

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.

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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.

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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