

Jasper. At Newton, in Jasper county, on the third Mondays of March and September in each year.

Washington. At Washington, in Washington county, on the second Tuesdays of April and November in each year.

Jefferson. At Fairfield, in Jefferson county, on the fourth Tuesdays of April and November in each year.

Marion. At Knoxville, in Marion county, on the third Monday of May and the second Monday of December in each year.

SEC. 2. Not affect suits pending. All petitions, answers, notices, recognizances, or other pleadings or processes returnable to or pending in said district courts for adjudication at the terms now fixed by the act to which this is amendatory, shall be held returnable to and pending at the terms of said courts as fixed by this act.

SEC. 3. Repealing. All acts or parts of acts contravening the provisions of this act, be and the same are hereby repealed.

SEC. 4. Take effect. This act to be in force from and after its publication in the Iowa State Register, published at Des Moines, and the Democratic Standard, published at Knoxville, in said district.

Approved January 27th, 1860.

I hereby certify that the foregoing act was published in the Iowa State Register February 1, 1860, and in the Democratic Standard February 4, 1860.

ELIJAH SELLS,
Secretary of State.

[139] CHAPTER 103.

[Chap. 12.]

KEOKUK, F. D. & M. R. R. COMPANY.

AN ACT relative to the Keokuk, Fort Des Moines and Minnesota Railroad Company.

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

SECTION 1. Shall not execute addition'l mortgage without consent of the bond holders—bonds shall not issue at a greater rate than \$15000 per mile—construction of bonds. That it shall not be lawful for the Keokuk, Fort Des Moines and Minnesota Rail Road Company to make any deed of trust or mortgage on their rail road and franchises from the city of Keokuk to the city of Des Moines, other than the existing mortgage executed by the said company to Luther C. Clark and Samuel R. Curtis, dated February 16, 1857, except with the consent in writing first had and obtained, of a majority in interest of the holders of the bonds secured by the said existing mortgage, such consent to be acknowledged and recorded in the same manner as the said mortgage is now recorded. And it shall not be lawful for said company to issue their bonds under the aforesaid existing mortgage at any greater rate than fifteen thousand dollars per mile, and in respect to that portion of their rail road lying between the town of Eddyville and the city of Des Moines, it shall not be lawful for said company, except with the consent in writing of a majority of bondholders in the manner aforesaid, to issue their bonds under said existing mortgage, except as the track of their railroad shall have been prepared, and the rails laid thereon and affixed thereto, so that cars can run thereon, and then only at the aforesaid rate of \$15,000 per mile, and the trustees under said mortgage shall certify such bonds only as may be issued as herein provided. But nothing herein contained shall be construed to prevent said company from making and issuing such an amount of

construction bonds as they may deem necessary to provide for the construction and equipment of the said railroad, or to secure the same by pledge of the bonds issued under and secured by the aforesaid existing mortgage.

[140] SEC. 2. **Purchases upon foreclosure of mortgages possessed of franchises, &c.** In case said existing mortgage or deed of trust shall be foreclosed, and a sale of said road be made by the trustees, or by order or decree of court under said mortgage, the road, its appurtenances and franchises shall immediately thereby pass to the purchaser or purchasers, who shall be deemed the successors to said Keokuk, Fort Des Moines and Minnesota Rail Road Company, and as such shall take, have, enjoy and exercise all the rights, powers, privileges and franchises that were possessed by said Keokuk, Fort Des Moines and Minnesota Railroad Company at the time of the execution of such mortgage or deed of trust, or at the time of sale aforesaid.

SEC. 3. **Take effect.** This act shall take effect when accepted by the said company, by a resolution to that effect of the board of directors, duly authenticated by the president and secretary, under the corporate seal of the said company, and filed in the office of secretary of state.

SEC. 4. This act to be in force from and after its publication in the Iowa Citizen and Iowa State Journal, without expense to the state.

Approved February 10th, 1860.

I hereby certify that the foregoing act was published in the Iowa State Journal February 18th, 1860, and in the Iowa State Register February 22, 1860.

ELIJAH SELLS,
Secretary of State.

CHAPTER 104.

[Chap. 16.]

SCHOOL LANDS.

AN ACT to amend Chapter 156 of the Seventh General Assembly, entitled "Preemptions of School Lands," Approved March 23d, 1858.

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

SECTION 1. **Pre-emptor entitled to purchase.** That any claimant or pre-emptor, entitled to purchase any of the lands described in said act, at the time of the approval thereof, and was unable [141] to file a statement under oath, of the date and character of his claim, within the sixty days after the taking effect of the same, be and the same is hereby empowered to make the purchase therein contemplated, on filing with the county judge of the county wherein the land is situated, an oath as in the same act required, and the further statement under oath that the said claimant or pre-emptor was deprived of the benefit of said act in consequence of the expiration of the sixty days before he knew of the passage of the act.

SEC. 2. This said oath shall be filed with the county judge in six months from the taking effect of this act.

SEC. 3. This act shall be in force from and after its publication according to law.

Approved February 11th, 1860.

CHAPTER 105.

[Chap. 23.]

ROAD COMMISSIONERS.

AN ACT to amend section 530 of the Code.

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

SECTION 1. **Must be sworn.** That section 530 of the code, be and the same is hereby amended, so as to read as follows: "The Commissioner, surveyor