

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 Michæl 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 Michæl 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

above the amount so appropriated, to provide the convicts with the necessary provisions and prevent suffering, or otherwise the payment of exorbitant prices for provisions and supplies, and thereby causing an increased expense to the state; and

WHEREAS, Under this state of facts the governor of the state, with the concurrence of the auditor and treasurer, did take of the state revenue whilst in transitu from the county treasurers to the state treasury, the sum of six thousand five hundred dollars, and apply the same to the general support of said prison. Therefore

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

SECTION 1. Legalizing the acts of the gov. in providing means for the support of the penitentiary. That the said sum of six thousand five hundred dollars, be and is hereby appropriated to [38] balance said expenditure, and be it further enacted, that the action of the governor herein be legalized and that the auditor of state be and is hereby authorized and required to issue a warrant for said amount, and charge the same to the penitentiary on account of general support, and charge the state treasurer with said sum on the presentation of his receipt to the bank from which the funds were taken.

SEC. 2. This act shall be in force and take effect when published according to law.

Approved March 23rd, 1860.

[H. F. 229.]

CHAPTER 35.

[Chap. 53.]

COMMISSIONER DES MOINES RIVER IMPROVEMENT.

AN ACT making provision for the payment of the salary of the Commissioner of the Des Moines River Improvement, and requiring the Keokuk, Fort Des Moines and Minnesota Railroad Company to pay the amount of said salary into the State Treasury.

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

SECTION 1. 460,00—Wm. C. Drake. That there be and is hereby appropriated out of the state treasury, the sum of fourteen hundred and sixty dollars, to pay the salary of William C. Drake, commissioner of the Des Moines River Improvement, from the first day of January, 1859, up to the time said office was abolished, and the auditor of state is hereby directed to draw a warrant on the treasurer in favor of said Drake for said sum.

SEC. 2. Referred to the state—salary and interest. The Keokuk, Ft. Des Moines & Minnesota Railroad Company, are hereby required to pay into the state treasury of this state, the amount of money appropriated by the first section of this act, to pay the salary of said commissioner, with ten per cent interest thereon from the time this act takes effect, within one year after the lands granted to said railroad company by an act entitled "an act disposing of the grant of land made by act of congress granting land to the territory [39] of Iowa, to aid in the improvement of the navigation of the Des Moines river," approved March 22d, 1858, shall have been certified to the state of Iowa, or otherwise become the property of said company.

SEC. 3. R. R. Co.—failure to refund proceed by sale or mortgage. In case said railroad company fail to pay said sum of money into the state treasury, as provided in section two of this act, then the commissioners appointed by an act entitled "an act in relation to the Des Moines River Improvement, and abolishing the office of commissioner thereof," approved March 3, 1860, shall proceed by the sale or mortgage of lands, as provided for in section ten of