve as Grand Jurors or Petit Jurors fail to appear, or when from any cause the Court shall decide that the Grand or Petit Jurors have been illegally elected or drawn, the Court may set aside the precept under which the jurors were summoned, and cause a precept to be issued to the Sheriff, commanding him to summon a sufficient number of persons from the body of the county to serve as jurors at the term of Court then being holden, which precept may be made returnable forthwith or at some subsequent day of the term, in the discretion of the Court.

**Objection to panel.** SEC. 7. All objections to the panel of the Grand Jury must be taken prior to the commencement of the trial before the Petit Jury.

Approved March 22d, 1858.