

CHAPTER 107.

NOTARIAL ACTS OF E. K. HART LEGALIZED.

AN ACT to legalize the acts of E. K. Hart, a Notary Public in and for Lee County.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That all official acts of E. K. Hart, done and performed by him as Notary Public in and for Lee county, under an appointment by the Governor of this State be and the same are hereby declared to be as legal and binding in law and in equity, as if the said E. K. Hart had caused his commission to be filed and recorded, and had executed and filed his bond as required by law before performing any such official acts.

This bill having remained with the Governor three days (Sunday excepted,) the General Assembly being in session, has become a law this 7th day of April, 1862.

ELIJAH SELLS, Secretary of State.

CHAPTER 108.

FUNDING OUTSTANDING COUNTY WARRANTS.

AN ACT to allow organized counties to fund their outstanding Warrants.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That in any organized county in this State, that has outstanding warrants which exceed in the aggregate the sum of one thousand dollars, over and above the amount of money then in the treasury that can be used in payment of said warrants, it shall be lawful for the Board of Supervisors of said County, a majority of all the members of the Board voting therefor, to make an order submitting to the voters of the county at the next general election, the question whether said county will fund its outstanding indebtedness, and if a majority of all the votes cast, shall be in favor of funding said indebtedness, the Board of Supervisors shall then make an order allowing the persons holding such warrants to return the same to the Treasurer of said county, and receive bonds of said county in lieu therefor: *Provided*, that the provisions of this Act shall not

Board of Supervisors submit question to voters.

Holder of Warrant.

apply to any indebtedness hereafter incurred, or warrants hereafter issued.

SEC. 2. That when the Board of Supervisors of any Co. bonds county shall have made the order mentioned in section one of this Act, they shall cause to be issued bonds of the County in such sums, due at such time, and bearing such rate of interest as the Board shall determine: *Provided*, that such bonds shall contain the name of the County and State; the amount for which the same shall be taken; the date of the order authorizing the issuance of said bonds; the rate of interest they shall bear, and shall be numbered consecutively and signed by the Chairman of the Board, and attested by the Clerk, with his seal thereto affixed: *Provided further*, that no bonds shall be issued for any other sums than fifty dollars and one hundred dollars, nor become due in less than two nor run more than ten years, and in no case bear more than six per cent. interest, and the interest shall be paid annually.

SEC. 3. When said bonds are executed, as provided in this Act, they shall be delivered to the Treasurer of the county, and his receipt taken therefor. Bonds delivered to Treasurer.

SEC. 4. The Clerk of the Board of Supervisors shall keep, in a book provided for that purpose, a record of the bonds so issued and delivered to the Treasurer, which record shall state the date, number, amount, and rate of interest of each bond, and in which at each meeting of the Board of Supervisors, he shall enter on the margin of the record the date of issuance, and the person to whom issued, of each bond as shown by the report of the Treasurer. Record of bonds.

SEC. 5. The Treasurer shall, after receiving said bonds, when any person presents to him for that purpose, warrants of the amount of any sum for which bonds have been issued, receive said warrants, and shall endorse on the face of the same as provided in section 755 of the Revision of 1860, and write across the back of the same, "canceled by delivering county bond No.—" (here insert the number of the bond) and the date of the reception of the same, and sign his name with the word Treasurer, and shall issue to said person a bond or bonds for the amount of the same, adding to the bond the date of its issuance, and write his name and the word Treasurer across the face of said bond, and no bond shall draw interest, except from the date of its issuance. Treasurer to cancel Warrants and issue bonds in lieu.

SEC. 6. In case the amount of said warrant or warrants exceeds the amount for which bonds can be issued, the Treasurer shall give to the person a certificate which Treasurer to give certificate.

Clerk draw
Warrant.

shall state the amount due said person, the date and number of the warrant for which it is given as a balance, and the date and number of the bond that was issued to the holder thereof in payment for said warrant, which certificate shall be presented to the Clerk of the Board of Supervisors, and he shall draw a warrant for the sum so certified to him, and file the certificate in his office as the voucher therefor.

Treasurer to
keep a special
record book.

SEC. 7. The Treasurer shall keep in a book to be provided for that purpose, a record similar to the one provided in section four of this Act, to be kept by the Clerk of the Board of Supervisors, in which shall be entered in addition to the matters herein specified, the date, number and amount of each warrant received by him in exchange for such bond.

Treasurer
give to Clerk
Warrants re-
ceived and
endorsed.

SEC. 8. The Treasurer shall immediately transmit to the Clerk of the Board of Supervisors the warrants thus received and endorsed by him, and the Clerk shall examine the same, and if found correct, give the Treasurer a receipt therefor, stating the amount for which bonds were issued, and the amount for which a new warrant was drawn, and file the warrants in his office for the inspection of the Board of Supervisors at their next meeting.

Board of Su-
pervisors ex-
amine War-
rants.

SEC. 9. At each meeting of the Board of Supervisors they shall examine the warrants then in the hands of the Clerk, and if found to correspond with the number and amount of the bonds issued by the Treasurer, they shall be treated as other canceled warrants.

Tax assessed
to pay inter-
est on bonds.

SEC. 10. The Board of Supervisors shall, in each year, during the time they have any of the above outstanding bonds, assess a sufficient tax on all the taxable property in the county, in addition to the other taxes to be raised, a sum sufficient to pay the interest on said bonds.

Payment of
interest on
bonds.

SEC. 11. When the interest on any bond becomes due, the holder thereof may present the same to the Clerk of the Board of Supervisors, who shall endorse on the back of the same, "one year's interest paid," with his name and the date of payment, and shall issue to the holder of said bond, a warrant on the Treasurer for the amount so found due, which shall be paid in the order of their issuance.

Supervisor
may order re-
turn of bonds

SEC. 12. At the time the bonds so issued become due, the Board of Supervisors may, if they deem it for the interest of the county so to do, make an order directing the Clerk to notify the persons holding such bonds, to return the same for payment. Said bonds shall not draw interest after thirty days from the date of actual

notice under this order on the holder of the bond.

SEC. 13. Be it further enacted, That where any organized county has heretofore funded her outstanding warrants in the manner provided in this Act, or in any manner not inconsistent with the provisions of this Act, the same is hereby declared to be valid, and as binding on the parties thereto, as though made in pursuance of positive law. Legalize the funding of Warrants.

SEC. 14. If any organized county in this State has issued bonds in exchange for her outstanding warrants, and the same have not been issued in accordance with the provisions of this Act, the holders of said bonds may return the same, and the proper officers may issue new bonds in accordance with the provisions of this Act, and the same shall be binding on all parties thereto, the same as though the holder thereof had exchanged county warrants therefor. New bonds to issue.

SEC. 15. Nothing in this Act shall be construed to legalize the issuing of any bonds for railroad or other purposes for which county bonds are authorized to be issued, nor shall any Board of Supervisors or any Treasurer be allowed to issue bonds under the provisions of this Act for outstanding county warrants that were obtained by fraud, or the validity of which is in dispute, nor shall the Treasurer or any officer sell such bonds for cash, but the same shall only be used for the purpose of funding outstanding county warrants issued by the county for ordinary county purposes, and in good faith. Construction of this Act.

SEC. 16. The Board in issuing said bonds, shall make provisions in the order for the said bonds to become due in a ratio to be fixed by the Board, so that a certain per centum of the whole amount shall come due in two years after their issuance, and a certain per centum each year thereafter, until the whole are paid. Provisions for maturity of bonds.

Approved April 7th, 1862.

CHAPTER 109.

RELIEF OF VOLUNTEERS.

AN ACT to repeal Chapter seven of the laws of the State of Iowa, passed at the Extra Session of the Eighth General Assembly, entitled "An Act for the relief of the volunteer soldiers of this State."

SECTION 1. *Be it enacted by the General Assembly of*