

of all such lands shall belong to the fund to which the debt on which the land was taken, belonged.

Record shall be made of sale by the Board of Supervisors, upon the Minute Book of said Board.

SEC. 5. In case of any such sale and conveyance by such Board, the resolution making the sale, shall be entered on the minutes of such Board; the yeas and nays on the passage of such resolution shall be also there entered with the date thereof; such resolution shall express the consideration paid for said land, and such a description thereof as shall be necessary to make a deed therefor; and a transcript of such proceedings relating to said sale; the resolution and yeas and nays on its passage, made and certified under the hand of said Clerk and the seal of the said Board shall be a sufficient deed of conveyance by the said county and shall be entitled to be recorded or received in evidence without further proof.

The State or Counties may lease and control the use of any Lands owned by either.

SEC. 6. Whenever the State or any county holds any such lands undisposed of, it may by its proper agent, lease and control the use of the same as shall in the opinion of the Census Board, if belonging to the State, and the Board of Supervisors if belonging to the county, be for the best interest of such owner and the proceeds of such use shall belong to the fund to which the debt on which the land was taken, belongs.

Manner of executing contracts for lands sold.

SEC. 7. The said State or any county on selling such lands, may at the option of the officers making the sale, execute a contract of sale, or an absolute conveyance therefor; and they may take notes, mortgages, contracts or other securities, payable to the grantor, which shall be as valid as if made to an adult person.

Approved March 17th, 1862.

CHAPTER 33.

CHANGE OF VENUE.

AN ACT to amend section 5,066 of the Revision of A. D. 1860 of the laws of the State of Iowa in relation to taking change of venue in criminal proceedings before Justices of the Peace.

Change of venue may be taken from the justices of the peace in criminal proceedings.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 5066 of the Revision of A. D. 1860, of the laws of the State of Iowa, be and the same is hereby amended so that it shall read as follows: If such affidavit be filed the change of venue must be allowed, and the Justice must immediately transmit all

the original papers and a transcript of all his docket entries in the case to the next nearest Justice in the Township, unless said Justice be a party to the action, or is related to either party by consanguinity or affinity within the 4th degree, or where he has been Attorney for either party in the action or proceeding, and in such case the Justice before whom such action or proceeding is commenced shall transmit all the original papers, together with a transcript of all his docket entries, to the next nearest Justice in the County, against whom none of the above objections exist, who shall proceed to try the case, unless a Jury trial be demanded, but no more than one change of venue in the same case shall be allowed. No more than one change shall be allowed.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

Approved March 17, 1862.

CHAPTER 34.

DRIVING AWAY STOCK.

AN ACT to prevent the unlawful driving away of Cattle and other stock by drovers and others.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That any drover or other person or persons, engaged in driving horses, cattle, mules, hogs or sheep or any other stock through any part of the State of Iowa, and shall drive off, or shall knowingly and willingly suffer or permit to be driven off from the premises of any citizen of said State, or from the range in which the stock of any such citizen usually run, to any distance exceeding five miles from such premises or range, any horses, mules, neat cattle, hogs or sheep or any other stock belonging to such citizen, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding thirty days. Drovers prohibited from driving off Stock. Penalty.

SEC. 2. Any Justice of the Peace in any county through which such stock shall pass or in which it may be found, shall have jurisdiction of the offense: *Provided,* That a conviction before one Justice shall be a bar to any other prosecution for the same offense. Suit may be commenced before Justice of the Peace.