

31 of the code of civil practice passed at the present session of the legislature, namely: When any party recovers costs, the clerk shall include in the costs for the fee of such party's attorney, (if he have one) five dollars, and no attorney's fee, or part thereof, shall in any case be taxed as costs against the losing party, anything in the code of civil practice to the contrary notwithstanding.

This bill having remained with the Governor three days, Sunday excepted, the General Assembly being in Session, has become a law this 22d day of March, 1860.

ELIJAH SELLS,
Secretary of State.

[H. F. 376.]

CHAPTER 31.

[Chap. 48.]

ELEVENTH JUDICIAL DISTRICT.

AN ACT to amend an act fixing the times of holding Courts in the Eleventh Judicial District.

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

SECTION 1. **Change time of holding court in Hardin county.** That the sixth sub-division of chapter two of the acts of the eighth general assembly, approved January 19, 1860, entitled "An act fixing the times of holding courts in the eleventh judicial district," be amended as follows: At Eldora in the county of Hardin, commencing on the fifth Monday after the first Monday of April and September in each year; provided that all actions commenced in said court since the approval of the act to which this is amendatory and prior to the first day of May, 1860, [35] shall be tried as though this amendment had not been made.

SEC. 2. So much of said chapter two as is inconsistent with this act is hereby repealed.

SEC. 3. **Take effect.** This act shall take effect from and after its publication in the Daily Iowa State Register and the Daily Iowa State Journal, anything in section twenty-one of the code, to the contrary notwithstanding.

Approved March 22, 1860.

I hereby certify that the foregoing act was published in the Daily Iowa State Register March 26th, 1860, and in the Daily Iowa State Journal March 26, 1860.

ELIJAH SELLS,
Secretary of State.

[H. F. 53.]

CHAPTER 32.

[Chap. 50.]

AN ACT making appropriations to meet the expenses of the Deaf and Dumb Asylum.

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

APPROPRIATION DEAF AND DUMB ASYLUM.

SECTION 1. **\$7,000 for 1860—\$7,500 for 1861—paid quarterly—\$500 for deficiencies 1859.** That to meet the ordinary and contingent expenses of the institution of the deaf and dumb asylum for the next two years, including rents, provisions, school apparatus, salaries and clothing for pupils, when necessary, there be and is hereby appropriated for the year commencing on the first day of January, A. D. 1860, the sum of seven thousand dollars, and for the year commencing on the first day of January, A. D. 1861, the sum of

seven thousand five hundred dollars, which appropriations shall be audited and paid by the state treasurer in quarterly instalments in advance, out of any money in the treasury not otherwise appropriated, but the same shall not be drawn unless the same shall be at the time when drawn actually necessary for the maintenance of said asylum, and shall be expended under the direction of the trustees of said institution; and there is hereby appropriated [36] the further sum of five hundred dollars to meet the deficiency in the appropriation heretofore made for the support of said asylum for the year commencing on the first day of January, A. D., 1859, which sum shall be audited, paid and expended, as hereinbefore prescribed.

SEC. 2. **Take effect.** This act shall take effect and be in force from and after its publication in the Iowa State Register and Iowa State Journal.

Approved March 22d, 1860.

I hereby certify that the foregoing act was published in the Iowa State Register March 28th, 1860, and in the Iowa State Journal April 7th, 1860.

ELIJAH SELLS,
Secretary of State.

[H. F. 232.]

CHAPTER 33.

[Chap. 51.]

RELIEF SPIRIT LAKE VOLUNTEERS.

AN ACT for the relief of Michael Sweeney and others.

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

SECTION 1. **The governor to audit claims.** That upon proof satisfactory to the governor, made in such form as he shall direct, that Michael Sweeney, Henry E. Dally, William L. Defore and A. S. Leonard, members of the Spirit Lake expedition under Major Wm. Williams, and other members of said company whose names appear on the original list as furnished to the governor, and that they are fully entitled to relief for services therein rendered, or supplies furnished, he shall audit their claims; and the same when audited and allowed shall be paid in manner and form as provided in the act entitled "an act to pay Maj. Wm. Williams, &c.

SEC. 2. **Jacob Funk.** That in manner provided in section one of this act, Jacob M. Funk may make proof of supplies furnished the said expedition, which when audited in like manner shall be paid in like manner.

[37] SEC. 3. **From what fund paid.** That these claims shall be paid out of the appropriation made by this general assembly for the pay of Maj. Wm. Williams.

SEC. 4. **Take effect.** This act to be in force after its publication in the Iowa State Register and Iowa State Journal.

Approved March 22d, 1860.

I hereby certify that the foregoing act was published in the Iowa State Journal April 7th, 1860, and in the Iowa State Register April 4th, 1860.

ELIJAH SELLS,
Secretary of State.

[S. F. 76.]

CHAPTER 34.

[Chap. 52.]

PENITENTIARY.

AN ACT making appropriations for general support of the Iowa Penitentiary, to supply deficiency in the appropriation made by the Seventh General Assembly.

WHEREAS, The appropriation made by the 7th general assembly for the support of the Iowa penitentiary proved insufficient for the purpose and it being absolutely necessary that funds should be used for such support over and