

the said acts and proceedings of said county court and such sale and conveyance are hereby declared as valid and binding, as though such lands were situate in the county where such guardian was appointed or as though the same had been made under the provisions of Section 1st of this Act.

Transcript to be transmitted to the Co. Judges of other counties when lands are sold.

SEC. 3. That the county court shall order a transcript of any proceedings heretofore or hereafter had in said court affecting the title to lands in any other county, ordered to be sold by said court, to be transmitted to the County Judge of the County in which said lands are situated.

Repealing all acts inconsistent.

SEC. 4. That all Acts and parts of Acts inconsistent with the provisions of this Act, be and the same are hereby repealed.

Approved March 10th, 1862.

CHAPTER 28.

PROOF OF WRITTEN INSTRUMENTS.

AN ACT relating to the proof of written instruments in actions and repealing section 2967 of the Revision of 1860.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That section 2967 of the Revision of 1860 is hereby repealed and the following is substituted therefor:

The signature to a written instrument filed with the pleadings shall be deemed genuine unless denied under oath.

SEC. 2967. When any action, defense, set-off, counter claim or cross demand is founded on a written instrument, which is referred to in any pleading, and the original or a copy thereof is annexed thereto (or copied therein) the signature thereto or to any indorsement thereon shall be deemed genuine and admitted, unless the party whose signature it purports to be, shall deny the same under oath, in his pleading, or in a writing to be filed at the same time, with or before his pleading, if there be one, and if not, then in the time allowed for a pleading, and when any other writing, purporting to have been signed by one of the parties is referred to in a pleading, and the original or copy thereof is filed with the pleading, the signature thereto shall be taken to be genuine, and the instrument may be read in evidence against such party, unless he denies the same in writing under

oath before the trial is commenced, *provided* that the person whose signature it purports to be, before filing his affidavit shall, on demand, be entitled to examine the original instrument.

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

Approved March 10th, 1862.

I hereby certify that the foregoing Act was published in the Iowa State Register March 26th, 1862, and Des Moines Daily Times March 13th, 1862.

ELIJAH SELLS, Secretary of State.

CHAPTER 29.

REPORTS OF CLERKS AND JUSTICES.

AN ACT in relation to the duties of Clerks and Justices.

SECTION 1. *Be it enacted by the General Assembly of* Clerks and Justices to
the State of Iowa, That it shall be the duty of the Clerks of the several Courts of this State, (except of the Supreme Court) and all Justices of the Peace, on the first Monday of January of each year, to make a report in writing, to the Board of Supervisors of their respective counties, of all forfeited recognizances in their several offices; of all fines, penalties and forfeitures imposed in their respective Courts, in what cause or proceedings, when, for what purpose, against whom, and for what amount rendered; whether said fines, penalties, forfeitures and recognizances have been paid, remitted, canceled or otherwise satisfied; if so, when, how, and in what manner; if not paid, remitted, canceled or otherwise satisfied, what steps have been taken to enforce the collection thereof, and the prospect of such collection. Such report must be verified under oath, to the effect that the same is full, true and complete of the matters therein contained, and of all things required by this Act; and any officer failing to comply with any of the provisions this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, may be fined in any sum not less than one hundred dollars.

Approved March 14th, 1862.