

them, who shall be paid only for the period during which they shall be actively employed as aforesaid.

SEC. 4. **\$500 appropriated.** There is hereby appropriated from the state treasury the sum of five hundred dollars, or so much thereof as may be necessary for carrying into effect the provisions of this act.

SEC. 5. This act to take effect and be in force from and after its publication in the Daily Iowa State Register and the Daily Iowa State Journal.

Approved March 9, 1860.

I hereby certify that the foregoing act was published in the Daily Iowa State Register March 13, 1860, and in the Daily Iowa State Journal March 13, 1860.

ELIJAH SELLS,  
Secretary of State.

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CHAPTER 108.

[Chap. 34.]

WEIGHT OF OATS.

AN ACT to amend section nine hundred and forty of the Code of Iowa.

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

SECTION 1. **33 lbs. per bush'l.** That section nine hundred and forty of the code of Iowa, is hereby amended by striking out after the words "of oats," the words "thirty-five pounds," and inserting instead, the words "thirty-three pounds."

[144] SEC. 2. This act shall take effect immediately after its publication in the Iowa State Journal and the Iowa State Register.

Approved March 13, 1860.

I hereby certify that the foregoing act was published in the Iowa State Register March 21 1860, and in the Iowa State Journal April 21, 1860.

ELIJAH SELLS, Sec. of State.  
Secretary of State.

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CHAPTER 109.

[Chap. 36.]

OCCUPYING CLAIMANTS.

AN ACT entitled an act to amend section 1240 of the Code of Iowa.

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

SECTION 1. **Shall have color of title and lien for improvem't and for taxes paid—ten'nts except'd.** That section one thousand two hundred and forty of the code of Iowa, be amended so as to read as follows: Any person has also such color of title who has occupied a tract of land by himself, or by those under whom he claims for the term of five years; or who has thus occupied the land for a less term than five years, if he, or those under whom he claims, have at any time during such occupancy, with the knowledge and consent, express or implied, of the real owner, made any valuable improvement thereon, or where he or those under whom he claims, have at any time during such occupancy, paid the ordinary county taxes thereon for any one year, and if two years afterwards elapsed without a repayment or proffer of the repayment of the same by the real owner of the land. Provided such occupancy is

continued up to the time at which the suit is brought by which the recovery of the land is obtained as above contemplated. Provided, that nothing in this act shall be construed to give tenants color of title against their landlords.

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

Approved March 13th, 1860.

I hereby certify that the foregoing act was published in the Iowa State Register March 21, 1860, and in the North Iowa Times, March 21, 1860.

ELIJAH SELLS, Sec. of State.

[145] CHAPTER 110.

[Chap. 43.]

MORTGAGES.

AN ACT to regulate the foreclosure of Mortgages.

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

SECTION 1. **Foreclosure.** That in actions now commenced, or which may hereafter be commenced, in any of the courts of this state, for the foreclosure of any mortgage or mortgages, the defendants shall not be held to answer therein until the expiration of nine months after the date of the service of the original notice in such actions on the first defendant served, any provision in any law or laws enacted by the general assembly at its present session to the contrary notwithstanding.

SEC. 2. From and after the first day of January, one thousand eighth hundred and sixty-one, this act shall cease to be in force, and the class of actions mentioned in this act, shall be governed by rules of practice concerning such actions in force at that time.

SEC. 3. **Take effect.** This act to take effect and be in force from and after its publication in the Iowa State Register and the Iowa State Journal, newspapers published at Des Moines.

This bill having remained with the Governor three days, Sunday excepted, the General Assembly being in Session, has become a law this 21st day of March, 1860.

ELIJAH SELLS,  
Secretary of State.

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

ELIJAH SELLS,  
Secretary of State.

CHAPTER 111.

[Chap. 49.]

COUNTY JUDGES.

AN ACT limiting the powers and defining the duties of County Judges in certain cases.

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

SECTION 1. [146] **Limited in constructing for public buildings.** That no contract made by any co. judge for the use of, or for the erection of county buildings where the expenditures exceeds two thousand dollars, shall be legal, unless it is first submitted to a vote of the people of his county as provided