

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

said act last named, to raise said sum and pay the same into the state treasury.

SEC. 4. Take effect. This act to take effect and be in force from and after its publication in the Daily Iowa State Register and Daily Iowa State Journal, anything in section twenty-one of the code to the contrary notwithstanding.

Approved March 24, 1860.

I hereby certify that the foregoing act was published in the Daily Iowa State Register March 28th, 1860, and in the Daily Iowa State Journal March 27th, 1860.

ELIJAH SELLS,
Secretary of State.

[H. F. 166.]

CHAPTER 36.

[Chap. 57.]

DUBUQUE & PACIFIC RAILROAD COMPANY.

AN ACT entitled an act declaratory of the meaning of an act entitled an act for extending the time of completion of 75 miles of road by the Dubuque and Pacific Railroad Company, approved 7th March, 1860.

WHEREAS, the first section of the act above recited reads as follows:

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

That said subsequent completion of said seventy-five miles shall be deemed a substantial compliance with the provisions of said section by said company. deemed a substantial compliance with the provisions of said section by said company.

Now, therefore,

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

SECTION 1. Acceptance of completion 75 miles of road as substanti'l compliance with the law. That said first [40] section shall be considered, and is hereby declared to mean, that said completion of said seventy-five miles by said company shall be deemed to be a substantial compliance by said company with that portion of said 8th section which required seventy-five miles of said road to have been finished by the first day of December last.

SEC. 2. Take effect. That this law shall be in force from and after its publication in the Iowa State Register and Dubuque Herald, at the expense of said railroad company.

Approved March 26th, 1860.

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

ELIJAH SELLS,
Secretary of State.

[H. F. 266.]

CHAPTER 37.

[Chap. 59.]

CEDAR RAPIDS AND MISSOURI RIVER R. R. COMPANY.

AN ACT to carry into execution the trust conferred upon the State of Iowa, in respect to the lands granted by an act of Congress, approved May 15th, 1856, to aid in the construction of a Railroad from Lyons City, across the State of Iowa, and near the forty-second parallel to the Missouri River.

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

SECTION 1. Lands granted to I. C. A. L. R. R. Co., granted and conferred to and upon the C. R. & Mo. R. R. Co.—lands not to be applied to the payment of former debts—title not guaranteed. That so much of the lands, interests, rights, powers, and privileges as have been or may be granted and conferred in pursuance of the act of congress, entitled "an act making a