

ACTS, RESOLUTIONS AND MEMORIALS,

PASSED AT THE

EXTRA SESSION

OF THE

FIFTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA,

Which convened at Iowa City, on the Second day
July, Anno Domini, 1856.

JAMES W. GRIMES, Gov. | **JOHN PATTEE, Auditor.**
GEO. W. McCLEARY, Sec. | **M. L. MORRIS, Treasurer.**
MATURIN L. FISHER, President of the Senate.
REUBEN NOBLE, Speaker of House of Representatives.

PUBLISHED BY AUTHORITY.

IOWA CITY.
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IOWA LAND BILL.

A BILL making a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of certain Railroads in said State.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there be and is hereby granted to the State of Iowa, for the purpose of aiding in the construction of railroads from Burlington, on the Mississippi river, to a point on the Missouri river, near the mouth of Platte river; from the city of Davenport, via Iowa City and Fort Des Moines to Council Bluffs; from Lyons City, north-westerly to a point of intersection with the main line of the Iowa Central Air Line Railroad, near Maquoketa; thence on said main line, running as near as practicable to the forty-second parallel, across the said State of Iowa to the Missouri river; from the city of Dubuque to a point on the Missouri river, near Sioux City, with a branch from the mouth of the Tete Des Morts, to the nearest point on said road, to be completed as soon as the main road is completed to that point, every alternate section of land, designated by odd numbers, for six sections in width on each side of said roads. But in case it shall appear that the United States have, when the lines or routes of said roads are definitely fixed, sold any sections or any parts thereof, granted as aforesaid, or the right of pre-emption has attached to the same, then it shall be lawful for any agent or agents to be appointed by the Governor of said State to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tiers of sections above specified, so much land in alternate sections or parts of sections, as shall be equal to such lands as the United States have sold, or otherwise appropriated, or to which the rights of pre-emption have attached as aforesaid; which lands (thus selected in lieu of those sold and to which pre-emption rights have attached as aforesaid, together with the sections and parts of sections by odd numbers as aforesaid, and

appropriated as aforesaid) shall be held by the State of Iowa, for the use and purpose aforesaid: *Provided*, That the land to be so located shall in no case be further than fifteen miles from the lines of said roads, and selected for and on account of each of said roads: *Provided further*, That the lands hereby granted for and on account of said roads severally, shall be exclusively applied in the construction of that road for and on account of which such lands are hereby granted, and shall be disposed of only as the work progresses, and the same shall be applied to no other purpose whatsoever: *And provided further*, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any objects of internal improvement, or for any other purpose whatsoever, be and the same are hereby reserved from the operations of this act, except so far as it may be found necessary to locate the routes of said railroads through such reserved lands; in which case the right of way only shall be granted, subject to the approval of the President of the United States.

SEC. 2. *And be it further enacted*, That the sections and parts of sections of land, which by such grant shall remain to the United States within six miles on each side of said roads, shall not be sold for less than the double minimum price of the public lands when sold; nor shall any of said lands become subject to private entry, until the same have been first offered at public sale at the increased price.

SEC. 3. *And be it further enacted*, That the said lands hereby granted to the said State shall be subject to the disposal of the legislature thereof for the purpose aforesaid, and no other; and the said railroads shall be and remain public highways for the use of the government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States.

SEC. 4. *And be it further enacted*, That the lands hereby granted to said State shall be disposed of by said State only in manner following: that is to say, that a quantity of land not exceeding one hundred and twenty sections for each of said roads, and included within a continuous length of twenty miles of each of said roads may be sold; and when the Governor of said State shall certify to the Secretary of the Interior, that any twenty continuous miles of

IOWA LAND BILL.

any of said roads is completed, then another quantity of land hereby granted, not to exceed one hundred and twenty sections for each of said roads having twenty continuous miles completed as aforesaid, and included within a continuous length of twenty miles of each of such roads, may be sold; and so from time to time until said roads are completed; and if any of said roads are not completed within ten years, no further sale shall be made and the lands unsold shall revert to the United States.

SEC. 5. *And be it further enacted,* That the United States mail shall be transported over said roads, under the direction of the Post Office Department, at such price as Congress may, by law, direct: *Provided,* That until such price is fixed by law, the Postmaster General shall have the power to determine the same.

APPROVED, May 15th, 1856.

PROCLAMATION BY THE GOVERNOR.

WHEREAS, it is believed that subjects of vital importance to the State of Iowa demand immediate legislative action.

Therefore, I, JAMES W. GRIMES, Governor of said State, by virtue of the authority in me vested, do hereby convene the General Assembly of said State in special session, to be begun and held at Iowa City, on Wednesday, the second day of July next, at two o'clock, in the afternoon of said day.

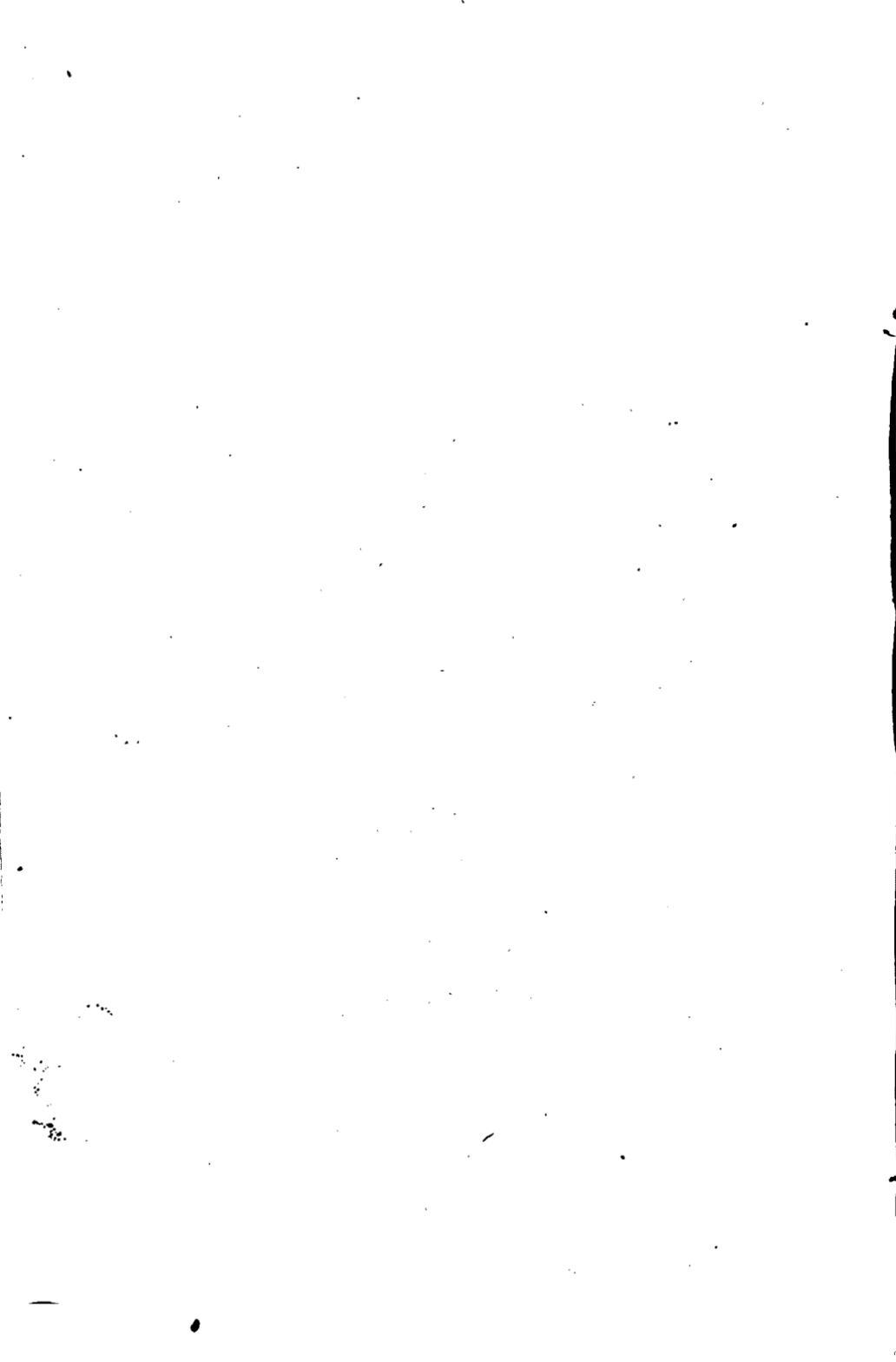
In testimony whereof, I have hereunto set my hand and L. S. caused to be hereto affixed the great seal of the State of Iowa.

Done at Iowa City, this 3rd day of June, 1856.

JAMES W. GRIMES.

By order of the Governor:

GEO. W. McCLEARY, Secretary of State.



LAWS OF IOWA.

CHAPTER 1.

RAIL ROAD GRANT.

AN ACT to accept of the grant and carry into execution the trust conferred upon the State of Iowa, by an act of Congress entitled an act making a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of Rail Roads in said State, approved May 15th, 1856.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the lands, rights, powers and privileges, granted to, and conferred upon, the State of Iowa, by the act of Congress entitled "an act making a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of Rail Roads, in said State, approved May 15th 1856," be and the same are hereby accepted upon the terms, conditions and restrictions, contained in said act of Congress. Grant accepted.

SEC. 2. That so much of the lands interest, rights, powers and privileges, as are or may be granted and conferred, in pursuance of the act of Congress aforesaid, to aid in the construction of a Rail Road from Burlington on the Mississippi river to a point on Missouri, near the mouth of Platte river, are hereby disposed of, granted and conferred upon the Burlington and Missouri River Rail Road Company, a body corporate, created and existing under the laws of the State of Iowa. Lands granted to Burlington and Missouri R. Co.

SEC. 3. That so much of the lands, interest, rights, powers and privileges as are or may be granted and conferred, in pursuance of the act of Congress aforesaid, to aid in the construction of a Railroad from Davenport via Iowa City and Ft. Des Moines to Council Bluffs, are hereby disposed of, granted and conferred to and upon the Mississippi and Missouri Rail Road Company, a body corporate, created and existing under the laws of the State of Iowa. To Mississippi and Missouri R. R. Co.

To Air Line
R. R. Co.

SEC. 4. That so much of the lands, interest, rights, powers and privileges as are or may be granted and conferred, in pursuance of the act of Congress aforesaid, to aid in the construction of a Rail Road from Lyons City northwesterly to a point of intersection with the main line of the Iowa Central Air Line Rail Road near Maquoketa, thence on said main line, running as near as practicable to the forty-second parallel, across the said State to the Missouri river, are hereby disposed of, granted and conferred to and upon the Iowa Central Air Line Rail Road Company, a body corporate, created and existing under the laws of the State of Iowa.

To Dubuque
and Pacific
R. R. Co.

SEC. 5. That so much of the lands, interest, rights, powers and privileges as are or may be granted and conferred, in pursuance of the act of Congress aforesaid, to aid in the construction of a Rail Road from the City of Dubuque to a point on the Missouri river at or near Sioux City, with a branch from the mouth of the Tete Des Morts to the nearest point on said road, to be completed as soon as the main line is completed to that point, are hereby disposed of, granted and conferred to and upon the Dubuque and Pacific Rail Road Company, a body corporate, created and existing under the laws of the State of Iowa.

Location of
Roads.

Maps & plats.

SEC. 6. The lines and routes of the several roads above described shall be definitely fixed and located on or before the first day of April next, after the passage of this act, and maps or plats, showing such lines and routes, shall be filed in the office of the Governor of the State of Iowa, and also in the office of the Secretary of State of the State of Iowa. It shall be the duty of the Governor, after affixing his official signature, to file such map in the Department having the control of the public land in Washington; such location being considered final only so far as to fix the limit and boundary within which lands may be selected; and if it shall appear that the lands that have been donated by the act of Congress aforesaid, for the construction of the several lines above indicated, cannot be obtained by said companies within the limits and along any part of the line aforesaid, the Governor shall from time to time appoint agents to

make such selections as may be authorized or granted by **Agents** Congress for the lines aforesaid; but the compensation of such agents and the costs, expenses and charges attendant upon and occasioned by making such selections, shall be fixed, regulated, paid and borne by each of said Rail Road Companies respectively, upon and for its own line.

SEC. 7. The Iowa Central Air Line Rail Road Company **Branch** shall furnish, equip and operate the branch of their Rail Road that will be constructed under this grant from Lyons City to the point of intersection with the main line of their road near Maquoketa, in the same manner with their main line from the west, and as completely as though the same was a continuation of said main line, and shall never give any preference to the main line of said road or any part thereof, as defined in their articles of incorporation, by business arrangements, tariff of prices, or otherwise, over the said branch to their Railroad.

SEC. 8. The grants aforesaid are made to each of said **Conditions** companies respectively, upon the the express condition, that in case either of such Railroad Companies shall fail to have completed and equipped seventy-five miles of its road within three years from the first day of December next, thirty miles in addition in each year hereafter, for five years, and the remainder of their whole line of road in one year thereafter, or on the first of December, A. D., 1865, then and in that case it shall be competent for the State of Iowa to resume all rights conferred by this act upon the company so failing, and to resume all rights to the lands hereby granted and remaining undisposed of by the company so failing to have the length of road completed in manner and time as aforesaid.

SEC. 9. The Roads aforesaid shall be constructed upon a **Gauge of road** gauge with a width of four feet, eight and one-half inches, and the iron used in the track shall be of approved quality and pattern, and the said Roads shall be completed and finished in a style and of a quality equal to the average of other first class western roads, and when the Roads, or any of them, authorized to be constructed by this act, shall be **Style and quality** intersected by the roads of any other Railroad Company now

constructed, or hereafter to be constructed, it shall be the duty of such Road or Roads, receiving the benefit of this act, to furnish all proper and reasonable facilities and to join such other company in making all necessary crossings, turnouts, sidelings and switches, and other conveniences necessary for the transportation of all freight and passengers over either or any road or roads hereby mutually accommodated, whether said passengers or freight are brought by the roads benefitted by this act, or any other road or roads now constructed, or which may hereafter be constructed, and at such rates as shall not in any case exceed the regular tariff of charges on such road or roads.

Crossing,
turnouts, &c.

Rates limited.

Pre-emption.

SEC. 10. All persons, who at the time said grant was made, held valid claims by actual occupation and improvement upon any of the lands embraced in said grant, shall be protected in the same, and entitled to purchase and enter the same upon the terms and conditions hereinafter provided.

Application.

SEC. 11. Any person, wishing to avail himself of the provisions of this act, shall within three months of the passage thereof, file his application for that purpose with the Judge of the county where such lands may be situate, and shall prove to the satisfaction of said Judge that his claim is valid, and that the same existed at the time said grant was made; and upon such proof being made, such Judge shall give to the applicant a certificate of the fact, and such certificate shall entitle the holder or his bona fide assignee to enter such land at the rate of two dollars and fifty cents per acre; *Provided*, that no person, claimant, or the assignee of a claim, shall be entitled to more than one hundred and sixty acres of land under this act; *And provided further*, That the person asserting a claim, whether as claimant or assignee, shall file his affidavit that he has not either directly or indirectly received the benefits of the provisions of this act. Before any rights shall be acquired under such certificate, a copy of the same together with the evidence shall be served on the secretary of the company interested, and such company shall have the right to appeal from the decision of such Judge to the District Court, in the same manner as

Price.

Appeal.

appeals are taken from the decisions of Justice of the Peace at any time within ninety days after the service of such papers, and the same shall be tried as other appeal cases, and an appeal may be taken to the Supreme Court by either party, in the same manner as appeals in other cases.

SEC. 12. Such certificate on being filed with the secretary of the company upon whose line of Road such lands may be situate, when no appeal has been taken as herein provided, shall entitle the holder or his assignee to the possession of said land, until the title shall become vested in the company; upon payment thereafter to the Treasurer of the Company for said land at the price above designated, such person shall receive from the Secretary of the Company a patent to such land, not exceeding in quantity one hundred and sixty acres. Such deed or patent shall vest in the purchaser all the title of said company in and to such lands, except so far as to reserve to the company all such right of way and station grounds as may be actually necessary for the uses of the company.

Certificate.

Effect of

Deed.

SEC. 13. The said companies shall each severally assent to and accept the provisions of this act, by a written instrument, under the seal of such corporation, with the signatures of the proper officers, within ninety days after the passage of this act, which said acceptance shall be filed in the office of the Secretary of State, and be by the Secretary recorded in the book by him kept for the recording of articles of association.

Assent and accept.

Filed.

SEC. 14. Said Rail Road Companies, accepting the provisions of this act, shall at all times be subject to such rules and regulations as may from time to time be enacted and provided for by the General Assembly of Iowa, not inconsistent with the provisions of this act, and the act of Congress making the grant.

Rules and regulations.

SEC. 15. It shall be the duty of the companies receiving the benefits of this act, to make a regular annual report of their proceedings at the usual time and place of electing their officers, exhibiting a detailed statement, as far as practicable, of the amount of their expenditures, liabilities, &c.,

Report.

a copy of which shall be filed in the office of the Secretary of State.

Conditions.

SEC. 16. *Be it further enacted*, That any of said companies accepting the grants of lands under this act, shall take the same with the conditions imposed and incumbrances specified in this act, and shall in no event have any claim or recourse whatever upon the State of Iowa, for a misapplication of said grant, incumbrances or conditions in this act imposed.

Take effect.

SEC. 17. This act shall take effect and be in force from and after its publication in the Iowa Capital Reporter, and Iowa City Republican.

APPROVED, July 14th, 1856.

I certify that the foregoing act was published in the Iowa Capital Reporter and Iowa City Republican on the 16th day of July, 1856.

GEO. W. McCLEARY,

Secretary of State.

CHAPTER 2.

COURT IN MUSCATINE.

AN ACT to amend an act entitled an act fixing the boundaries of the several Judicial Districts, and the time of holding Courts therein, approved, January 22nd, 1853.

Repeal.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That so much of section fifteen of the act specified in the title of this act, as requires one term of the District Court to be held in Muscatine county, on the "Fourth Monday after the first Monday in April," be repealed, and that said court be and the same is hereby required to be held on the fourth Monday after fourth Monday in April.

Time of term.

Suits not to be discontinued or quashed.

SEC. 2. That no suits, pleas, indictments, process, or proceedings, shall be quashed or discontinued in consequence of the change of times of holding the term of court herein before referred to.

SEC. 3. That this act take effect and be in force from and after its publication in the Iowa Capital Reporter, and Iowa City Republican. Take effect.

APPROVED, July 12th, 1856.

I certify that the foregoing act was published in the Iowa Capital Reporter July 30th, and in the Iowa City Republican, August 7, 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 3.

SIXTH AND SEVENTH JUDICIAL DISTRICTS.

AN ACT to change the time of holding courts in the counties comprising the Sixth and Seventh Judicial Districts.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the terms of the District Court shall be held in the county of Fremont on the first Mondays of March and September; in the county of Page on the third Mondays of March and September; in the county of Union on the first Mondays in April and October; in the county of Adair on the second Mondays of April and October; in the county of Guthrie on the Thursday after the second Mondays in April and October; in the county of Audubon on the third Mondays of April and October; in the county of Cass on the fourth Mondays of April and October; in the county of Adams on the second Mondays of May and November; in the county of Montgomery on the third Mondays in May and November; in the county of Mills on the fourth Mondays of February and August; in the county of Pottawattamie on the first Mondays in April and October; in the county of Harrison on the first Mondays in May and November; in the county of Shelby on the second Mondays in May and November; in the county of Monona on the third Monday in May and November; in the county of Woodbury on the fourth Monday in May and November; and in

Terms.
6th District.
7th District.

all other counties at such times and places as the Judge may appoint.

Take effect. SEC. 2. This act to be in force from and after its publication in the Iowa Capital Reporter and Council Bluffs Bugle.

APPROVED, July 15th, 1856.

I certify that the foregoing act was published in the Iowa Capital Reporter on the 6th day of August, and in the Council Bluffs Bugle on the _____, 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 4.

STATE ROAD.

AN ACT to re-locate a part of the State Road from the town of Primrose to the City of Keokuk, in Lee County.

Commissioner. SECTION 1. *Be it enacted by the General Assembly of the State Iowa,* That Guy Wells, of the City of Keokuk, be and is hereby appointed a Commissioner to re-locate and establish that part of the State road from Primrose to Keokuk, commencing at a point where said road as now located, from Primrose to Keokuk, crosses the main road from the town of Charleston to the town of Croton, in Lee county, and extending thence to the City of Keokuk, in Lee county.

Relocation.

Powers. SEC. 2. Said Commissioner shall have the same powers and privileges and compensation, as are provided by chapter twenty of the laws passed at the last session of the General Assembly, for Commissioners to locate the aforesaid road from Primrose to Keokuk.

Time to commence. SEC. 3. Said Commissioner shall commence the re-location of the road mentioned in the first section of this act within three months from the first day of August next, and complete it within a reasonable time thereafter.

Take effect. SEC. 4. This act to be in force from and after its pub-

lication in the Iowa Capital Reporter and Iowa City Republican.

APPROVED, July 15, 1856.

I certify that the foregoing act was published in the Iowa Capital Reporter and Iowa City Republican, on the 23rd day of July, 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 5.

RESURVEYING OF ROADS.

AN ACT to authorize the re-survey of certain highways in the county of Clayton.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the County Judge of Clayton be and he is hereby authorized to cause to be re-surveyed and plated all public high ways in said county, in all cases in which he shall deem it necessary and expedient so to do, by reason of the loss or destruction of the field notes of the original survey, or in cases of defective survey or records, or in cases of such numerous alterations of any public highway, since the original survey, that its location cannot be accurately determined by the papers now on record in his office.

Re-survey.

Plat.

Field notes.

SEC. 2. That a copy of the field notes together with a plat of any highway surveyed under the provisions of this act, shall be filed in the office of the County Judge, and that thereupon the County Judge shall give public notice by publication in some newspaper published within the county, that such survey has been made, and that at some term of the County Court, not less than twenty days from the date of such publication, he will, unless some good cause be shown against so doing, approve of such survey and plat, and order them to be recorded, as in cases of the original establishment of a public highway. In case objections shall be made by any person, claiming to be injured by the survey made, the County Judge shall have full power to hear

Plat and field notes to be filed.

Notice.

Injury.

Trial, &c. and determine upon the matter; and may, if deemed advisable, order a change to be made in the survey. Upon the final determination of the County Judge, or in case no objection shall be made at the term of the court named in the

Approval. said notice to the survey, he shall approve of the same, and cause the field notes and plat of the highway to be recorded,

Record. as in cases of the establishment or alteration of highways,

Established. and thereafter such record shall be received by all courts as conclusive proof of the establishment and existence of such highway, according to such survey and plat.

Take effect. SEC. 3. This act shall be in force from and after its publication, at the expense of the county of Clayton, in The Elkader Tribune and Clayton County Herald.

APPROVED, July 14th, 1856.

CHAPTER 6.

STATE ROAD.

AN ACT to locate a State Road from Bear Grove to the Missouri River.

Commissioners. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Daniel Brown, of Harrison county, Thomas Seely, of Guthrie county, and Joseph Hill of Pottawattamie county, be and they are hereby appointed Commissioners to locate a State Road, as follows: Beginning at the junction of the State Roads running west from Adel, in Dallas County, and Panora, in Guthrie county (at Bear Grove, in Guthrie county,) thence on the most practicable route to the town of Cincinnati, in Harrison county.

Bear Grove to Cincinnati.

Meeting. SEC. 2. The said Commissioners or a majority of them shall meet at the house of Thomas Seely, in Guthrie county, on the first day of September next, or within six months thereafter.

Place.

Time.

Take effect. SEC. 3. This act to take effect from and after its publication in the Council Bluffs Bugle and Council Bluffs

Chronotype, the expenses of said publication to be paid by the counties through which the road is to run.

APPROVED, July 15th, 1856.

CHAPTER 7.

STATE ROAD.

AN ACT to establish a State Road in the counties of Monroe and Wayne.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Joseph B. Teas, John Walker, and James Finley, of Monroe county; are hereby appointed commissioners to locate and establish a State Road, commencing at Forest Grove, in Monroe county, thence by way of Bremen and John Walker's Ford, on South Cedar Creek, in Monroe county, and thence to Corydon, the county seat of Wayne county. Said road to be located on county roads running between the several points aforesaid, if, in the judgment of the commissioners, the same can be done, having due regard to the interest of the State, and the people residing on the route.

SEC. 2. That the commissioners above appointed to locate said road, or a majority of them, shall meet on the first Monday of September next, or within sixty days thereafter, at the first mentioned point, and taking to their assistance a surveyor and the necessary chainmen and markers, and after having been sworn to the faithful discharge of their duties respectively, shall proceed to perform the same according to law.

Sec. 3. The commissioners, surveyor, and hands to be paid as provided by law in such cases, made and provided: but the State shall not be liable for any part of the expenses incurred in the location of said road.

Take effect. SEC. 4. This act shall take effect from and after its publication in the Iowa City Republican, published in Iowa City.
 APPROVED, July 15th, 1856.

I certify that the foregoing act was published in the Iowa Capital Reporter on the 23rd of July, and in the Iowa City Republican on the 24th day of July, A. D., 1856.

GEO. W. McCLEARY,
 Secretary of State.

CHAPTER 8.

STATE ROAD.

AN ACT to establish a certain State road therein named.

Commissioners. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Samuel Robb, of the county of Jefferson, Reuben Miers, of the county of Wapello, and Jefferson Early, of the county of Davis, be and they are hereby appointed Commissioners to locate a State Road, commencing at Bloomfield, Davis county, and running on the nearest and most practicable route, by way of Ashland, Wapello county, thence to Batavia and Brookville, in Jefferson county, thence to Richland, in Keokuk county.

Bloomfield
to
Richland.

Time and
place of meet-
ing.

SEC. 2. The Commissioners above appointed, or a majority of them, shall meet on the first Monday in September, or within three months thereafter, at Ashland, Wapello county, and take to their assistance a surveyor and necessary chainmen, and after having been sworn to the faithful discharge of their respective duties, shall proceed to locate said road according to law.

State to pay
no expense.

SEC. 3. Said Commissioners and hands shall be paid as provided by law; but the State shall in no case be held to pay any part of the expenses incurred in locating said road.

Take effect.

SEC. 4. This act to be in force after its publication in the Iowa Capital Reporter and Republican.

APPROVED, July 14th, 1856.

I certify that the foregoing act was published in the Iowa Capital Reporter and Republican on the 23rd of July, A. D., 1856.

GEO. W. McCLEARY,
 Secretary of State.

CHAPTER 9.

STATE ROAD.

AN ACT to locate a State road from Glenwood, Mills county, to Quincy, in Adams county.

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa*, That David H. Solomon, of Mills county, Amos C. Lowe, of Montgomery county, and John R. Calvin, of Adams county, be and they are hereby appointed Commissioners, to locate a State road, beginning at Glenwood in the county of Mills, thence easterly by the nearest and best route, by Frankford, in Montgomery county, to Quincy, in Adams county. Commissioners.

SEC. 2. That the Commissioners thus appointed shall on the first Tuesday of October, or within thirty days thereafter, meet at Glenwood, and after taking with them the necessary assistants and being duly qualified proceed to the discharge of their duty. Time and place of meeting.

SEC. 3. The commissioners, surveyor and assistants above specified shall receive pay for their services in establishing said road in accordance with the provision of law in such case made and provided. How paid.

SEC. 4. This act shall take effect and be in force from and after its publication in the Glenwood Weekly Times. Take effect.

APPROVED, July 15th, 1856.

I certify that the foregoing act was published in the Glenwood Weekly Times, on the 24th day of July, A. D. 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 10.

STATE ROAD.

AN ACT to locate a State Road from Sidney, Fremont county, Iowa, to Glenwood, in Mills county.

Commissioners. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Benjamin Rector, of Fremont county, Wm. C. Means, of Montgomery county, and James M. Dews, of Mills county, be and are hereby appointed Commissioners to locate a State Road, beginning on the State Road running north from Sidney to Council Bluffs, at a point near the farm of Augustus Borchert, north of Sidney; thence north to the farm of William P. Martin; thence north westerly on the nearest and best route to Tabor, and from thence to Glenwood, Mills county, State of Iowa.

Sidney to Glenwood.

Time & place of meeting.

SEC. 2. That the Commissioners thus appointed shall on the first Tuesday of September, A. D., 1856, or within thirty days thereafter, with the necessary assistants, meet at the Court House, in Sidney, and after being duly qualified, proceed to discharge their duty.

Pay.

SEC. 3. The Commissioners, surveyors and assistants above specified shall receive pay for their services in establishing said road, in accordance with the provisions of law in such cases made and provided.

Take effect.

SEC. 4. This act shall take effect and be in force from and after its publication in the Glenwood Weekly Times and Iowa Capitol Reporter without expense to the State.

APPROVED, July 15, 1856.

Published in the Iowa Capital Reporter, July 30, and Glenwood Weekly Times, July —, A. D., 1856,

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 11.

STATE ROAD.

AN ACT to locate and establish a certain State Road.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That John F. Joice, Pleasant Chitwood, and Jacob Walker, of the county of Boone, be and they are hereby appointed Commissioners to locate a State Road from the town of Marshall, in Marshall county, via Nevada, in Story county, Boonsboro, in Boone county, and Jefferson, in Greene county, to Belvidier and Ashton, in Monona county.

SEC. 2. That Henry B. Martin, of Webster county, and Cornelius Beal and E. J. Bowman, of Boone county, be and they are hereby appointed Commissioners to locate and establish a State road, from Fort Dodge, via the county seat of Calhoun county, the county seat of Carroll county, and Shelbyville, in Shelby county, to Council Bluffs.

SEC. 3. That the Commissioners above appointed on each separate road, or a majority of them, shall meet at the first point mentioned on each of said roads, or at such other points as may be by them agreed upon, on the 15th day of August, 1856, or within three months thereafter, and taking to their aid the necessary assistants, proceed to locate said roads according to law, first being duly sworn.

SEC. 4. The Commissioners, surveyor and hands on said roads, to be paid as now provided by law; *Provided*, that the State shall in no case incur any part of the expense growing out of the location or establishment of the same.

SEC. 5. This act to take effect and be in force from and after its passage.

APPROVED, July 14th, 1856.

CHAPTER 12.

STATE ROAD.

AN ACT to locate a State Road from a point near Dewitt to Poston Grove

Commissioners. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That John F. Homer, William Campbell and John Robb, be and they are hereby appointed Commissioners to locate a State Road from the east line of township number eighty-one (81) north, of range three (3) east of the 5th principal meridian, in Clinton county, and commencing at a point eighty (80) rods north of the half section line of section number thirteen (13) on said township line of section (16) in said township, thence by the most direct and favorable route to Clamshell ford, across the Wapeseipnican river, thence by the best and shortest line to Poston's Grove, so as to intersect at said Grove a Territorial road from Camanche to Iowa City, located according to the provisions of an act of the Territorial Legislature, approved January 7th, 1841.

De Witt to Poston's Grove.

Vacated. SEC. 2. *Be it further enacted,* That so much of the Territorial road mentioned in the preceding section as lies within the said east line of township eighty-one, range three (3) east and Poston's aforesaid, be and is hereby declared vacated from and after the taking effect of this act.

Time & place of meeting. SEC. 3. The said Commissioners, or a majority of them, shall meet on the first Monday of August next, or within sixty days thereafter, at the court house in Dewitt, and appoint a surveyor and qualify, and proceed to survey and locate said road, and discharge their duties according to law; but, if any of the said Commissioners die or refuse to serve, the County Judge of said county of Clinton shall appoint others in their place forthwith, and they shall proceed to locate said road, and receive such compensation as is provided by law, and the County Judge of said county, upon the return of said Commissioners that they have located said road and

Vacancy.
Judge appoints

discharged their duties as the law directs in such cases, shall issue his warrant upon the county treasurer of said county in favor of said Commissioners and surveyor for the amount that may be due them as their fees in making the survey and location of said road, and the State shall pay no part of said expenses. Pay.

SEC. 4. This act to take effect from and after its publication in the Republican, at Iowa City, and in the Dewitt Clintonian, of Clinton county. Take effect.

APPROVED, July 15th, 1856.

I certify that the foregoing act was published in the Iowa City Republican on the 23rd of July, and in the Dewitt Clintonian on the 13th day of Aug. 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 13.

ROAD.

AN ACT to extend the time of locating the State Road.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the time for locating a State Road from Centerville to Ottumwa, approved January 24th, 1855, be extended to January 1st, 1857. Time extended.

SEC. 2. This act to take effect from and after its publication in the Iowa City Republican and Reporter, in Iowa City, without expense to the State. Take effect.

APPROVED, July 15th, 1856.

I certify that the foregoing act was published in the Reporter, July 30 and Iowa City Republican, August 5, 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 14.

FORT MADISON.

AN ACT to amend section first of an act to amend the charter of the town of Ft. Madison, approved, January 22nd, 1855.

- Amendment. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section first of the act to amend the charter of the town of Fort Madison, passed January 22nd, 1855, be amended so as to read: That the Mayor and Aldermen shall, on or before the fourth Monday in August, in each and every year, determine the per centum to be levied upon taxable property within said town, instead of the second Monday in June as provided for in said bill.
- Per cent.
- Repeal. SEC. 2. That so much of the law as conflicts with this amendment be and is hereby repealed.
- Take effect. SEC. 3. This act shall take effect and be in force from and after its publication in the Iowa Capital Reporter and Fort Madison Plaindealer.
- APPROVED, July 12th, 1856.

I certify that the foregoing act was published in the Iowa Capital Reporter, July 23rd, and Fort Madison Plaindealer, July 25th, 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 15.

MOUNT PLEASANT CITY.

AN ACT to incorporate the City of Mount Pleasant.

- Incorporation. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the inhabitants in the town of Mt. Pleasant, in the county of Henry, State of Iowa, be and they are hereby constituted a body politic and corporate, and invest

ed with all the powers and attributes of a municipal corporation, by the name and style of the City of Mount Pleasant, and by that name shall have perpetual succession, and may have and use a common seal, which they may alter at pleasure. That all that tract of land laying in township seventy-one north, range six west, in the county of Henry, as set forth and platted on a map, published, A. D., 1856, by McBride, Waite & Co., and such other additions as are now or hereafter made, shall be the limits of the boundaries of said City. Boundaries.
Additions.

SEC. 2. The Legislative authority of the City is vested in a City Council, consisting of a Mayor and seven Aldermen; *Provided*, That whenever the population of the City shall amount to four thousand inhabitants, the Council may proceed to divide the City into wards, not less than three in number, giving to each ward not less than three Aldermen, providing also the time and place, and manner of holding elections in the several wards, making the same known through proclamation by the Mayor. Legislative authority.
Wards.

SEC. 3. Any person who shall be a legal voter in the county of Henry, and who shall have been a resident of the City three months, and of the ward in which he offers his vote ten days, next preceding the election, is declared a citizen of said City, and is entitled to vote at all elections thereof. A person offering to vote may be challenged as in other elections in the township, and an oath administered to him, in like manner, naming the qualifications herein prescribed. Citizenship.
Voters.
Challenge.

SEC. 4. The City election shall be conducted in a manner as similar to that in which the township elections are conducted, as the nature of the case will permit, having at least one clerk and two judges, and in all cases the polls are to be opened by ten o'clock, A. M., and not to close before four o'clock, P. M. Elections.

SEC. 5. No person shall be eligible to any elective office mentioned in this act, unless he be a legal voter of the City, and a resident thereof for one year next preceding his election. Eligible to office.

SEC. 6. That the qualified electors of said City shall on the first Monday of March, A. D., 1857, and annually on Election of city officers.

the same day thereafter, elect a Mayor and Board of Aldermen, a Recorder, Marshal, Assessor and Treasurer, who shall hold their offices for one year, and until their successors are elected and qualified; *Provided*, That upon the taking effect of this charter, the present Mayor of said City shall issue his proclamation calling a special election, by giving eight days' notice thereof, for the election of the aforesaid Mayor and Board of Aldermen, who shall hold their offices until the first Monday in March, A. D., 1857, and until their successors are elected and qualified. The Mayor and Aldermen when elected and assembled together, duly organized, shall constitute the City Council, a majority of whom shall be necessary to constitute a quorum for the transaction of business. There shall also be elected one Justice of the Peace each year, who shall hold his office for the term of two years.

First election.

City Council.

Quorum.

Justice of the Peace.

Qualification of officers.

Who may administer oaths

Powers of Mayor.

Appeals.

SEC. 7. Each of the officers of the City shall take and subscribe an oath faithfully to discharge the duties of his office, and shall also give such bond and security as shall be required by the Council. The oath of office may be administered by the Mayor, or Recorder, when qualified, and in the transaction of the business of the corporation, those officers and the President for the time being, may administer oaths, which shall have the same effect as if administered by other officers authorized thereto.

SEC. 8. The Mayor shall be a conservator of the peace within the City, and ex-officio a justice of the peace, and is vested with full jurisdiction for the violation of the ordinances and by-laws of the City, and with criminal jurisdiction of offences against the laws of the State, committed within the city, and with civil jurisdiction limited to the city, in the same manner as that of a justice of the peace is, or may be limited to their township. He shall not be disqualified from acting in any such judicial capacity by any proceedings being in the name of or on behalf of the City of Mt. Pleasant. Appeals to the District Court in the same county, shall be allowed from the judgment and decision of the Mayor in the same cases, time and manner, as may at any time be allowed by law from the Justice's Court, and they shall be tried in the

same manner. He shall be entitled to demand and receive the same fees as are allowed by law to justices of the peace,^{Fees.} and in all cases of sickness, absence, or inability of the Mayor to act, any justice of the peace within said city shall have judicial jurisdiction co-extensive in all cases with the Mayor.

SEC. 9. And it shall also be the duty of the Mayor to^{Duty of Mayor.} see that the laws and ordinances of the city are executed, and their violation punished, to superintend and direct the official conduct of the subordinate officers, to sign and seal, (if a seal be used) all commissions, licenses and permits, granted by the City Council, and to perform such duties and exercise such powers as pertain to the office of Mayor of a City, and such as may be granted or imposed by the ordinances of the city, consistent with law. He shall be the President of the City Council when present, and shall give the casting vote when there is a tie; and in his absence the Council may appoint a President for the time being, from their own number, who shall have authority to sign^{President pro tem.} ordinances and orders on the Treasurer, and to do all other things pertaining to the office of Mayor, except to act as justice of the peace.

Preside in Council.

SEC. 10. The Council shall be judge of the qualifications^{Powers of City Council.} of the election of its own members, and all other city officers. It may determine the rules of its own proceedings, and may hold meetings as it sees fit, having stated times fixed by ordinance. It may also prescribe the manner of calling special meetings and compel the attendance of its members, in a such a manner and by such penalties, as it may adopt, and shall cause a record of its proceedings to be kept by the Recorder.

Meetings.

SEC. 11. The City Council shall provide well bound^{Books.} books for their own use, and for the use of their officers under this charter. They shall cause the Recorder to keep a journal of the proceedings of their meetings, which shall be signed by him, and the presiding officer of each meeting.^{Journal.} He shall also keep a record of the returns of the Marshal,^{Record of lots.} in which he shall record the number of lot, piece of ground, or description of land or property sold by him for taxes due^{Sold for taxes.}

on assessment, the amount for which it was sold, the time when sold, the purchaser's name, and time of redemption, when redeemed, for what amount, and the person to whom, when deeded; and said Marshal shall so make his return of the tax list of each year, as to enable said Recorder to state the above facts in said delinquent tax book; a book to record the acts and reports of the Street Commissioners, also an order book, stating the amount allowed each person out of the City Treasury; the name of the person to whom allowed, when and by whom drawn; they shall also provide the Mayor with a record or docket book in which he shall record all the proceedings had before him as such Mayor, for the violation of ordinances, his judgments, and the reports required to be made by him as such Mayor, and justice of the peace. All books, thus provided for, shall be open for the inspection of the inhabitants of said city, at all reasonable hours, free of expense, tax or fee.

Record of reports of street commissioner.

Record of Mayor.

Public.

Actions, &c. not to abate.

SEC. 12. All suits, actions and prosecutions instituted, commenced or brought by the corporation hereby created, shall be instituted, commenced and prosecuted in the name of the City of Mt. Pleasant, and cases of warrants, the same may be issued for the violations of ordinances, by laws, rules and regulations of said City, without being predicated or based upon affidavit.

Offences.

SEC. 13. The City Council shall have power to provide for the punishment of offenders by imprisonment in the county jail, or work house, or city prison, in all cases where such offenders shall refuse to pay the fines and forfeitures, which may be adjudged against them, and the City Council may also make further provisions by ordinances, for all such offenders to work out the fine and costs of prosecution on the streets, alleys, or public works of said city.

Ordinances.

Good order.

SEC. 14. The City Council is invested with authority to make ordinances to secure the inhabitants against fire, against violations of law, and the public peace, to suppress riots, gambling, drunkenness, indecent and disorderly conduct; to punish lewd behavior in public places, to suppress disorderly houses, and generally to provide for the safety, prosperity and good order of the city; to make regulations and laws,

to prevent the introduction of contagious diseases into the city, and to enforce the same within three miles of the city; to establish hospitals, and to make regulations for the government of the same; to declare what shall be a nuisance, and to prevent, remove or abate the same; to tax dogs, or prevent them from running at large in the city; to open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve and keep in repair streets, avenues, lanes and alleys; to provide for the lighting the streets; to establish, support and regulate night watches and the police of the city; to erect market houses and places, and provide for the government of the same; to provide all needful buildings for the use of the city; to improve and regulate all public grounds belonging to the city; to regulate or prohibit the erection of wooden buildings, on any block, or half block in the city, where the same is shown to be necessary for the safety of the property of the inhabitants of the city; to fix the compensation of all city officers, and regulate the fees of jurors, witnesses, and others rendered necessary under this act, or any ordinances which may be adopted; to license, tax, and regulate auctioneers, transient merchants, hawkers, pedlars and pawn brokers; to license, tax and regulate hackney carriages, wagons, carts and drays, and fix the rate to be charged for carriage of persons, and for the wagonage, cartage and drayage of property; to license and regulate porters, and fix the rate of portorage; to license, tax, prohibit, or regulate all theatrical exhibitions, and public shows, and all exhibitions whatever, where admission is obtained on the payment of money or other reward; to regulate the storage of gun powder, and other combustible materials; to regulate partition fences and walls in common, not otherwise regulated by law; to establish and regulate weights and measures, to be used in the city, not otherwise provided by law; to provide for the inspection and measurement of lumber and other building materials, and for the measurement of all kinds of mechanical work; to provide for the inspection and weighing of hay, the measuring of coal, wood and other fuel used in the city; to prohibit the discharge of fire-arm, and other fire-works, and the rac-

Tax dogs.

Streets and alleys.

Light.

Police.

Market houses.

Buildings.

Fees.

License.

Shows.

Gun powder.

Weights and Measures.

Inspection.

Fine. ing, immoderate running, or driving of horses; to impose fines, forfeitures and penalties for the breach of any ordinance, not exceeding one hundred dollars, and imprisonment not exceeding fifty days in the county jail, work-house or city prison, and provide for the recovery, and appropriation of such fines and forfeitures.

Taxes. SEC. 15. The City Council shall have power and authority to levy and collect taxes upon all taxable property, real, personal and mixed, within the city, not exceeding three mills on the dollar in any one year, which value may be ascertained and assessment made either direct or by duplicate from the township assessment, by the Assessor, or some competent person authorized by the Council; adding thereto any omitted or additional taxable property in the city, at the time the assessment is made; to provide by ordinance when such assessment shall be made, and the rate thereof. The City Council shall have power to correct or equalize any erroneous or injudicious assessment. It shall be the duty

Assessor.

of the Assessor or person acting as such to return such assessment list to the city recorder, who shall make out and deliver to the collector of said city a copy of said assessment, which said copy shall be sealed with the common seal of the city, (if one is used) with a warrant, for the collection of the taxes so assessed, signed by the Mayor and Recorder of said city.

Collection of taxes.

The Marshal, or such competent person as the City Council shall appoint of record, shall be the collector of all taxes so assessed, and shall, upon receiving a copy of such assessment and warrant as aforesaid, make personal demand of every resident charged with tax, if to be found within said city, and shall give, at least, one publication in some newspaper printed in the city (if there be one,) and if not, to post three notices in three of the most public places in the city, that if the taxes are not paid within twenty days thereafter the same will be collected by sale of property of delinquents. At the expiration of which twenty days, said collector may, and is hereby authorized, by distress and sale of personal property of such delinquent or delinquents, as constables on execution, to collect said taxes, or he may after the expiration of said twenty days, if said tax shall remain

Sale.

unpaid, give notice by publication in one of the newspapers published in said city, four consecutive weeks, stating the amount of said tax, cost and printer's fee, and the number of the lot, or the description of the piece of land or property on which the same are due, and the owner's name, if known, and that the said lot, piece of land, or property will be sold on the day and at the place mentioned in said notice, unless payment be made of the taxes, costs, and printer's fee, on or before said day of sale, and if such payment should not be made according to said notice, then said collector shall proceed and sell the same in accordance with said notice, for said amount due, to the bidder who will take the least quantity of the lot, or piece of land, or property, off from the side which said Collector shall designate, or the whole, if no bid for a less quantity, and he shall give to the purchaser thereof a certificate, stating the description of the piece of land, or the number of the lot, or portion thereof, or the property purchased, and price paid therefor, and the day of sale; and if the owner or claimant shall not redeem the same by paying the amount for which the same was sold, together with fifty per cent. per annum, to the purchaser, or to the City Treasurer for said purchaser's benefit, said purchaser, or his heirs or assigns shall be entitled to a deed therefor, and the Mayor of said city shall on demand and the presentation of said certificate make, execute, and deliver to the holder or owner of each certificate, a deed for said property in said certificate mentioned, which, when acknowledged, or proven and recorded as other deeds are acknowledged and proven, shall be good and valid in law and equity, to pass a valid title to such lot, piece of lot, ground or property, and shall be prima facie evidence in all courts, that all things have been complied with, nor shall the same ever be enquired into until the amount for which said property or real estate, together with the interest aforesaid, shall have been tendered to the holder thereof, or deposited in the City Treasury for their benefit.

Certificate.

Redemption.

Deed.

SEC. 16. The City Council have the control of the streets and alleys, and the public grounds of the City of Mt. Pleasant, and may cause the side walks to be paved or repaired,

Streets, alleys
and public
grounds.

Pavements. the streets and alleys, to be graded, paved or McAdamized, and to that end it may require the owners of lots adjoining to which it is to be done, to pave, repair, or McAdamize one half of the street's width contiguous to their respective lots, or the same may be done by the city, and expense assessed on the owners of the contiguous lots, which shall have the effect of a special tax levied on their property, and the same may be sold by the Collector in the same manner as personal and real property may be sold in the foregoing section.

Borrow money. SEC. 17. The city Council is invested with authority to borrow money, for any purpose not exceeding 100,000 dollars, and pledge the faith of the city for the payment thereof; Provided, the question of borrowing be first submitted to the legal voters of the city, and two-thirds of all the votes cast shall be in favor of said loan, and upon a decision thus made in favor of any such loan, the City Council will be authorized to make an additional tax not exceeding three mills on the dollar, and to provide the means to pay any indebtedness, created by virtue of the authority granted in this section.

Marshal's duty. SEC. 18. The Marshal shall be a conservator of the peace, and executive officer of the Mayor's court, and shall execute and return all process directed to him by the Mayor or any justice of the peace, in said city, and in cases for the violation of the city ordinances, and of the criminal laws of the State, may execute the same in any part of the county; and he shall have the same authority within the city to quell riots and disturbances, prevent crimes and to arrest offenders, that the Sheriff has within his county, and may in the same cases and under the same penalties require the aid of the citizens, and to further perform all duties imposed by the Council, appoint one or more deputies, and discharge them, and he shall be responsible for their doings when acting officially. For the service of legal process he shall be entitled to the same fees as a constable, and for services required by the Council such compensation as it may allow. He may exercise the duties of constable in Centre township.

SEC. 19. In all elections for city officers, the Mayor shall issue a proclamation to the voters of the city, or to the several wards, as the case may require, naming the time and place for each election, and the officers to be elected, and cause a copy to be posted up in three of the most public places in the city, or published in some newspaper printed in the city, at least ten days previous to such election. Within two days after the election, the judges of the election shall make return to the board of the City Council, who shall examine them at their next meeting, and cause an abstract of the votes to be recorded, and direct the Recorder to inform the persons elected of their election.

Proclamation
of election.

SEC. 20. No member of the City Council shall be eligible to any office within the gift of the City Council, during the term for which he is elected, nor shall he be interested directly or indirectly in the profits of any contract or job of work, or service to be performed, and a violation of this section shall work a vacancy in such office.

Aldermen in-
eligible.

SEC. 21. Ordinances passed by the City Council, shall be signed by the Mayor and attested by the Recorder, and before they take effect, be published in one or more newspapers printed in the city, and a copy shall be preserved in a book kept for that purpose.

Publication of
ordinances.

SEC. 22. The said city of Mt. Pleasant shall constitute one road district, and the City Council shall have power, in addition to the taxes otherwise authorized, to levy road taxes, not exceeding the amount allowed by law to be levied by the county court for like purposes, and they may provide for the payment and collection of the same, in the same manner, as that provided for the collection of county road taxes, or in the manner other city taxes are collected. They may also direct in what manner such taxes shall be expended on the streets and alleys of said city, and all persons and property rightfully taxed within said city, in accordance with this section, shall thereby be exempt from all taxes to that extent for roads to the county; and the city Council is hereby invested with full power and authority to receive from the county treasurer all road revenue belonging to the city, and receipt for the same, which shall be the treasurer's voucher.

Road district.

Sub officers.

SEC. 23. The City Council may appoint in such manner as it determines, and during its pleasure, street commissioners, a clerk of the market, city surveyor, health officers, and such other officers as it deems advisable, and may prescribe their duties, powers and qualifications, and may prescribe for the election of such officers by the citizens. When a vacancy occurs in any of the elective city officers, the Council may fill the vacancy by appointment of record until the next election, and qualification of the successor, and in all cases in the absence or inability of the Recorder to act, his place may be filled temporarily, or for the unexpired term, at the pleasure of the Council.

Common schools.

SEC. 24. The City Council is hereby invested with full control and authority over the common schools in said city, and shall receive and disburse all the school tax levied upon property within said city, or received from the school fund for distribution therein, and shall be vested with all the powers granted and enumerated in chapter 69 of the code of Iowa, in relation to school districts.

Government of the city.

SEC. 25. The City Council shall have power to make all ordinances which shall be necessary and proper for the government of the city, and the carrying out and putting in force and effect the powers specified and granted in this charter, not inconsistent with the constitution of the State of Iowa, or the United States. The style of all ordinances shall be: "Be it enacted by the City Council of the city of Mt. Pleasant."

Style of ordinances.

Ordinances evidence.

SEC. 26. All ordinances and by-laws passed by the City Council, signed by the Mayor and attested by the Recorder, and published according to law, shall be sufficient to allow the same to be read and received in evidence in all actions and suits in any court in this State, or when said ordinances, by laws and regulations shall be published in book or pamphlet form, and purporting to be published by authority of the corporation, the same shall be received in evidence in all courts and places without further proof.

Nullified.

SEC. 27. The present charter of the town of Mt. Pleasant shall become void and be superseded by the taking effect of this charter.

SEC. 28. That said city shall have power to subscribe to the capital stock of any rail road company and may pay the same with bonds of the city, and shall be empowered and required to levy and collect all the necessary taxes, to pay the principal and interest of said bonds; *Provided*, such subscription shall be authorized by a majority vote of the legal voters of said city, cast at an election ordered for that purpose.

Stock in rail
road compa-
nies.

SEC. 29. This act to take effect and be in force from and after its publication in the Mt. Pleasant Observer, and Home Journal, but not at the expense of the State.

APPROVED, July 15th 1856.

I certify that the foregoing act was published in the Mount Pleasant Observer on the 24th July, and in the Home Journal, 30th July, A. D. 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 16.

CHARTER OF THE CITY OF CEDAR RAPIDS.

AN ACT amendatory of the act incorporating the town of Cedar Rapids.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That all that part of township eighty-three (83) north, of range seven (7) west, of the fifth principal meridian, in Linn county, in the State of Iowa, which is included in the limits of the present town of Cedar Rapids, shall be and is hereby declared to be a city, and the inhabitants thereof are created a body corporate and politic, with perpetual succession by the name of the city of Cedar Rapids, and as such shall by that name be capable in law of contracting, and being contracted with, suing and be sued; also of purchasing, using and conveying real and personal property, and may have and use a corporate seal, and change the same at pleasure, and shall have, exercise and enjoy all the rights, privileges, powers and immunities appertaining to, and be subject to all the duties and obligations encum-

Boundaries.

Corporation.

Powers.

bent upon, a municipal incorporation. And for the better ordering and governing said city, the exercise of the corporate powers of the same herein and hereby granted, shall be vested in a Mayor and six Aldermen, to be denominated the City Council, together with such other officers as are herein mentioned and provided for.

Council.

Invested with
all property.

SEC. 2. That the said city of Cedar Rapids shall be and is hereby invested as the lawful owner and proprietor with all the property, funds and revenue, and all moneys, debts, accounts and demands due and owing or in any wise belonging to the town of Cedar Rapids, or which may have been acquired by or vested in the "Mayor and Council of the town of Cedar Rapids," and the same are hereby transferred to the Corporation created by this act; and all suits pending, or judgments recovered by, in favor of, or against, said town of Cedar Rapids, or Mayor, or Council of the town of Cedar Rapids, together with all rights, interests, claims and demands in favor of or against the same, may be continued, prosecuted, defended and collected, as though this act had never been passed.

Wards.

SEC. 3. That said city be divided into three wards, as follows; to-wit: all that part of said city west of Eagle street, shall constitute the first ward. All that part lying between Eagle and Green streets, shall constitute the second ward; and all that part of said city lying east of Green street, shall constitute the third ward.

Alter.

Proviso, that the City Council may change, unite or divide said wards, or any of them, and establish new wards whenever they shall think it necessary and proper, and that there shall be two additional Aldermen for every new ward the City Council may establish.

Citizens.

Sec. 4. Every white male citizen of the United States, of the age of twenty-one years, who shall have been a resident of the city thirty days, next preceding a city election, and is a resident of the ward of which he offers his vote, is declared a citizen of the said city, and is entitled to vote at all the elections thereof.

Ballot box.

Sec. 5. The City Council shall provide a ballot box to be used at city elections, which shall have as many sepa-

rate apartments as there are wards in the city, one apartment of which shall be appropriated exclusively for the votes of each ward, and the ballot of every voter shall be deposited in one of the said apartments appropriated exclusively for the ward in which he resides. The City Council shall elect three of their number to be judges of each city election, who shall appoint clerks, and in other respects, except herein otherwise provided, city elections shall be conducted in manner similar to that in which the elections are conducted in the townships, as near as the nature of the case permits.

Judges and clerks.

SEC. 6. A person offering to vote may be challenged as at township elections, and an oath may be administered to him in like manner, naming the qualifications herein prescribed.

Challenge.

SEC. 7. No person shall be eligible to any elective office mentioned in this act, unless he be a legal voter of the city, and shall have been a resident thereof one year next preceding his election.

Eligible.

SEC. 8. That all elective officers, except Aldermen, shall be elected for one year from the time of their election, and until their successors are elected and qualified.

Term.

SEC. 9. That the qualified electors of said city shall, on the first Monday of March, A. D., 1857, elect a Mayor, and at the same time two Aldermen for each ward, a Marshal, one person to be Treasurer and Collector, and one person to be Recorder and Assessor; the two Aldermen elected for each ward shall be residents thereof, and be elected by the legal voters thereof. City elections shall be held at the same time annually thereafter, for said officers, but after the first Monday in March, 1857, but one Alderman for each ward shall be elected annually.

Election.

SEC. 10. That the Mayor and Aldermen so elected, when assembled together and duly organized, shall constitute the City Council, a majority of the whole number of whom shall be necessary to constitute a quorum for the transaction of business; they shall be the judges of the election returns and qualifications of their own members. They shall determine the rule of their proceedings and keep a journal thereof, which shall be open to the inspection of every citi-

City Council.

zen ; and may compel the attendance of absent members in such manner and under such penalties as they may think fit; and may by a vote of two thirds of the whole number of said City Council expel any member thereof, and they shall meet in some convenient place in said city, on the second Monday of March, and take the oath of office before some officer qualified to administer the same, and proceed to elect from their own body a president thereof.

Classify. SEC. 11. At the said first meeting of the City Council, or as soon thereafter as practicable, the City Council shall proceed to classify the Aldermen, in order that one-half of the Aldermen shall be elected each year, in the manner and at the time above provided. In classifying they shall take the wards in numerical order, from No. 1 up; the Aldermen of the first ward shall first classify in the following manner: the Recorder shall write on two slips of paper, on one the word "one," and on the other the word "two;" shall fold them and deposit them in a hat, box or other suitable place, and the Aldermen from said ward shall then draw; the one drawing the paper with the word "one," shall continue in office for one year from the time of his election, and until his successor is elected and qualified; and the one drawing the paper with the word "two," shall continue in office for two years from the time of his election, and until his successor is elected and qualified; and they shall proceed to classify until all the wards of said city shall be classified.

New wards. SEC. 12. When new wards are organized in said city, and Aldermen elected, they shall classify in the same manner above described.

Term. SEC. 13. The Aldermen to be elected after the first Monday of March, A. D. 1857, shall be elected for two years from their election, and until their successors are elected and qualified.

Removal. SEC. 14. A removal out of the ward by any Alderman, shall vacate the seat of said Alderman, which shall be filled as provided by this charter.

Mayor's duty. SEC. 15. It shall be the duty of the Mayor to see that

the laws and ordinances of the city are executed, and their violators punished, to superintend and regulate the official conduct of subordinate officers, to sign and seal all commissions, licenses and permits, granted by the City Council, and to perform such duties and exercise such powers as pertain to the office of Mayor of a City, and such as be granted and imposed by the ordinances of the city consistent with law.

SEC. 16. The Mayor shall be conservator of the peace Judicial powers. within the city, and *ex-officio* a Justice of the Peace, and is invested with jurisdiction of violations of city ordinances, and with criminal jurisdiction of offences against the laws of the State, committed within the city, and with civil jurisdiction limited to the city, in the same manner as that of Justices of the Peace are limited in their townships. He shall not be disqualified from acting in such judicial capacity by any proceedings being in name, or in behalf of the city.

SEC. 17. Appeals to the District Courts in the same Appeals. county, shall be allowed from the judgment and decisions of the Mayor in same cases, times and manner as may at any time be allowed by law, from those of other Justices, and shall be tried as in other cases; he will be entitled to demand and receive the same fees as are at the time allowed by law to Justices of the Peace.

SEC. 18. The Mayor shall be the presiding officer of the Preside. City Council when present, and shall give the casting vote when there is a tie.

SEC. 19. The Marshal shall be a conservator of the peace Marshal's duty. and is the executive officer of the Mayor's Court, and shall execute and return all process directed to him by the Mayor, and shall execute and return all process directed to him by any Justice of the Peace, resident of said city, in case for the violation of city ordinances, and of the criminal laws of the State, occurring within the city, and may execute them in any part of the county; and he shall have the same authority within the city to quell riots and disturbances, to prevent crimes and arrest offenders, that the Sheriff has within his county, and may in the same cases, and under the same penalties, require the aid of the citizens and per-

form all duties imposed by the Council; he may, with the approval of the Council, appoint one or more deputies, and discharge them, and he shall be responsible for their doings when acting officially. For the service of legal process he shall be entitled to the same fees as Constable, and for services required by the Council, such compensation as it may allow. He shall also by virtue of his office be Constable of Rapids township, in said county, and in addition to his bond as Marshal give bond and qualify as Constables are, or may be required to do by the laws of the State.

Bonds of officers.

SEC. 20. The Treasurer and Collector, Recorder and Assessor, and Marshal shall give such bond, perform such duties, and exercise such powers as may be required of them by ordinance not inconsistent with law.

Proclamation

SEC. 21. In all elections for city officers, the Mayor shall issue a proclamation to the voters of the city, naming the time and place for such election, and the officers to be chosen, and cause a copy to be posted up in such ward at least ten days previous to the day of election; the polls shall be opened between the hours of eight and ten o'clock in the forenoon, and continue open until four o'clock in the afternoon. Within two days after the election, the judges of the election shall make their returns to the President of the City Council, who shall examine them at their next meeting, and cause an abstract of the vote to be recorded in a book to be kept for that purpose.

Oath of officers.

SEC. 22. The Mayor, Aldermen, Marshal, Treasurer, Collector, Recorder, and Assessor shall take an oath to support the Constitution of the United States and of the State of Iowa, and faithfully and impartially to perform their duties to the best of their knowledge and ability; other officers shall qualify in such manner as may be required by the Council; the oath of office may be administered by the Mayor or Recorder when he is qualified, and in the transaction of the business of the corporation these officers, and the president *pro tempore*, may administer oaths, which shall have the same effect as if administered by the officers authorized thereto.

Ineligible.

SEC. 23. No member of the City Council shall be eligi-

ble to any office within the gift of the Council, during the term for which he is elected; nor shall he be interested, directly or indirectly in the profits of any contract or job of work, or service to be performed for the city.

SEC. 24. Ordinances passed by the City Council shall be signed by the Mayor and attested by the Recorder, and before they take effect be published in a newspaper, printed in the city, at least ten days, or posted in two public places in each ward, for the same length of time; they shall also be recorded in a book kept for that purpose, and signed by the Mayor, and attested by the Recorder. The Recorder shall also certify in said Record book to the publication or posting of ordinances recorded therein, when the same shall have been published or posted. Publication of ordinances.

SEC. 25. The production of a printed copy of any ordinance of said city in newspaper, book or pamphlet form in any suit to which the city is a party, shall be *prima facie* evidence that said ordinance has been legally passed and published. Prima facie evidence.

SEC. 26. It is the duty of the Recorder to keep a true record of all the official proceedings of the City Council, and such record shall at all times be open to the inspection of any citizen; and it shall be the duty of the Assessor to make just and true assessment of the taxable property in said city. Recorder's duty.

SEC. 27. The Recorder and Assessor, Treasurer and Collector, and Marshal shall receive such fees as the City Council shall deem right, not exceeding the amount allowed township or county officers for similar services. Fees.

SEC. 28. The Council may hold its meetings as it sees fit, having fixed stated times, or provide the manner of calling them by ordinance, and its meetings shall be public. Meeting of Council.

SEC. 29. The Council may appoint, in such manner as it determines, and during its pleasure, Street Commissioners, a Clerk of the market, City Supervisors, Heath Officers, and such other officers as it may deem advisable; and may prescribe their duties, powers and qualifications, and may provide for the election of any such officers by the people. Subordinate officers.

President pro ten. SEC. 30. In case of the temporary absence of the Mayor, or his inability to act, the president *pro tempore* shall exercise all the powers and perform all the duties appertaining to his office.

Vacate by removal. SEC. 31. The office of any city officer shall be vacated by his removal from the city.

Vacancy. SEC. 32. When a vacancy occurs, in any of the elective city offices, the Council may fill the vacancy by appointment of record until the next election, and the qualification of the successor.

Ordinances. SEC. 33. The City Council is invested with authority to make ordinances to secure the inhabitants against fire, against violations of the law and the public peace, to suppress riots, gambling and drunkenness, and indecent and disorderly conduct, and to punish lewd behavior in public places, and in general to provide for the safety, prosperity, and good order of the city, and the health, morals, comfort and convenience of the inhabitants, and to impose penalties for the violations of its ordinances, not exceeding one hundred dollars; said penalties may be recovered in a civil action, in the name of the city, before the Mayor, or a Justice of the Peace, residing in the city, and the laws of the State relating to carrying into effect a judgment of a Justice of the imposing a fine, shall be applied to judgments in the above cases, but the charges of imprisonment must be borne by the city.

Violations. SEC. 34. Proceedings for the violations of city ordinances may also be by information before the Mayor, or a Justice of the Peace, residing in said city, process running in the name of the State, and the defendant may be informed of, arrested and tried as in criminal proceedings before Justices of the Peace; and if convicted shall be fined in an amount not exceeding the penalty mentioned in the ordinance violated, and also be adjudged to pay the costs of prosecution; and the laws of the State relating to carrying into effect a judgment of a Justice of the Peace, imposing a fine shall be applied to judgments in the above cases, but the charges of imprisonment must be borne by the city. All

finer collected under this section shall be paid into the City Treasury.

SEC. 35. The Council is authorized to establish and organize fire companies, and provide them with fire engines, hose and other apparatus. Fire compa-
nies.

SEC. 36. The Council may regulate the keeping and sale of gunpowder within the city. Gunpowder.

SEC. 37. The Council shall have exclusive authority to provide for the license and prohibition of all exhibitions, shows and theatrical performances, billiard tables, ball alleys, or other bowling saloons, ten pin or other alleys and places where games of skill or chance are played, but the above authority extends to no exhibition of a purely literary or scientific character. When the laws of the State permit or require license for the sale of intoxicating liquors, that matter shall be without the exclusive authority of said Council, and it may at all times prohibit the retail of such liquors within the city limits, unless such prohibition would be inconsistent with the laws of the State, and no license shall be granted for less than one hundred dollars each for that purpose. License.

SEC. 38. The Council may make all necessary ordinances in relation to the cleanliness and health of the city, and may require the owners of lots on which water becomes stagnant, to drain and fill up the same, and in default thereof, after ten days' notice, may cause the same to be done at the expense of the city, and assess the costs thereof on the specific lots, and cause them to be sold by the City Collector, as in case of taxes, and the owner may redeem from such sale as in case of sale for taxes. Health.

SEC. 39. Said Council may regulate the system of cartage, drayage, hacks and omnibuses within the city, and prohibit hogs and other animals from running at large within the limits of said city. Drayage.

SEC. 40. The Council shall provide by ordinance for the keeping of public money of the city, and the manner of distributing the same, and shall cause all claims against the city to be audited; and all city officers are accountable to said City Council in such manner as it directs; said Council Money.

shall publish annually a particular statement of receipts and expenditures of the city, and of all debts owing to and by the same.

Grades.

SEC. 41. Said Council shall have exclusive authority to establish the grades of streets and alleys in the city, and may change the same upon the petition of owners of two-thirds in value of the real property on both sides of the streets or alley, the grade of which is desired to change.

Imprisonment

SEC. 42. Imprisonments for the violation of any ordinance shall not exceed fifteen days; and the county jail shall be the place of imprisonment, but at the expense of the city.

Taxes.

SEC. 43. The City Council is authorized to levy and collect taxes, not exceeding one per cent. during any one year, on all property within the city, which is liable for State and county taxes, including improvements on such property, and it may exempt such improvements, but when such exemption is made, the rate of tax on personal property shall not exceed that above named, and the rate on realty, aside from improvements shall not exceed three per cent. on the valuation; said Council may also tax and prohibit dogs from running at large in the City.

Collector.

SEC. 44. The Collector, or in case of his absence or disability, such person as the Council may appoint in his stead, shall be the Collector of taxes, and before proceeding to collect the same, shall give thirty days' notice of the assessment and levy of the tax, and the rate thereof in general term, without the name or description of the property, in a newspaper in the city.

Appeal.

SEC. 45. During the thirty days any person aggrieved by the assessment or taxation, may appear before the Council, which may correct the same, if erroneous.

Sale of property.

SEC. 46. The Collector may distrain upon personal property liable to taxation and sell the same for payment of taxes, as Constables may sell personal property on execution.

Lien.

SEC. 47. Taxes on real property shall be a lien thereon including the improvements, and it may be sold therefor, when the taxes remain unpaid for four months after the same becomes liable to be collected.

Sec. 48. Such sale must be by auction, and there must ^{Auction.} be thirty days' notice prior to the sale, given as above pro- ^{Notice.} vided for, notifying the assessment and tax; in such sale he who bids to pay the amount due for the least quantity of land will be the highest bidder, and the manner of ascertaining the portion bid for, shall be the same as in the State revenue law; twenty-five cents shall be added to the amount of taxes on each lot or tract, to cover the expenses of advertising.

SEC. 49. The Collector shall execute and deliver to the ^{Deed.} purchaser a deed running in the name of the State, which shall have the same force and effect as the deed of the Treasurer of the county in like circumstances on the sales for county and state taxes.

SEC. 50. After the taxes become liable to be collected, ^{Redemption.} interest at the rate of twenty-five per cent. per annum shall be charged until payment, and when real estate is sold for taxes, the owner may redeem within the same length of time as the revenue laws of the State permit, by paying to the City Treasurer on the purchase, the amount for which said real estate has been sold, with fifty cents on the deed from the Collector, and twenty-five per cent interest per annum on the whole amount from the time of sale.

SEC. 51. The Council have the control of the streets, and ^{Streets and alleys and public grounds.} alleys, and public grounds of the City of Cedar Rapids, and may cause side-walks to be paved in the same, and to this end it may require the owners of lots to pave and repair the same contiguous to their respective lots, and in case of neglect, after reasonable time named in the order, the same may be done by the city, and the expense of the same assessed on the said contiguous lots, which shall have the effect of a tax lien thereon, and the same may be sold therefor as for a tax, subject to the same right of redemption. All road tax which may hereafter be paid upon any property in Cedar Rapids, in lieu of labor, shall be paid to the proper authority of said city, for the improvement of the streets thereof; any person being resident of said city, subject by the law of this State, to do work upon the roads and highways, shall be required to do and perform, or cause the

same to be done, under the direction of the proper authorities of said city, upon the streets of said city, or public roads, and highways, leading thereto, as said authorities may direct.

Road district. SEC. 52. The said City of Cedar Rapids shall constitute a special road district, and the City Council shall have power, in addition to the taxes otherwise authorized, to levy road taxes not exceeding the amount allowed by law to be levied by the county court, for like purposes, and they may provide for the payment and collection of the same in the same manner, as that provided for in the collection of county road taxes, or in the manner other city taxes are collected. They may also direct in what manner such taxes shall be expended on the streets and alleys of said city, and all persons and property rightfully taxed within said city in accordance with this section shall thereby be exempt from all taxes to that extent for roads to the county.

Wooden buildings. SEC. 53. Upon the petition of the resident or occupying owners of two-thirds of the improvements, or any block of lots, the Council may prohibit the further erection of wooden buildings thereon.

Borrow money. SEC. 54. The said City Council is hereby authorized to borrow money for any object or purpose in their discretion, and to pledge the faith of the City for the payment thereof. *Provided*, the question of borrowing is first submitted to the legal and qualified voters of the City, a notice of the length of time as in city elections being first given, stating the manner and object of the loan, and if a majority decide in favor of said loan, then the said Council shall by ordinance establish a sinking fund to provide the means to pay any indebtedness created by virtue of the authority granted in this section.

Compensation. SEC. 55. That each member of the City Council shall receive a compensation as such, to be paid by an ordinance and paid from the City Treasury: *Provided*, that said compensation shall not exceed fifty dollars per annum for the Mayor, and thirty dollars per annum for Aldermen.

License. SEC. 56. That the City Council have power to license and regulate auctioneers, and hawkers, and pedlars with-

in the limits of said city, and also to regulate ferries and collect a reasonable compensation from ferry companies or owners, for the use of any of the streets of said city as ferry landings.

SEC. 57. On the passage of this act, a vote shall be taken upon the adoption of the same, by the qualified voters residing within the limits of said city, as by this act defined, at such time and place, and under such regulations as the present Mayor and Council of the town of Cedar Rapids may prescribe and determine; *Provided*, that a majority of the whole vote cast shall be deemed necessary to adopt and carry into effect this act.

Vote on this
charter.

SEC. 58. That if this charter is adopted by the citizens of said city, the present Mayor and Council of the town of Cedar Rapids shall call a special election within thirty days thereafter, to be held under such regulations as they may prescribe for the election of all the elective city officers provided for by this act, and said officers when elected shall have all the powers, and be subject to all the duties which this act affixes to their respective offices, and shall hold their offices until their successors are elected at the regular city election and qualified.

Special elec-
tion.

SEC. 59. This act shall take effect from and after its publication in the Cedar Valley Times and Cedar Rapids Democrat; *Provided*, that said publication be done without any expense to the State.

Take effect.

SEC. 60. That all parts of the act to which this is amendatory, conflicting with this act or the subject matter treated of by this act, be and the same are hereby repealed.

APPROVED, July 12, 1856.

I certify that the foregoing act was published in the Cedar Valley Times, July 21st, and in the Cedar Rapids Democrat, July 29th, 1856.

GEO. W. McCLEARY,

Secretary of State.

CHAPTER 17.

KEOKUK.

AN ACT to amend the Charter of the City of Keokuk.

- Boundaries.** SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the boundaries of the City of Keokuk shall hereafter be as follows, to-wit: commencing in the middle of the main channel of the Mississippi river, at a point where the north and south line, between sections thirty-three (33) and thirty-four (34,) of township sixty-five (65) north, of range five (5) west, would cross said channel if extended far enough south to do so. Thence due north, along the section line aforesaid, to the north-west corner of section fifteen (15), in said township. Thence east along the line between sections fifteen (15) and ten (10) to the middle of the main channel of the Mississippi river, and thence down the middle of the main channel of said river to the place of beginning—and the said corporation, council, and all its officers, shall have the same jurisdiction, rights, privileges and authority over the Territory, property and people within said limits, that they now have over the City of Keokuk, within its original limits, but no exclusive privileges heretofore granted by the city shall extend to the new limits.
- Jurisdiction.**
- Limitation.**
- Aldermen to draw lots for long term.** SEC. 2. That the first meeting of the City Council of said city, after the next board of Aldermen shall have been elected, or as soon thereafter as convenient may be, the two Aldermen from each ward shall, in the presence of the Council, determine by lot, which one of them shall serve for the long term, and which for the short term; and the one who is to serve for the long term, shall remain in office for two years, and until his successor is elected and duly qualified; and the one who is to serve the short term, shall remain in office for one year, and until his successor is elected and
- Term.**

qualified; and annually thereafter, at the times now appointed by law for the election of city officers, one Alderman shall be elected from each ward, to serve for two years, and until his successor is elected and qualified.

SEC. 3. That the City of Keokuk shall have the exclusive right to make wharves, and collect wharfage, and regulate the wharf rates on the river bank, which is added to said city by this act. Wharves and Wharfage.

SEC. 4. That whenever a vacancy shall occur in the office of Mayor or Alderman, Recorder or Marshal of said city, unless the same shall be within thirty days preceding the annual election, the City Council shall order an election by the voters of the city or ward, as the case may be, after giving ten days' notice thereof, in the usual manner of giving such notices, and the person so elected shall hold his office for the remainder of the term for which his predecessor in office was elected. Vacancy.
Election.

SEC. 5. That there is hereby established in and for the City of Keokuk, a court called the Recorder's court, the Judge of which shall be called Recorder; which court shall have within said City of Keokuk, all the jurisdiction, both civil and criminal, with the rights, powers and authority of a Justice of the Peace, and all the judicial authority, rights and powers now by law or by city ordinance vested in the Mayor of said City; and that after the said Recorder shall be elected and qualified as hereafter directed, the Mayor of the said city shall exercise no judicial functions whatever, but shall be the executive officer of said city, and as such shall have the right to remit fines and pardon offences committed against the municipal ordinances and regulations of said city. Recorder's Court.
Jurisdiction of Mayor limited.
Pardons.

SEC. 6. That said Recorder shall be elected by qualified voters of said city, in the same manner that the Mayor of said city is elected, and the first election of said officer shall be held on the third Monday of August next, and he shall hold his office until the next annual election of municipal officers of said city, at which time another election shall be held for said Recorder, and in like manner, every two years thereafter, the person elected at said election after the first Election of Recorder.

one, shall hold office for two years, and until his successor shall be elected and qualified.

Qualification. SEC. 7. That before the said Recorder shall enter upon the discharge of his duties as Recorder, he shall take the usual oath of office, and shall give the bond with approved security, to perform his duties as Justice of the Peace, which the law requires of the Justices of the Peace, to be approved of and filed with the County Judge, and also a bond in the penalty of one thousand dollars, to the City of Keokuk, to perform his duty as Judge of the Recorder's court, to be approved by the Mayor of said city.

Compensation. SEC. 8. That said Recorder shall receive a compensation for his services, the same fees that are allowed to Justices of the Peace for similar services, and such additional compensation as the City Council shall from time to time, by ordinance determine; but said compensation shall not be increased or diminished, so as to affect the person then in office, during the term for which he is elected.

Railroad bonds. SEC. 9. And whereas, at elections regularly held at various times, it was determined by the legal voters of said City of Keokuk, that the City Council should subscribe certain sums in the stock of the Keokuk, Fort Des Moines and Minnesota Rail Road Company, and in the Mississippi and Wabash Rail Road Company, and in the Keokuk, Mount Pleasant and Muscatine Rail Road Company; and whereas, in some instances, the bonds of the city have been issued to pay for the subscription to said stock, and in others they have not been issued, and whereas doubts exist as to the authority of the Council to issue said bonds, and to provide by taxation for the payment of the principal and interest of said bonds; Now therefore be it enacted, That the votes of the people of said city, as aforesaid, and the acts of the said City Council in accordance therewith, are hereby legalized and made firm, valid and effectual to all intents and purposes, and that the City Council of said city, is hereby authorized, empowered and directed to levy and collect such taxes as may be necessary to pay the principal and interest of said bonds, which have been so issued, or of any which may hereafter issue in accordance with any of said

Legalized.

votes—and that so much of any act as requires an annual vote to provide for levying the tax to pay the interest on any bonds of said city is hereby repealed. The taxes aforesaid shall be levied and collected in the same manner that the other annual taxes of the city are levied and collected.

SEC. 10. *Be it further enacted,* That the City of Keokuk, included within the boundaries mentioned in this act, shall constitute one permanent school district, not subject to alteration by the School Fund Commissioner, and shall be subject to the control of the City Council of said city, who shall provide for the adequate support and maintenance of common schools in said district, and so much of the code of Iowa as requires regular meetings of each school district on the first Monday in May and October, in each year, and so much thereof as requires the election of Trustees in each district, is hereby declared inapplicable to said district. The City Council of said city shall by ordinance provide for the appointment of a board of education in said district, and may invest in said board the necessary power for the proper care and management of the common schools in said district, the employment of teachers and the supervision of schools, and to provide for the taking and returning to the proper officer, as required by law, of the number of persons in said district, between the age of five and twenty-one years, and the performance of such other duties as may be necessary for the duties imposed upon said Council.

SEC. 11. That said City Council shall have the use and control of the school house in said district, built by and belonging to school district number one, of Jackson township, Lee county, Iowa, and shall have the same power to build other school houses, and levy taxes therefor, and collect the same, as the legal voters of school districts now have by law, to be collected in the same manner that the other annual taxes of said city are collected.

SEC. 12. That the City Council shall have power by their order on the School Fund Commissioner of the county of Lee, to receive from him for the use of said district, all monies apportioned to said district, from the school fund, and in addition thereto, shall in each year levy and collect

in the same manner as the other annual taxes are levied and collected, any further sum not to exceed in any one year two mills on the dollar of the assessment of such year, as may be necessary with the sum received from the school fund, adequately to provide for the payment of the necessary teachers' wages and incidental expenses in maintaining common schools during the current year.

Money—how
drawn.

SEC. 13. That all moneys received by said city, from School Fund Commissioner or collected in pursuance of any tax levied for school or school house purposes, shall be paid into the City Treasury and a separate account thereof shall be kept by the Treasurer and Clerk, and no money shall be drawn therefrom, only to be appropriated to the special purpose for which the same was received or collected, and shall only be paid on order in which said purposes are stated, and the City Council shall provide for the publication once in each year, for the information of all persons, a full statement of all receipts and expenditures for school purposes during the current year, which shall also show the number of schools kept, the number of pupils in attendance, and the time such schools have been kept during the year.

Clerk of Council.

SEC. 14. That the present office of Recorder of the city of Keokuk, shall hereafter be known and called Clerk of the Council of the City of Keokuk, and all the laws and ordinances heretofore made and enacted which relate to the Recorder of said city, shall be considered applicable to the Clerk of the Council.

Publication of
ordinances.

SEC. 15. That the certificate of the Clerk of the Council of the proper publication of an ordinance, shall be *prima facie* evidence in all courts of said publication, and his certificate to a copy of an ordinance, shall be evidence that it is a true copy of any such ordinance.

Repeal.

SEC. 16. That so much of section twenty-nine of the charter of the city of Keokuk, approved December 15, 1848, as requires publication of the assessment of tax or taxes of said city, either in a newspaper or otherwise, be and the same is hereby repealed.

Grades.

SEC. 17. That whenever after the first day of October, A. D., 1856, the City Council shall determine to alter or

change the established grade of any street or alley of said city, the City Engineer shall estimate the cost of said change of grade, and the Council shall appoint three commissioners, who shall ascertain the damages to be sustained by individuals, and the damages so ascertained, shall be apportioned and assessed upon the real estate benefited by such change of grade, and upon the city of Keokuk, if in their opinion it is proper to assess any of it against the city.

SEC. 18. That the sums assessed by virtue of the preceding section upon any lot or part of lot or real estate in the city of Keokuk, shall be a lien upon said real estate, and shall be collected by said City Council in the same manner as the other special taxes are now, or may be collected, and the amount apportioned by said commissioners against the city of Keokuk, shall be paid by said city. Lien.

SEC. 19. That said Commissioners shall be duly sworn before they enter into the discharge of their duties, that they will faithfully fulfill to the best of their ability, and shall make their report and file the same in the office of the Clerk of the Council. That the Mayor shall thereupon cause a list of the lands or lots assessed, with the amount assessed against them, to be published in some newspaper, published in said city, for two weeks. Any person or party, including the city of Keokuk, who shall feel aggrieved by such assessment, may take an appeal to the District Court of Lee County, by filing a bond with sufficient security, with the Mayor aforesaid, within thirty days after the first publication of said assessment, conditioned to pay whatever sum may be finally assessed on the property in reference to which the appeal is taken, and to perform the judgment of said District Court. Whereupon, the Mayor shall file said bond, and all the papers in the case, with the Clerk of the District Court of Lee County aforesaid, which court shall proceed to hear and try such appeal in the usual manner. Commissioners.

SEC. 20. That section five of an act to amend the charter of the city of Keokuk, approved January 22, 1853, is hereby amended so as to authorize said Council to levy a special tax for grading alleys in the same manner as is Special tax.

therein provided for paving or McAdamizing streets and alleys.

Wooden buildings.

SEC. 21. That the City Council for the purpose of guarding against the calamities of fire, shall have power to prescribe the limits within which wooden buildings shall not be erected, or placed, or repaired, without the permission of the said Council, and to direct that all and any buildings within the limits prescribed, shall be made or constructed of fire-proof materials, and to prohibit the repairing or rebuilding of wooden buildings within the fire limits, when the same shall have been damaged to the extent of fifty per cent of the value thereof, and to prescribe the manner of ascertaining such damage. The City Council shall also have power to regulate the construction of chimneys so as to admit chimney sweeps, and to compel the sweeping and cleaning of chimneys, to prevent the dangerous construction and condition of chimneys, fire places, hearths, stoves, stove pipes, ovens, boilers and apparatus used in and about any building or manufactory, and to cause the same to be removed or placed in a safe and secure condition when considered dangerous.

Chimneys.

Fire wardens.

To prevent the deposit of ashes in unsafe places, and appoint one or more officers to enter into all buildings and inclosures, to discover whether the same are in a dangerous state, and to cause such as may be dangerous to be put in safe condition.

Fire buckets.

To require the inhabitants to provide as many fire buckets, and in such manner and time, as they shall prescribe, and to regulate the use of them in time of fire. To regulate and prevent the carrying on of manufactories dangerous in causing or promoting fire. To regulate and prevent the use of fire works and fire arms. To compel the owners or occupants of houses or other buildings to have scuttles in the roofs, and stairs or ladders leading to the same.

Prevent fires.

Powers of officers.

To authorize the Mayor, Aldermen, Fire Wardens, or other officers of said city, to keep away from the vicinity of any fire, idle and suspicious persons, and to compel all officers of said city and other persons to aid in the extinguishment of fires, and preservation of property exposed to danger thereat.

To organize fire, hook, ladder and axe companies.— Fire Companies.
 To provide fire engines, and other apparatus for the extinguishment of fires. To appoint during pleasure, Wardens and Engineers of the fire department. To appoint during pleasure a competent number of Firemen and prescribe Fireman.
 their duties, and to impose fines and forfeitures upon them, for the violation of the rules and regulations prescribed, and generally to establish such regulations for the prevention and extinguishment of fires, as the City Council deem expedient.

SEC. 22. That all taxes assessed by virtue of any law or Lien of taxes.
 ordinance of the City of Keokuk, upon the real estate in said City, shall remain a *lien* upon said real estate, until said taxes are paid to said City, or her proper collecting officer, and so much of any law that conflicts with this provision is hereby repealed.

SEC. 23. This act to take effect from and after its publication in the *Gate City* and *Times* published at the City of Keokuk. Take effect.

I certify that the foregoing act was published in the *Gate City*, July 26 and *Keokuk Times* on the 25th day of July, 1856.

GEO. W. McCLEARY,
 Secretary of State.

CHAPTER 18.

MUSCATINE.

AN ACT to amend the act to incorporate the City of Muscatine.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That from and after the passage of this act, the following shall be the boundaries of said City of Muscatine, commencing at a point in the centre of the main channel of the Mississippi River, where the south line of section, ten, tp. seventy-six, north of range two west, of 5th P. M. should strike, thence west and along said section line to the west line of said section ten; thence north and along the

section lines of sections ten, three, thirty-four and twenty-seven, to the north west corner of the south west quarter of section twenty-seven, township seventy-seven, north of range two west of 5th P. M. thence east through the center of sections twenty-seven, twenty-six and twenty-five, to a point where said line strikes the township line, between ranges one and two west; thence south and along said township line, to a point in the center of the main channel of the Mississippi river; thence along the centre of said channel, and with the course of the same to the point of beginning.

Road districts SEC. 2. That said City of Muscatine, as above bounded may hereafter form two Road Districts, the boundaries of which shall be determined by the City Council, and until so determined it shall constitute one Road District, and the Road taxes assessed by the County authorities upon the persons and property in said City, shall hereafter only be payable to such persons as the City Council may authorize to receive the same. And the County Collector is hereby prohibited from paying said road taxes to any other person or officer than such as shall be authorized to receive and receipt for the same by the City Council.

Extension of streets and alleys. SEC. 3. That it shall be competent for the Council of said city to take any steps which they may deem necessary to secure the extension of the present streets and alleys of the old city limits through the grounds which by this act are added thereto: *Provided*, that in no case shall such extension be made and dedicated to the use of the public without the city being liable for full compensation to the owners of all such property as may be thus taken and dedicated.

Damages.

Change of sts. and alleys. SEC. 4. That it shall and may be lawful for the City Council of said city to make any changes in the shape and width of any streets or alleys of said City, either in the old or new limits. To shut up old and make new streets and alleys: *Provided*, that in all and every such case the said City shall be liable to make full compensation at the fair cash value to the owners of all property which shall thus be taken for public use and for all damages which the owners may sustain by any change which said City Council may at any time see proper to make.

Vacate old and make new.

Damages.

SEC. 5. That all lands lying within the Territory here-^{Taxed by the} by brought into the City, and not laid out into lots or out lots ^{acre.} shall not be assessed or taxed otherwise than by the acre according to its value for agricultural, horticultural, mining or other purposes, but improvements thereon may be taxed their full value.

SEC. 6. The City Council shall have full power to ^{Grades.} establish grades for contemplated streets and alleys in the new limits and may make such grades conform to the grades of the old limits of said city or not, as they may deem advisable and said city shall not be liable for any damage done to buildings by grading in the new limits, unless said buildings shall have been erected before the establishment of the grades in this section contemplated.

SEC. 7. This act shall take effect from and after its ac- ^{Take effect.} ceptance by the City Council of Muscatine and its publication in the "Muscatine Journal" and "Iowa Democratic Enquirer"—the expense of said publication to be paid by the City of Muscatine.

APPROVED, July 14th, 1856.

I certify that the foregoing act was published in the Iowa Democratic Enquirer July 31st, and in the Muscatine Journal July 26, A. D. 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 19.

BLOOMFIELD.

AN ACT to amend "an act to incorporate the town of Bloomfield, Iowa.

SECTION 1. *Be it enacted by the General Assembly of the* ^{Mayor's juris-} *State of Iowa,* That section third of said act, be amended ^{diction.} as follows: The Mayor of said town shall have concurrent jurisdiction with Justices of the Peace over all crimes committed in the corporate limits of said town.

SEC. 2. Changes of venue to the Courts of Justices of the ^{Venue.} Peace, shall be allowed for the causes, and according to the

rules authorizing changes of venue before Justices of the Peace.

City Attorney SEC. 3. The Council may appoint a Prosecuting Attorney for said town, and pay him from the Treasury of the corporation such sum as may be reasonable.

Repeal. SEC. 4. All acts and parts of acts coming in conflict with this act, be and the same are hereby repealed.

Take effect. SEC. 5. This act to be in force from and after its publication in the paper published in Bloomfield, the expense of publication to be paid by the corporation of said town.

APPROVED, July 12th, 1856.

I certify that the foregoing act was published in the "Iowa Flag," a paper published in Bloomfield, on the 28th day of July, 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 20.

WAPELLO CITY.

AN ACT to incorporate the City of Wapello, in Louisa county, Iowa.

Boundaries. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all that territory lying in township seventy-four north, range three west of the principal meridian, described as follows: Commencing in the middle of the main channel of Iowa River, opposite Pleasant street, in England's addition to Wapello, thence west to Water street, thence north on the east side of Water street to Mills street, thence along the west side of the Wapello mill race, until it intersects the section line between sections twenty-two and twenty-seven, in said township; thence west with said section line to the north-west corner of said section twenty-seven; thence south with the section line to the south-west corner of said section twenty-seven; thence south eighty rods; thence east to the middle of the main channel of the Iowa River; thence up said main channel to

the place of beginning, is hereby incorporated into a city by the name of Wapello.

SEC. 2. The said city is made a body corporate, and invested with all the powers and attributes of a municipal corporation. Corporation.

SEC. 3. The legislative authority of the city is vested in a City Council, consisting of a Mayor, and Board of Councilmen, composed of two from each ward of the city. Legislative authority.

SEC. 4. The said city shall be divided into three wards as follows, to-wit: The first ward, all that portion lying between the north boundary of said city and Van Buren street. The second ward, that portion lying between Van Buren and Washington streets. The third ward, that portion lying between Washington street and the south boundary of the city; *Provided*, the said City Council may change, unite or divide the said wards, or any of them, whenever they shall think it for the interest of the city. Wards.

SEC. 5. Every white male citizen of the United States, of the age of twenty-one years, who shall have been a resident of the city six months preceding the election, is declared a citizen of said city, and is entitled to vote at all the elections thereof. Citizenship.

SEC. 6. The election of the city (for officers) shall be conducted in a similar manner to that in which the elections are conducted in the townships, as near as the nature of the case permits. Conducting elections.

SEC. 7. A person offering to vote may be challenged as in other elections in the township, and an oath may be administered to him in like manner, naming the qualifications herein prescribed. Challenge.

SEC. 8. No person shall be eligible to any elective office mentioned in this act, unless he be a legal voter of the city, and has been a resident thereof for one year next preceding his election. Who ineligible.

SEC. 9. That the qualified electors of said city shall on the first Monday of September, A. D., 1856, and annually on the same day thereafter, elect a Mayor, and at the same time six Councilmen, a Recorder, an Assessor, a Treasurer, a Marshal; and the Mayor and Councilmen so elected, Election of officers.

when assembled together and duly organized, shall constitute the City Council; a majority of whom shall be necessary to constitute a quorum for the transaction of business. They shall be elected for the term of one year, and until their successors are elected and qualified. The Mayor, Recorder, Assessor, Treasurer, and Marshal shall be elected by the legal voters of said city.

Term.

Mayor's duty. SEC. 10. It shall be the duty of the Mayor to see that the laws and ordinances of the city are executed, and their violation punished, to superintend and direct the official conduct of subordinate officers; to sign and seal all commissions, licenses and permits, granted by the City Council, and to perform such duties, and exercise such powers as pertain to the office of the Mayor of a city, and such as may be granted, or imposed by the ordinance of the city consistent with law.

Judicial functions.

SEC. 11. He shall be a conservator of the peace within the city, and (ex-officio) justice of the peace, and invested with exclusive original jurisdiction for the violation of the ordinances of the city, and with criminal jurisdiction of offences against the laws of the State, committed within the city, and with civil jurisdiction limited to the city, in the same manner as that of Justices' are or may be limited to their township. He shall not be disqualified from acting in such judicial capacity, by any proceeding, being in the name or behalf of the city: *Provided*, that in case of the inability of the Mayor of Wapello to act as a Justice or conservator of the peace, or to perform the judicial duties of his office, whether said inability arise from sickness, absence from home, or any other cause; any Justice of the Peace of Wapello township may take cognizance and jurisdiction of cases arising under any of the ordinances of said city, such inability being entered of record of the Justice acting in such cases.

Justice of the Peace of the Wapello township.

Appeals.

SEC. 12. Appeals to the District Court in the same county shall be allowed from the judgments and decisions of the Mayor in the same cases, time and manner, as may at any be allowed by law from those of other Justices, and they shall be tried as in other cases. He will be entitled to de-

Justice.

mand and receive the same fees as are at the time allowed by law to Justices of the Peace. He shall be the presiding ^{Preside.} officer of the City Council when present, and shall give the casting vote when there is a tie, and in his absence the ^{Pres't. P. T.} Council may appoint a President for the time being from their own body.

SEC. 13. The Council shall be the judge of the qualifi-^{Powers of} cations and elections of its own members; it may deter-^{Council.} mine the rules of its own proceedings, and shall keep a record thereof, which shall be open to inspection of every citizen, and may compel the attendance of its members in such manner, and by such penalties as it may adopt.

SEC. 14. The Marshal shall be a conservator of the peace, ^{Marshal's} and is the executive officer of the Mayor's court, and shall ^{duty.} execute and return all process directed to him by the Mayor. And in cases for the violation of city ordinances, and criminal laws of the State, may execute the same in any part of the county, and shall have the same authority within the city to quell riots and disturbances, to prevent crimes and arrest offenders, that the Sheriff has within his county, and may in the same case, and under the same penalties, require the aid of citizens, and perform all duties imposed by the Council. He may with the approval of the Council appoint one or more deputies, and discharge them, and he shall be responsible for their doing when acting officially. For service of legal process he shall be entitled to the same fees as a constable, and for services required by the Council such compensation as it may allow.

SEC. 15. The Treasurer, Recorder, Assessor and ^{Mar-} ^{Bonds of} ^{officers.} shall give such bond, perform such duties, and exercise such powers as may be required of them by ordinance, not inconsistent with law.

SEC. 16. In all elections for city officers, the Mayor ^{Elections.} shall issue a proclamation to the voters of the city, naming the time and place of holding the election, and the officers to be elected; which proclamation shall be published by posting one or more copies thereof in each ward, at least ten days before said election. The polls shall be opened between the hours of eight and ten o'clock in the forenoon,

and continue open until four o'clock in the afternoon. Within two days after the election, the judges of said election shall make their returns to the Mayor, who shall examine and cause an abstract of the votes to be recorded in a book provided for that purpose: *Provided*, that the first election under this charter shall be held under the direction, and by the proclamation of the present Mayor of the town of Wapello.

Ineligible.

SEC. 17. No member of the City Council shall be eligible to any office within the gift of the Council during the term for which he is elected, nor shall he be interested directly or indirectly in the profits of any contract or job of work or services to be performed by the city.

Ordinances.

SEC. 18. Ordinances passed by the City Council shall be signed by the City Mayor, attested by the Recorder, and before they take effect, be published in one or more newspapers, published in the city, at least ten days, and if there be no such newspapers, they shall be posted up in each ward, the same length of time, they shall also be recorded in a book to be kept for that purpose, and signed by the Mayor and attested by the Recorder.

Published.

Recorded.

Recorder's duty.

SEC. 19. It is the duty of the City Recorder to keep a true record of all the official proceedings of the City Council, and such record shall at all times be open to the inspection of any citizen.

Oath of officers.

SEC. 20. The Mayor, Council, Marshal, Treasurer, Recorder and Assessor shall take an oath to support the Constitution of the United States and of the State of Iowa; faithfully and impartially to perform their duties to the best of their knowledge and ability. Other officers shall qualify in such manner as may be prescribed by the Council. The oaths of officers may be administered by the Mayor or Recorder, when he is qualified, and in the transaction of the business of the corporation, those officers and the President for the time being, may administer oaths, which shall have the same effect as if administered by other officers authorized thereto.

Qualification of sub-officers.

Fees.

SEC. 21. The Recorder, Marshal and Assessor shall receive such fees as the City Council shall deem right, not

exceeding the amount allowed county or township officers for such services.

SEC. 22. The Council may hold its meetings as it sees fit, having fixed stated times, or provide the manner of calling them by ordinance, and its meetings shall be public. ^{Meetings.}

SEC. 23. The Council may appoint in such manner as it determines, and during its pleasure, Street Commissioners, a Clerk of the Market, City Surveyor, Health Officers, and such other officers as it deems advisable, and prescribe their duties, powers and qualifications, and may provide for the election of any such officers by the citizens. ^{Subordinate Officers.}

SEC. 24. When a vacancy occurs in any of the elective city offices, the Council may fill the vacancy by appointment of record until the next election, and the qualification of successor. ^{Vacancy.}

SEC. 25. The City Council is invested with authority to make ordinances to secure the inhabitants against fire, against the violation of the laws, and the public peace, to suppress riots, gambling and drunkenness, or indecent or disorderly conduct, to punish lewd behavior in public places, and generally to provide for the safety, prosperity and good order of the city, and the health, morals, comfort and convenience of the inhabitants, and to impose penalties for the violation of its ordinances, not exceeding one hundred dollars, which may be recovered by civil action in the name of the city or by complaint before the Mayor as in criminal proceedings before a Justice of the Peace; and the laws of the State relating to the carrying into effect a judgment of a Justice of the Peace imposing a fine, shall be applied to judgments in the case, but the charges thereof must be borne by the city. ^{Ordinances.}

SEC. 26. The Council is authorized to establish and organize fire companies and to provide them with fire engines and other apparatus. ^{Fire Companies.}

SEC. 27. The Council may regulate the keeping and sale of gunpowder within the city. ^{Powder.}

SEC. 28. The Council have exclusive authority to provide for the licence, regulating and prohibition of all ex-

bitions, shows and theatrical performances, billiard tables, ball and ten pin alleys, and places where games of skill or chance are played, but the above authority extends to no exhibition of a purely literary or scientific character, and prohibit the retail of intoxicating liquors, unless such prohibition would be inconsistent with the laws of the State, at the time existing, and the said Council is authorized to revoke or suspend any of the above licences, when it deems the good order and the welfare of the city requires it.

Health.

SEC. 29. The Council may make all necessary ordinances in relation to the cleanliness and health of the city, and may require the owners of lots on which water becomes stagnant, to drain or fill up the same, and in default thereof, after reasonable notice, may cause the same to be done at the expense of the city, and assess the costs thereof on the specific lots, and cause them to be sold by the Collector of the city as in the case of taxes, and the owner may redeem from such sale as in case of a sale for tax.

Drayage.

SEC. 30. It may regulate the system of cartage and drayage within the city, and may issue licences therefor, and may prohibit animals from running at large.

Moneys.

SEC. 31. The Council shall provide by ordinance for the keeping of the public money of the City and the manner of disbursing the same, and shall audit all claims against the City, and all officers of the City are accountable to the Council in such manner as it directs. It shall publish annually a particular statement of the receipts and expenditures of the City, and of all debts owing to and from the same.

Grades.

SEC. 32. It has the exclusive authority to establish the grades of wharves, streets and alleys of the City, and may change the same upon the petition of two thirds the value of the real property on both sides of the street where it is desired to change.

Imprisonment.

SEC. 33. Imprisonment for the violation of any ordinance shall not exceed fifteen days, and the County jail shall be the place of imprisonment, but at the expense of the City.

Taxes.

Sec. 34. The City Council is authorized to levy and

collect taxes, not exceeding one half of one per cent on all the property within the City which is liable for State and county, taxes, including improvements on such property, and it may exempt such improvements when it is so determined by a vote of a majority of all the votes of the city but when such exemption takes place, the rate of tax on all the personal property shall not exceed that above named, and the rate on realty shall not exceed one and one half of one per cent on the valuation. The Council may also levy a tax on dogs, or may prohibit their running at large in the City, Provided, that the tax thus levied and collected, when the improvements are included, shall not exceed one fourth of one per cent, and when improvements are exempt as above named, one fourth of one per cent on personal property, and one per cent on real property, until otherwise determined by the qualified electors of the City at an annual election, or a special election held for that purpose; provided that all property, both real and personal, owned, or which may be hereafter acquired by said City in its corporate capacity, shall be exempt from taxation for State, County or other purposes.

SEC. 35. The Marshal, or in case of his absence or inability, such person as the Council may appoint in his stead, shall be the collector of taxes; and before proceeding to collect the same shall give twenty days notice of the assessment and levy of the tax, and the rate thereof in general terms, without the names or description of property, in a newspaper printed in the city, if there be one, and if not then by thirty days notice by posting in three or more public places in said City. Collection of Taxes.

SEC. 36. During the thirty days, any person aggrieved by this assessment or taxation, may appear before the council which may correct the same if found erroneous. Appeal.

SEC. 37. The Marshal may distrain upon personal property liable to taxation, and sell the same for the payment, if not paid in reasonable time after demand, as constables may sell personal property on execution. Sale of personalties.

SEC. 38. Taxes on real property shall be a lien thereon, and it may be sold therefor when the taxes remain unpaid for six months after posting the notice of the tax. Lien.

Sale of real Real Estate. SEC. 39. Such sale must be at auction, and there must be thirty days notice previous to the sale given as above provided for, notifying the assessment and tax. In such sale he who bids to pay the amount due for the least quantity of land will be the highest bidder, and the manner of ascertaining the portion bid for shall be as in the State revenue law.

Deed. SEC. 40. The Marshal shall execute and deliver to the purchaser a deed running in the name of the State; which shall have the same force and effect as the deed of the Treasurer of the County in like circumstances on sale for County and State taxes.

Streets, Alleys, &c. SEC. 41. The Council have the control of the streets, alleys and public grounds within the city, and may cause sidewalks to be paved or planked in the same, and to this end it may require the owners of lots to pave or repair the same, contiguous to their respective lots, and in case of neglect after reasonable time named in the order, the same may be done by the City, and the expenses of the same assessed on the contiguous lots, which shall have the effect of a tax levied thereon, and the same may be sold therefor as for a tax, subject to the right of redemption. All road tax which may hereafter be paid upon any property in Wapello in lieu of labor shall be paid to the proper authorities of said City for the improvement of the streets thereof. Any person being a resident of said City subject by the law of this State to do work upon roads and highways shall be required to do or cause to be done under the direction of the proper authorities upon the streets of said City or public roads and highways leading thereto as said authorities may direct. The City Council shall supercede the road supervisors in all jurisdiction within the corporate limits, and perform all their duties, and shall be required to perform labor on, and keep in repair all the public roads and highways leading thereto within one mile of said City on the West side of the Iowa River.

Work on Roads, &c. SEC. 42. This Act to take effect from and after its publication in the Republican at Iowa City and in the Wapello

Take effect

Intelligencer, the expense of the same to be paid by the City of Wapello.

APPROVED, July 15th, 1856.

CHAPTER 21.

IOWA CITY.

AN ACT to amend an Act entitled "An Act to incorporate Iowa City."

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all that district of country here-^{Additions in-} after described be and the same is declared to be added to_{cluded in city.} and included within the corporate limits of Iowa City, in the county of Johnson, to wit: Being bounded on the north and west by the present corporate limits of said city, and on the east and south in a line commencing at the south east corner of lot number twenty-eight, as designated on the original recorded plat of Iowa City; thence south to the Wyoming road as shown on the new map of said city, compiled and drawn by J. H. Miller in 1854, thence west to the south-east corner of that part of said city laid out and recorded as the county seat of Johnson county.

SEC. 2. That the district of Territory described in the foregoing section shall constitute a part of and be included^{Ward.} within the first ward of said city, until such time as the council of said city may otherwise establish by ordinances.

SEC. 3. This act shall take effect and be in force from^{Take effect.} and after its publication in the weekly newspapers of said city, and said city pay for the publication of the same.

APPROVED, July 16, 1856.

Published in the Capital Reporter July 23d and the Iowa City Republican July 26th 1856

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 27.

LYONS.

AN ACT to amend an act to incorporate the city of Lyons approved January 24th, 1855.

Amendment. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the charter of Lyons city be and the same is hereby amended as follows : by substituting the word "six" in sections four and six instead of the word "three" so as to read "six months" instead of "three months" by striking out of the twenty-ninth section the words "one half of" : by adding to the thirty-first section the words "upon taxes remaining unpaid for two months from the time of giving said notice interest shall be paid after the expiration of said two months at the rate of twenty five per cent per annum" : and that section thirty seven be amended by striking out all of that part of said section after the word "time" and substituting the following : "That the lands so sold may be redeemed within the same time and upon the same conditions that lands may be redeemed when sold for County and State taxes, under the general revenue law of the State now or hereafter existing, by making payment to the collector of taxes or the purchaser, and the purchaser may proceed in the same manner to perfect his title to said land as is or may be provided by the general revenue law of the State, Provided, that the amendments hereby made shall in no way effect any tax heretofore levied under said act, and the same shall be collected in the manner authorized by said act.

Road District. SEC. 2. Be it further enacted that the territory embraced within the limits of said Lyons City, shall constitute one road district, and that the Street Commissioner now or hereafter appointed in said city shall act as the supervisor of said road district, and for that purpose is invested with all the powers of road supervisor, and that the Council of said city may at any time divide the same into two or more

road districts and appoint a street commissioner in each of said districts who shall act as supervisor in their respective districts.

SEC. 3. This act shall take effect from and after its publication in the Lyons Mirror and Lyons City Advocate, the expense of said publication to be paid by said Lyons City. Take effect.

APPROVED, July 14th, 1856.

CHAPTER 23.

OTTUMWA CITY.

AN ACT to incorporate the City of Ottumwa, Wapello County, Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the town of Ottumwa, situated in Wapello county, Iowa, as recorded upon the records of said county, together with the various additions, which have been made thereto, and are now of record, are hereby declared to be a city, by the name of Ottumwa. Ottumwa declared a city.

SEC. 2. The said city is made a body corporate, and is invested with all the powers and attributes of a municipal corporation. Corporation.

SEC. 3. The Legislative authority of the city is vested in a City Council, consisting of a Mayor and Board of Aldermen, composed of three from each ward of the city. Legislative authority.

SEC. 4. The said city shall be divided into wards by the Council thereof, from time to time, as they may deem proper. Wards.

SEC. 5. Every white male citizen of the United States, of the age of twenty-one years, who shall have been a resident of the city six months, and of the ward in which he offers his vote, ten days, next preceding a city election, is declared a citizen of the said city, and is entitled to a vote at all the elections thereof. Citizens.

SEC. 6. The elections of the city (for officers) shall be conducted in a manner as similar to that in which the elec- Conducting elections.

tions are conducted in the townships, as the nature of the case permits.

Challenge. SEC. 7. A person offering to vote may be challenged as in other elections in the townships; and an oath may be administered to him in like manner, naming the qualifications herein prescribed.

Who eligible. SEC. 8. No person shall be eligible to any elective office mentioned in this act, unless he be a legal voter of the city, and has been resident thereof for over one year next preceding his election.

Election. SEC. 9. That the qualified electors of said city shall, on the first Monday of September, 1856, and on the first Monday in March annually thereafter, elect a Mayor, and at

Officers. the same time nine Aldermen, a Recorder, Assessor, Treasurer and Marshal; and the Mayor and Aldermen so elected, when assembled together, and duly organized, shall constitute the City Council, a majority of whom shall be necessary to constitute a quorum for the transaction of business.

City Council. They shall be elected for the term of one year, and until their successors are elected and qualified. The Mayor, Recorder, Assessor, Treasurer and Marshal shall be elected by the legal voters of said city.

Term. SEC. 10. Three Aldermen shall be elected in each ward by the legal voters thereof.

Aldermen. SEC. 11. It shall be the duty of the Mayor to see that the laws and ordinances of the city are executed, and their violation punished; to superintend and direct the official conduct of the subordinate officers; to sign and seal all commissions, licences and permits, granted by the City Council, and to perform such duties and exercise such powers, as pertain to the office of the Mayor of a city, and such as may be granted or imposed by the ordinances of the city, consistent with law.

Mayor's duty. SEC. 12. He shall be a conservator of the peace within the city, and ex-officio a Justice of the Peace, and is invested with exclusive original jurisdiction for the violation of the ordinances of the city, and with criminal jurisdiction of offences against the laws of the State, committed within the city, and with civil jurisdiction, limited to the city, in the

Judicial function.

same manner as that of Justices is or may be limited to their townships; he shall not be disqualified from acting in such judicial capacity, by any proceeding being in the name of or behalf of the city.

SEC. 13. Appeals to the District Court in the same Appeals. county shall be allowed from the judgments and decisions of the Mayor, in the same cases, time and manner as may at any time be allowed by law from those of other Justices, and they shall be tried as in other cases. He will be enti-Fees. tled to demand and receive the same fees as are at the time allowed by law to Justices of the Peace. He shall be the Preside. presiding officer of the City Council when present, and shall give the casting vote when there is a tie, and in his absence the Council may appoint a president for the time being Pres. P. T. from their own body.

SEC. 14. The Council shall be the judge of the qualifi-Council Judge cations and election of its own members; it may determine of election and the rules of its own proceedings, and shall keep a record qualification thereof, which shall be open to the inspection of every citi- members. zen, and may compel the attendance of its members in such manner, and by such penalties as it may adopt.

SEC. 15. The Marshal shall be a conservator of the peace Marshal's du- and is the executive officer of the Mayor's Court, and shall ty. execute and return all process directed to him by the Mayor; and in cases for the violation of the city ordinances, and of the criminal laws of the State, may execute the same in any part of the county; and he shall have the same Keep Peace. authority within the city to quell riots and disturbances, to prevent crimes, and to arrest offenders, that the Sheriff has within his county; and may, in the same cases and under the same penalties, require the aid of the citizens, and perform all duties imposed by the Council. He may with the approval of the Council appoint one or more deputies, and Deputies. discharge them, and he shall be responsible for their doings when acting officially, for the service of legal process he shall be entitled to the same fees as a Constable, and for Fees. services required by the Council, such compensation as it may allow.

SEC. 16. The Treasurer, Recorder, Assessor, and Mar-Bonds.

shal shall give such bond, perform such duties, and exercise such powers as may be required of them by ordinances, not inconsistent with law.

Proclamation. SEC. 17. In all elections for city officers, the Mayor shall issue a proclamation to the voters of the city, or of the several wards, as the case may require, naming the time and place or places for election, and the officers to be chosen, and cause a copy to be posted up in each ward, at least ten days previous to the day of holding election. The polls shall be opened between the hours of eight and ten o'clock in the forenoon, and continue open till four o'clock in the afternoon. Within two days after the election, the judges of the election shall make their returns to the president of the City Council, who shall examine them at their next meeting, and cause an abstract of the votes to be recorded in a book to be kept for that purpose.

Ineligible. SEC. 18. No member of the City Council shall be eligible to any office within the gift of the City Council, during the time for which he is elected; nor shall he be interested directly or indirectly in the profits of any contract, or job of work, or services to be performed for the city.

Ordinances. SEC. 19. Ordinances passed by the City Council, shall be signed by the Mayor, attested by the Recorder, and before they take effect, be published in one or more newspapers, published in the city, at least ten days; and if there be no such newspaper, they shall be posted up in each ward the same length of time. They shall also be recorded in a book to be kept for that purpose, and signed by the Mayor, and attested by the Recorder.

Recorder's duty. SEC. 20. It is the duty of the City Recorder to keep a true record of all the official proceedings of the City Council, and such record shall at all times be open to the inspection of any citizen.

Oath. SEC. 21. The Mayor, Aldermen, Marshal, Treasurer, Recorder and Assessor, shall take an oath to support the Constitution of the United States, and of the State of Iowa, and faithfully and impartially to perform their duty to the best of their knowledge and ability. Other officers shall qualify in such manner as may be prescribed by the Coun-

cil. The oath of office may be administered by the Mayor ^{Who may administer.} or Recorder, when he is qualified; and in the transaction of the business of the corporation, those officers, and the president for the time being, may administer oaths, which shall have the same effect as if administered by other officers authorized thereto.

SEC. 22. The Recorder, Marshal and Assessor shall receive such fees as the City Council deem right, not exceeding the amount allowed county or township officers for such services. ^{Fees.}

SEC. 23. The Council may hold its meetings as it sees fit, ^{Meeting of Council.} having fixed stated times, or provide the manner of calling them by ordinance; and its meetings shall be public.

SEC. 24. The Council may appoint in such manner as it determines, and during its pleasure, Street Commissioners, ^{Council may appoint certain officers.} a Clerk of the Market, City Surveyor, Health Officers, and such other officers as it deem advisable, and may prescribe their duties, powers, and qualifications, and may prescribe for the election of any such officers by the citizens.

SEC. 25. When a vacancy occurs in any of the elective city officers, the Council may fill the vacancy by appointment of record until the next election, and the qualification of the successor. ^{Vacancy.}

SEC. 26. The City Council is invested with authority to make ordinances to secure the inhabitants against fire, ^{Ordinances.} against violations of the law and the public peace; to suppress riots, gambling and drunkenness, or indecent or disorderly conduct, to punish lewd behavior in public places, and generally to provide for the safety and prosperity and good order of the city, and the health, morals, comfort and convenience of the inhabitants, and to impose penalties for the violation of its ordinances, not exceeding one hundred dollars, which may be recovered by civil action in the name of the city, or by complaint before the Mayor as in criminal proceedings before a justice of the peace, and the laws of the State relating to carrying into effect a judgment of a justice of the peace imposing a fine, shall be applied to judgments in the above cases, but the charge thereof must be borne by the city. ^{Fines.}

- Fire compa-
nies.** **SEC. 27.** The Council is authorized to establish and organize fire companies, and to provide them with fire engines and other apparatus; and it has the control of the landing on the Des Moines River, and may regulate the landing, wharfage, and dockage of all water crafts, goods, lumber, and other things landed or taken from the same.
- Wharf.**
- Powder.** **SEC. 28.** The Council may regulate the keeping and sale of gunpowder within the city.
- License.** **SEC. 29.** The Council have the exclusive authority to provide for the license, regulation and prohibition of all exhibitions, shows and theatrical performances; billiard tables, ball and ten pin alleys, and places where games of skill or chance are played; but the above authority extends to no exhibition of a purely literary or scientific character—
- Shows, &c.**
- Gaming ta-
bles.**
- Exceptions.** when the laws of the State permit or refuse licenses for the sale of intoxicating liquors, that matter shall be within the exclusive authority of said Council, and it may at all times prohibit the retail of such liquors, unless such prohibiting would be inconsistent with the laws of the State, at the time existing; and the said Council is authorized to revoke or suspend any of the above licenses, when it deems that the good order and welfare of the city require it.
- Liquors.**
- Health.** **SEC. 30.** The Council may make all necessary ordinances in relation to the cleanliness and health of the city; and may require the owners of lots, on which water becomes stagnant, to drain or fill up the same; and in default thereof, after reasonable notice, may cause the same to be done at the expense of the city, and assess the costs thereof on the specific lots and cause them to be sold by the Collector of the City, as in the case of taxes; and the owner may redeem from such sale as in case of a sale for tax.
- Drains.**
- Drayage, &c.** **SEC. 31.** It may regulate the system of cartage and drayage within the city, and may issue license therefor; and may prohibit hogs from running at large within the city, and may prohibit other animals from running at large from the first day of November to the first day of April.
- Moneys.** **SEC. 32.** The Council shall provide by ordinance for the keeping of the public moneys of the city, and the manner of disbursing the same, and shall audit all claims against

the city, and all officers of the city are accountable to the Council in such manner as it directs. It shall publish annually a particular statement of the receipts and expenditures of the city and of all debts owing to and from the same. Publish.

Sec. 33. The City Council shall have power to vacate streets and alleys, and re-locate the same, and extend the same to the corporation line; but whenever the exercise of this power shall in any way injure the property of any person, the corporation of said city shall be liable to the person so injured, in such sum as may be adjudged proper, by three disinterested persons, to be selected by the Marshal of said city. Streets and alleys.

Sec. 34. Imprisonment for the violation of any ordinance shall not exceed fifteen days, and the county jail shall be the place of imprisonment, but at the expense of the city. Imprisonment

Sec. 35. The City Council is authorized to levy and collect taxes, not exceeding one-half of one per cent. on all property within the city, which is liable for State and county taxes, including improvements on such property; and it may exempt such improvements, when it is so determined by a vote of a majority of all the voters of the city; but when such an exemption takes place, the rate of tax on personal property shall not exceed that above named, and the rate on realty shall not exceed one and one-half of one per cent. on the valuation; the Council may also levy a tax on dogs, or may prohibit their running at large in the city; *Provided*, that the tax thus levied and collected, when improvements are included, shall not exceed one-fourth of one per cent., and when improvements are exempt as above named, one-fourth of one per cent. on personal property, and one per cent. on real property, until otherwise determined by the qualified electors of the city, at an annual election or a special election, held for that purpose. Taxes.
Exempt improvements by vote.
Limit.
Dogs.
Limitation of tax.

Sec. 36. The Marshal, or in case of his absence or disability, such person as the Council may appoint in his stead, shall be the Collector of taxes, and before proceeding to collect the same, shall give thirty days' notice of the assessment and levy of the tax, and the rate thereof, in general Collector.

terms, without the names or description of property, in a newspaper printed in the city, if there be one, and if not, then by three months' notice in the most public places in each ward.

Appeal. SEC. 37. During the thirty days, any person aggrieved by this assessment or taxation, may appear before the Council, which may correct the same if found erroneous.

Destrain. SEC. 38. The marshal may destrain upon personal property liable to taxation, and sell the same for payment, if not paid in reasonable time after demanded, as constables may sell personal property on execution.

Sell. Lien. Sale. SEC. 39. Taxes on real property shall be a lien thereon, and it may be sold therefor, when the taxes remain unpaid for six months after posting the notice of the tax.

Notice of sale. SEC. 40. Such sale must be at auction, and there must be thirty days' notice prior to the sale given as above provided for, notifying the assessment and tax. In such sale, he who bids to pay the amount due for the least quantity of land will be the highest bidder; and the manner of ascertaining the portion bid for, shall be as in the State revenue law.

Purchaser. Deed. SEC. 41. The marshal shall execute and deliver to the purchaser a deed, running in the name of the State, which shall have the same force and effect as the deed of the treasurer of the county in like circumstances on sales for county and state taxes.

Powers of Council. Pavements. Road tax. SEC. 42. The Council have the control of the streets and alleys and public grounds of Ottumwa City, and may cause sidewalks to be paved in the same, and to this end, it may require the owners of lots to pave or repair the same, contiguous to their respective lots, and in case of neglect after reasonable time named in the order, the same may be done by the city, and the expense of the same assessed on the contiguous lots, which shall have the effect of a tax levied thereon, and the same may be sold therefor as for a tax, subject to the same right of redemption. All road tax which may hereafter be paid upon any property in Ottumwa City, in lieu of labor, shall be paid to the proper authorities of said city, for the improvement of the streets thereof ;

any person being a resident of said city, subject by the laws of this State to do work upon roads and highways, shall be required to do and perform, or cause the same to be done, under the direction of the proper authorities, upon the streets of said city, or public roads and highways leading thereto, as said authorities may direct. The City Council shall supercede the road supervisor in all jurisdiction within the corporate limits, and perform all of their duties.

SEC. 43. The City Council is hereby invested with full control and authority over the common schools in said city, and shall receive and disburse all the school tax levied upon property within said city, or receive from the school fund for distribution therein, within the limits of said city.

SEC. 44. The Council are authorized to borrow money for any object in its discretion, if at a regular notified meeting, under notice stating distinctly the nature and object of the loan, and the amount thereof, as nearly as practicable, the voters of the city determine in favor of the loan by a majority vote of two-thirds of the votes given at the election, and said loan can in no case be diverted from the specified object.

SEC. 45. On the passage of this act the trustees of the town of Ottumwa, shall cause a vote to be taken on the acceptance of this charter, in the manner in which township elections are now called and holden; in which, the vote shall be "for the charter," or "against the charter, and shall be by ballot, and at the same time and place, and by said trustees, an election shall be held for the election of a Mayor and nine Aldermen, three Aldermen from each ward; also, for a Recorder, Treasurer, Marshal and Assessor; if said vote result in favor of said charter, the result shall be so declared and entered of record, and thenceforth the same is accepted. The foregoing election shall be held at the court house, in Ottumwa, on the first Monday of September, A. D., 1856, shall be opened between the hours of nine and ten o'clock, A. M., and kept open until 4 o'clock, P. M., of said day.

SEC. 46. This act to take effect from and after its passage.

APPROVED, July 15, 1856.

CHAPTER 24.

BENTONSPORT.

AN ACT to amend the charter of the town of Bentonport in Van Buren County Iowa

Powers conferred.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That in addition to the powers and privileges now conferred upon the town council of the town of Bentonport by the recorded charter of said town, they shall have power,

Taxes.

1st to levy and collect taxes, as now provided by said Charter not to exceed one and a half per cent in any one year, on all property within the limits of said corporation subject to county and state taxes, also, to tax dogs; assess a poll tax on actual residents of the corporation not exceeding one dollar.

Rate.

Tax dogs.

Poll tax.

Improvements.

SEC. 2. The town council shall have power to make or aid in making improvements of Roads, Streets, Bridges, and other works of improvements for the good and prosperity of the inhabitants of said town, and to facilitate the business and trade thereof, and may within the foregoing limitations, assess taxes, and borrow money thereof.

Limitation.

SEC. 3. Provided, that no extraordinary work of improvement shall be authorized, or aided by said Town Council, or money borrowed therefor, without the consent of two thirds of the legal voters, voting at a special election of said town, after due notice given of the time, place and purpose of said election, in pursuance of the provisions of said Charter for the holding of special elections.

Take effect

SEC. 4. This act to take effect and be in force from and after its publication according to law.

APPROVED, July 12th, 1856.

CHAPTER 25.

BONDS OF FT. MADISON.

AN ACT to legalize the issuing of Corporation Bonds of Ft. Madison.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That all bonds which have been voted or issued by the Town of Ft. Madison subsequent to the taking effect of an Act approved January 25th 1855 regulating County and Corporation bonds the proceeds of which bonds have been or are intended to be expended without the limits of the county in which said town of Ft. Madison is situated are hereby confirmed and declared valid.

SEC. 2. This Act to take effect and be in force from and after its publication in the Iowa City Republican and Iowa Capital Reporter without expense to the State.

APPROVED, July 15th, 1856.

I certify that the foregoing act was published in the Iowa Capital Reporter on the 30th of July, and in the Iowa City Republican on the 23rd of July, A. D., 1856.

GEO. W. McCLERAY,
Secretary of State.

CHAPTER. 26.

DIVISION OF R. R. TAX.

AN ACT in relation to taxes assessed upon the non-resident stockholders of the Mississippi and Missouri Railroad Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the treasurer of Scott County is hereby required to pay over to the treasurer of Muscatine, Johnson & Cedar Counties respectively, a portion of the County tax collected from the non-resident stockholders of the Mississippi & Missouri Railroad Company for the year 1856.

equal to the number of miles constructed in each of the four said counties so that each county shall receive such portion of the taxes collected from the non-resident stockholders as the number of miles constructed in each county shall bear to the whole length of the Railroads so constructed.

APPROVED, July 16th, 1856.

CHAPTER 27.

SALINE LANDS.

AN ACT authorizing the Register of the State Land Office to close the Saline Grant.

Register's duty.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Register of the State Land Office be, and is hereby authorized and required, under the direction of the Governor of the State of Iowa, to obtain the approval, close the grant, and obtain patents for all the saline lands selected in and for the State of Iowa, and all necessary expenses incurred thereby, to be paid by order of the Governor on the State Treasurer.

Take effect.

SEC. 2. This act to be in force from and after its publication in the Iowa Capital Reporter and Iowa Weekly Republican, published at Iowa City.

APPROVED, July 14th, 1856.

Published in the Iowa Capital Reporter, July 30, and in the Iowa Weekly Republican July 29^d 1856.

G. W. McCLEARY,
Secretary of State.

CHAPTER 28.

AN ACT to amend Chapter 139 of the laws of the State of Iowa, passed at the regular session of the 5th General Assembly.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the 11th section of the 139th Chapter of the laws of the State of Iowa, passed at the regular session of the 5th General Assembly, be amended by striking out the word "and" after the word "Ringgold," and inserting the words "and Union," after the word "Adams," so that said section as amended will read as follows:—The counties of Fremont, Mills, Page, Taylor, Montgomery, Adams and Union, shall constitute the eleventh district, and have one Senator.

SEC. 2. This act to be in force after its publication in the Iowa Capital Reporter and Republican.

APPROVED, July 15th, 1856.

The above act was published in the Iowa Capital Reporter and Republican July 23rd A. D. 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 29.

RAIL ROAD STOCK.

AN ACT to authorize certain Towns therein named, to subscribe to the Capital Stock of Railroad Corporations, and to issue bonds to aid in the construction of Railroads.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the city of Lyons, in Clinton county, and the towns of Maquoketa and Bellevue in Jackson county, and Anamosa, in Jones county, towns incorporated under the laws of this State, may subscribe to the capital stock of any railroad corporation, legally incorporated

Towns authorized.

To subscribe stock.

- Petition. under the laws of this state, and issue bonds to aid in the construction of any such railroad, in the manner following, to-wit: The local authorities of said city, or either of the said towns, shall, when petitioned by one-fourth of the legal voters of such city or town, submit the question whether such city or town will subscribe to the capital stock of any railroad corporation named in said petition, or aid in the construction of their railroads, and shall appoint an election for the purpose of determining the same, and shall prescribe the manner of voting on said question, and of conducting the election. Ten days notice shall be given of the time and place of said election, which notice shall contain a statement of the proposition, the manner of voting, and the amount proposed to be subscribed, the amount of tax to be assessed per annum to pay the interest and principal of said bonds, and shall be given by a publication in some newspaper published in the city, or town, or by posting a notice in at least five public places in the city or town, upon the adoption of such proposition, the proper local authorities shall have power to levy and collect the tax therein provided for, which shall not exceed one per cent. per annum upon the taxable property of the city or town, and shall constitute a separate fund to pay said interest and principal.
- Election. Notice.
- Taxes. Sec. 2. Should a majority of the votes cast at said election of the proposition thus submitted, it shall be the duty of the Mayor of the city, or the Mayor or other principle executive officer of the town, as the case may be, to subscribe the stock and issue bonds in accordance with the proposition.
- Mayor's duty.
- Take effect. Sec. 3 This act to take effect and be in force from and after its publication in the Iowa Capital Reporter and Iowa City Republican; Provided the state shall incur no expense in such publication,

APPROVED, July 15th, 1856.

I certify that the foregoing act was published in the Iowa Capital Reporter July 23rd and in the Iowa City Republican July 29th 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 30.

INDIANS.

AN ACT permitting certain Indians to reside within the State.

SECTION. 1. *Be it enacted by the General Assembly of the State of Iowa,* That the consent of the State is hereby given that the Indians now residing in Tama county known as a portion of the Sacs and Foxes, be permitted to remain and reside in said State, and that the Governor be requested to inform the Secretary of war thereof, and urge on said department, the propriety of paying said Indians their proportion of the annuities due or to become due to said Tribe of Sacs and Fox Indians.

Consent of the State given.

For Sacs and Foxes, to reside in the State.

Annuities.

SEC. 2. That the Sheriff of said county, shall as soon as a copy of this law is filed in the office of the County Court proceed to take the census of said Indians now residing there giving their names, and sex, which said list shall be filed and recorded in said office, the persons whose names are included in said list shall have the privileges granted under this act, but none others shall be considered as embraced within the provisions of said act.

Census.

List filed.

SEC. 3. This act shall take effect from and after its publication in the Iowa Capital Reporter and Iowa City Republican published at Iowa City.

Take effect.

APPROVED July 15th, 1856.

I certify that the foregoing act was published in the Iowa Capital Reporter July 30th and in the Iowa City Republican July 23d 1856.

GEO. W. McCLEARY,

Secretary of State.

CHAPTER 31.

SCHOOL LAWS.

AN ACT to authorize the appointment of Commissioner to revise the School Laws of Iowa.

Commission-
ers. SECTION. 1. *Be it enacted by the General Assembly of the State of Iowa,* That there shall be three Commissioners appointed in the manner hereafter specified, whose duty it shall be to revise and improve the school laws of Iowa, and report their proceedings to the next General Assembly, on the first day of the session thereof.

Revise school
laws.

Appointed by
Governor. SEC. 2. Said Commissioners shall be appointed by the Governor, said appointment shall be made within thirty days from the passage of this act.

Compensation SEC. 3. Each of said Commissioners shall be entitled to receive out of any money in the treasury not otherwise appropriated, the sum of four dollars per day, for each day's attendance on said board.

Take effect. SEC. 4. This act shall take effect and be in force from and after its publication in the City Republican and Reporter.

APPROVED, July 14th, 1856.

I certify that the foregoing act was published in the Iowa Capital Reporter July 30th, and Iowa City Republican on the 31st day of July, 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 32.

LAWS.

AN ACT to provide for the publication and distribution of the laws of the present session of the General Assembly.

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

State of Iowa, That five thousand copies of the laws, resolutions and memorials, passed at the present session of the General Assembly, be published under the superintendance of the Secretary of State, who is hereby directed to distribute the same among the organized counties of the State, and the same persons and officers, and in the same proportion designated by chapter 82, of the laws of the last regular session of the General Assembly. Distribution.

SEC. 2. That said laws shall be published and distributed by the first day of October, A. D., 1856, and shall take effect from and after their publication and distribution: Time.
Take effect.
Provided, That all laws directed to be published in newspapers of this State, shall take effect from and after the publication as directed and provided for in said laws respectively. Publication in
newspaper.

SEC. 3. This act shall take effect from and after its publication in the Iowa Capital Reporter and Iowa City Republican. Take effect.

I certify that the foregoing act was published in the Iowa Capital Reporter, July 23rd, and Iowa City Republican, July 26th, 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 33.

TAX—MUSCATINE ISLAND.

AN ACT authorizing the levy of a tax upon the land upon Muscatine Island, and upon adjoining lands, to construct Levees to preserve said lands from overflow.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the County Surveyor of Muscatine county, and the County Surveyor of Louisa county, be authorized and required jointly to make a survey and plat of the lands in said Muscatine and Louisa counties, which are subject to overflow by high water in the Mississippi river, and which would be benefitted by the construction of a levee or levees on Muscatine Island, and file one copy thereof in the Survey of
Island.
File copy.

office of the county judge of Louisa county, and one copy thereof in the office of the county judge of Muscatine county.

Tax. SEC. 2. That when the annual county tax is levied for the year 1856, or if said survey and plats are not completed by that time, then and as soon thereafter as the same shall have been completed, and copies thereof filed as aforesaid, the said county judge of Muscatine county, shall levy a tax on the lands specified in said survey and plat in his county; **Per cent.** in addition to the ordinary tax, of not exceeding one per cent on the assessed value thereof as assessed by the township assessors for the year 1856, to be collected by the treasurer in the same manner that other taxes are collected, and **Collection.** to be applied exclusively towards the construction of such levee or levees on Muscatine Island, as may be necessary to protect the same from overflow by high water in the Mississippi. **Levees.**

Louisa county SEC. 3. That the county judge of Louisa county may at **Tax.** his option in like manner levy a like tax upon the lands in his county, specified in said survey and plat, to be collected and applied as directed in the preceding section: *Provided,* **Rate.** That the rate per cent of said tax shall be the same in each county, if both counties shall levy said tax.

Annual tax. SEC. 4. That said tax shall be levied annually in such manner hereinafter described upon the assessed value of said lands in each year, unless said levee or levees are completed, and when completed the same shall be kept in repair by the levy of such taxes, on said lands annually, or as often as may be deemed necessary by the county Judge of either of said counties.

Plans & proposals for levee. SEC. 5. That said county Judges of said counties are hereby authorized to adopt a plan, and to receive proposals for constructing said levee or levees, and may let the contract or contracts thereof, to the lowest responsible bidder or bidders, agreeing to pay the contractor or contractors **Contractors.** for the construction of said levee or levees, from taxes to be collected under the provisions of this act, each county to pay from taxes collected as aforesaid, for so much of said levee or levees, as may be constructed within its limits;

and if the county Judge of Louisa county shall not levy a tax for the year 1856, the county Judge of Muscatine county may adopt a plan, and let contracts as above provided for such portion of said levee or levees as it may be thought necessary to construct in Muscatine county.

SEC. 6. This act to take effect from and after its publication in the Iowa Capital Reporter and Iowa City Republican. Take effect.

APPROVED July 15, 1856.

I certify that the foregoing act was published in the Iowa Capital Reporter July 30th and in the Iowa City Republican August 1st, 1856.

G. W. McCLEARY,
Secretary of State.

CHAPTER 34.

HOGS.

AN ACT to restrain swine from running at large in Jackson County.

SECTION. 1 *Be it enacted by the General Assembly of the State of Iowa,* That every owner of swine in the County of Jackson shall retain their swine from running at large in said county; and in the event of a failure so to do, shall be liable to any damages done by said swine, to be recovered by an action of trespass by the party injured. Swine restrained.

SEC. 2. That any person may take possession of any swine found running at large in said county, and give notice thereof to any Constable in said county, who shall have power, and it is hereby made his duty, to sell such swine at public outcry to the highest bidder for cash, upon giving ten days notice of the time and place of sale, by posting the same in writing in three public places in the township where such swine were found at large, the proceeds of which sale after payment of costs and charges of keeping shall be paid into the county treasury, to be applied to the use of the county until legal proof be made to the County Judge of said county, by the person or persons claiming such property to be Damage.
Take up.
Sale.
Time & place.
Proceeds.
Claimant.

his or theirs, whereupon the said Judge shall order said amount to be paid out of any moneys in the hands of the treasurer not otherwise appropriated: *Provided*, That the owner or any person for him, shall on or before the day of such sale, pay the cost and charges thus far made, the Constable is hereby required to release said swine to the person making such application upon satisfactory proof being made of ownership.

Fees. SEC. 3. The fees of the Constable under this act shall be the same as upon sale of like property on execution.

Take effect. SEC. 4. This act shall take effect and be in force from and after its publication in the *Bellevue Republican* and *Maquoketa Sentinel*, *Provided*, the expense of such publication shall not be paid by the State.

APPROVED July 15, 1856.

CHAPTER 35.

SCHOOL DISTRICTS.

AN ACT to enlarge School Districts No. (1) and (2) one and two, in Bloomington township, Muscatine county, Iowa, and define their boundaries.

District No. 1. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That school district No. (1) one shall embrace all of the City of Muscatine, situated north and east of its present western boundary line, the same line being extended north to the city limits, and school district No. (2) two shall embrace all of said city, situated south and west of said boundary line.

Boundaries hereafter. SEC. 2. Whenever the city authorities shall open Iowa Avenue to the northern limits of the city, the following shall be the boundary line between the two school districts in said city, to-wit: Commencing in the middle of the Mississippi river, at the foot of Sycamore street, and run north west along the centre of said street to Eighth street, thence south-west along the centre of Eighth street to Iowa Ave-

nue, thence north-west along the centre of Iowa Avenue to the northern limits of the city.

SEC. 3. This act shall take effect from and after its publication in the Muscatine Journal and the Democratic Enquirer. The expense of such publication to be paid by the respective districts. Take effect.

APPROVED, July 15th, 1856.

I certify that the foregoing act was published in the Muscatine Journal and Democratic Enquirer, on the 24th day of July, 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 36.

SWAMP LANDS.

AN ACT to amend an act entitled "an act to dispose of the swamp or overflowed lands within this State, and pay the expenses of selecting and surveying the same," approved Feb. 2, 1853.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all monies heretofore or hereafter to be realized from the sale of the swamp or overflowed lands, situated in any of the counties in this State, shall be deposited forthwith by the officers receiving the same, in the county treasury of their respective counties. Deposit of money.

SEC. 2. It shall be the duty of the county treasurer receiving swamp land money, to pay the same out only on the joint order of the county judge and swamp land commissioner, or if there be no swamp land commissioner, then upon the order of the county judge. How paid out.

SEC. 3. The county judges and treasurers shall have power jointly, and it is hereby rendered their duty, in all cases when the same can be done without detriment to the work of reclaiming said land, to loan any swamp land funds that may be in their several treasuries, at ten per cent. interest on approved real estate security, for such times as they may deem advisable, and the county judges and treasurers shall make semi-annual and separate public exhibits Loans. Exhibits.

of the condition of the swamp land fund, showing the amounts received, the amounts expended, for what purpose and to whom paid, the amounts loaned and to whom, and the amounts on hand; which exhibit shall be filed with the county clerks, to be by them recorded in books kept for that purpose.

Not legalize.

SEC. 4. Nothing in this act shall be so construed as to legalize the sale of swamp lands in cases where such sales were made without authority of law.

Take effect.

SEC. 5. This act shall take effect and be in force from and after its publication in the Iowa Capital Reporter and Republican.

APPROVED, July 15, 1856.

I certify that the foregoing act was published in the Iowa Capital Reporter on the 23rd and Republican on the 26th July, 1856.

GEO. W. McCLEARY,
Secretary of State

CHAPTER 37.

SCHOOL DISTRICT.

AN ACT to create and define the boundaries of School District No. 4, Scott Township, Johnson County.

Boundaries.

SECTION. 1. *Be it enacted by the General Assembly of the State of Iowa,* That the following described territory, situated in Scott township, Johnson county, Iowa, viz: commencing at the north-west corner of the south-west quarter of section eighteen, and running east through the center of section eighteen, seventeen and sixteen, to the east line of sixteen; thence south to the north east corner of the south east quarter of section twenty-eight; thence west to the north west corner of the south west quarter of section thirty; thence north to the place of beginning, shall be and is hereby created and declared a school district, to be known as school district No. 4, Scott township, Johnson county.

District No. 4

SEC. 2. This act to take effect from and after its publication in the Iowa Capital Reporter and Iowa City Republican. Take effect.

APPROVED July 15th, 1856.

I certify that the foregoing act was published in the Iowa Capital Reporter on the 30th July and in the Iowa City Republican on the 31st July, 1856.

GEO. W. McCLEARY,

Secretary of State.

CHAPTER 38.

COURT IN KEOKUK.

AN ACT to provide for the necessary expense of the District Court held at Keokuk, Lee County.

SECTION. 1. *Be it enacted by the General Assembly of the State of Iowa,* That the County Judge of Lee County be authorized and required to provide the necessary rooms, books, stationery and furniture; for the Clerk of the District Court, and suitable rooms and fire for the District Court at Keokuk in Lee county at the expense of said county. County Judge to provide.

SEC. 2. This act to be in force from and after its publication in the Reporter and Keokuk Times. Take effect.

APPROVED. July 14th, 1856.

Published in the Reporter July 30th and Keokuk Times, _____
1856.

GEO. W. McCLEARY,

Secretary of State.

CHAPTER 39.

GRAND VIEW.

AN ACT to vacate an Alley in Block 14, in the Town of Grandview, and in Blocks 16 and 25 Springer's Addition to the town of Grandviw, Louisa County.

Alley vacated SECTION. 1 *Be it enacted by the General Assembly of the State of Iowa*, That the alley in block fourteen, in the town of Grandview, and in blocks sixteen and twenty-five, in Springer's addition to said town of Grandview, Louisa county, be and the same is hereby declared vacated.

Take effect. SEC. 2. This act to take effect from and after its passage.
APPROVED, July 15th, 1856.

CHAPTER 40.

CLERMONT.

AN ACT to change the name of the town of Norway, in Fayette county.

Name chang- SECTION 1. *Be it enacted by the General Assembly of the ed.* *State of Iowa*, That the name of the town of Norway, in Fayette county, be and the same is hereby changed to Clermont.

Take effect. SEC. 2. This act shall be in force from and after its publication.

APPROVED, July 15th, 1856.

CHAPTER 41.

AN ACT to amend an act for the construction of a free bridge across the Cedar river, in Linn county.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* As follows: The Board of Commissioners for the construction of a free bridge across the Cedar river, at Cedar Rapids, in Linn county, under an act, approved January 25th, 1855, are hereby authorized to construct said bridge *without a draw* for the passage of boats. Draw.

SEC. 2. So much of the act approved January 25th, 1855, as required said Board of Commissioners to construct a draw in said bridge, is hereby repealed. Repeal.

SEC. 3. The time in which said Commissioners are required to complete said free bridge, is hereby extended twelve months beyond the time designated in said act for the completion of the same. Extension of time.

SEC. 4. This act shall take effect and be in force from and after its passage. Take effect.

APPROVED, July 15th, 1856.

CHAPTER 42.

CHILLICOTHE.

AN ACT to enable the County Judge of Wapello county, to change the boundaries of certain lots in Chillicothe.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the County Judge of Wapello county be and is hereby authorized to alter the boundaries of lots No. (1,) (2,) (3,) and (4,) in block number one and lots No. (32) (33) and (34) in block number five, in Andrew I. Wick-er's addition to the town of Chillicothe, in said county, in accordance with the wants of the resident owners of said lots. Alter bounds of lots.

Survey & plat. SEC. 2. That on the application of the said owners, it shall be the duty of said County Judge, to appoint a Surveyor to survey and mark out a plat of the same, and make return thereof to said judge as soon as practicable, whose duty it shall be to have the same recorded.

Record. Compensation SEC. 3. The Surveyor appointed shall be allowed such compensation as the said County Judge shall appoint, which shall be borne by the said owners of said lots.

Take effect. SEC. 4. This act to take effect and be in force from and after its passage.

APPROVED July 12th, 1856.

CHAPTER 43.

RECORDS.

AN ACT to authorize the County Judge of Jackson county, to transcribe a portion of the Probate Records of said county.

Transcribe re- SECTION 1. *Be it enacted by the General Assembly of the*
 cords. *State of Iowa*, That the Judge of Jackson county is hereby authorized and required to transcribe into well bound books, and index, all the Probate Records of said county of Jackson, that are contained in small paper covered books, and made prior to July 1st, 1851.

Index. Certified. SEC. 2. That such transcribed record shall be certified by said judge, to be a true and correct transcript of the original record, and after such certificate is thereunto attached, the said transcript, or any part thereof, shall have the same binding effect as the original, and such transcript or a certified copy thereof, shall be evidence of equal dignity with the original of the matters and things therein contained.

Valid. Compensation SEC. 3. That said County Judge be authorized to receive for said work ten cents for every hundred words, in addition to his present salary, to be paid by Jackson county.

Take effect. SEC. 4. This act to take effect from and after its passage.
 APPROVED, July 15th, 1856.

CHAPTER 44.

CENTRALIA.

AN ACT to change the name of the village of Dacota, in Dubuque county, to that of Centralia.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the name of the village of Dacota, in Dubuque county, is hereby changed to Centralia. Name changed.

SEC. 2. This act to take effect from and after its passage. Take effect.

APPROVED, July 15th, 1856.

CHAPTER 45.

ARMS.

AN ACT to enable the Governor to distribute the State Arms.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That whenever the Governor shall be satisfied that the applicant has a company of not less than thirty men enrolled, uniformed, it shall be lawful for him to supply such company with necessary arms, taking the bond of the captain of the company for their safe keeping and return thereof. Governor may furnish. Bonds.

SEC. 2. The said captain, on distributing the arms so received to the members of the company, shall take the bond of each in such sum as the Governor may direct for the like purpose as that given by the said captain. Bond of private.

SEC. 3. So many of the arms of the State as are or may be required at the State Penitentiary, shall be delivered to the Warden of the same, to be so used. Penitentiary.

SEC. 4. This act to take effect and be in force from and after its passage. Take effect.

APPROVED, July 12th, 1856.

CHAPTER 46.

PENITENTIARY.

AN ACT for an appropriation for the Penitentiary.

Appropriation.	SECTION. 1. <i>Be it enacted by the General Assembly of the State of Iowa</i> , That the following sums of money be and the same are hereby appropriated out of any unappropriated money in the State Treasury ; two thousand nine hundred dollars for the re-construction of the work shops which were burned down ; one thousand for the payment of outstanding debts, and two thousand for the construction of cells.
\$2,900 for shop.	
\$1000—debts.	
\$2000—cells.	
How drawn.	SEC. 2. That said sums of money may be drawn by the Warden upon the order of the Inspectors, at any time the same may be needed.
Take effect.	SEC. 3 This act shall take effect from and after its publication in the Iowa City Republican, and Iowa Capital Reporter.

APPROVED July 14, 1856.

I certify that the foregoing act was published in the Iowa Capital Reporter July 23d, and in the Iowa City Republican July 28th, 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 47.

INSANE ASYLUM.

AN ACT for a further appropriation for the State Insane Asylum.

Appropriation.	SECTION 1. <i>Be it enacted by the General Assembly of the State of Iowa</i> , That there be and hereby is appropriated from the Treasury of the State, the sum of fifty thousand dollars for the further construction of the State Insane Asy-
\$50,000.	

lum, at Mount Pleasant, to be paid out of any money not heretofore appropriated.

SEC. 2. That for the same object there is hereby appropriated all monies arising from the sale of the Saline lands of the State, whether in the hands of the Treasurer of State, or any other person. Proceeds of the the Saline lands.

SEC. 3. So much of all acts or parts of acts as are inconsistent with this act are hereby repealed. Take effect.

SEC. 4. This act to take effect and be in force from and after its publication in the Iowa Republican and Capital Reporter.

APPROVED, July 14th, 1856.

I certify that the foregoing act was published in the Iowa Capital Reporter July 23d and the Iowa City Republican July 28th 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 48.

APPROPRIATION.

AN ACT authorizing the Treasurer to pay from any money in the Treasury the sums due to the members, and officers of the General Assembly for services rendered at the present session.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Treasurer of said State is hereby authorized and required to pay from any money in the Treasury, the sums due the members and officers of the General Assembly for services rendered at the present session ; the amount due from each member and officer to be certified by the speaker of the House of Representatives, and attested by the Clerk, or certified by the President of the Senate and attested by its Secretary. Money appropriated.

SEC. 2. This act to take effect from and after its publication in the Iowa Capital Reporter and Iowa City Republican. Take effect.

APPROVED July 15, 1856.

I certify that the foregoing act was published in the Iowa Capital Reporter July 30th and in the Iowa City Republican August 8th 1856.

GEO. W. McCLEARY,
Secretary of State.

CHAPTER 49.

APPROPRIATIONS.

AN ACT making additional appropriations for the support of the State Government, for the extra session of the General Assembly.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the following sums of money be and the same are hereby appropriated for newspapers, &c., furnished the house.

Newspapers.	To Sylvester, Harrison & Brother, of Daily Evening Reporter,.....	\$336 50
	“ J. Teesdale of Republican,.....	442 50
	“ Editors, Muscatine Journal,.....	2 50
	“ Davenport Gazette,.....	6 50
	“ Temperance Organ,.....	5 00
	“ Des Moines Courier,.....	1 30
	“ Keokuk Times,.....	10 00
	“ Plaindealer, Fort Madison,.....	3 75
	“ Iowa Statesman, Ft. Des Moines,.....	3 75
	“ Dubuque Tribune,.....	50
	“ Democratic Standard,.....	1 50
	“ Council Bluffs Bugle,.....	15 00
	“ Burlington Gazette,.....	3 00
	“ Burlington Hawkeye,.....	50
	“ State Democrat, Davenport,.....	4 00
	“ Gazette, Davenport,.....	50
	“ Muscatine Enquirer,.....	50
	“ Ledger, Fairfield,.....	1 00
Speaker.	“ Reuben Noble, extra service as Speaker,.....	30 00
Chief Clerk.	“ C. C. Nourse, for superintending the printing and indexing, and distributing the Journals of the House,.....	350 00
Freight.	“ Burrows, Prettyman and Babcock, for freight on State Arms, &c.,.....	181 00
Stationery.	“ A. W. Carpenter, for stationery,.....	360 00

		Laws.
To Secretary of State, for superintending the printing, indexing and distributing the laws of the present session,.....	300 00	
“ pay clerk hire, for Census Board,.....	1,500 00	Census.
“ William Lee, for nine degree maps and stationery,.....	142 60	Stationery.
“ Geo. W. Marquardt, for stationery,.....	13 00	
“ J. N. Seydell, for buckets and brushes,.....	5 00	
“ Morsman & Cochran, for stationery,.....	1 50	
“ Davis & Hunter, for dusting brushes,.....	2 00	
“ Seydell & Bixby, for brooms,.....	1 50	
“ Millington & Smith, for seamless bags,.....	70	
“ Rev. Mr. Morrison, for services as chaplain,...	50 00	Prayer.
“ Postmaster, at Iowa City,.....	180 74	Postage.
“ Thomas C. Carson & Co., for buckets & dippers,.....	4 00	Sundries.
“ Charles C. Nourse, as Chief Clerk,.....	120 00	Officers of H. Rep.
“ A. R. Fulton, as Assistant Clerk,.....	120 00	
“ F. A. Baker, as Enrolling Clerk,.....	60 00	
“ Silas Foster, as Sargeant-at-Arms,.....	60 00	
“ A. P. Aylworth, as Door Keeper,.....	45 00	
“ R. B. Cochran, as Messenger,.....	45 00	
“ Jas. Hawkins, as Messengers,.....	45 00	
“ E. H. Woods, as Messenger,.....	45 00	
“ F. Kimball & Co., for ice furnished House, 14 day,	10 60	Keeping cool.
“ pay bills for articles, and postage during the present session of the General Assembly, approved by the Auditor of State,.....	100 00	Contingent.
“ M. L. Fisher, for extra services as President,..	30 00	Presiding.
“ P. B. Bradley, Principal Secretary,.....	150 00	Sec'y Senate.
“ P. B. Bradley, for superintending printing: Journals and distributing,.....	400 00	
“ Will Tomilson, Assistant Secretary,.....	184 00	Officers of the Senate.
“ James Trimble, Sergeant-at-Arms,.....	45 00	
“ F. Conley, Door Keeper,.....	45 00	
“ John Templin, Messenger,.....	30 00	
“ John Peck, Messenger,.....	30 00	
“ F. M. Thompson, Messenger,.....	30 00	
“ Mrs. Wahl, for paste,.....	3 00	
“ J. N. Sydell, buckets, &c.,.....	1 95	
“ Trusdell & Carey, carpeting, &c.,.....	135 80	Carpet for H R

Sundries.	To John M. Bay, brooms.....	50
	“ Millington & Smith, sacks,.....	70
	“ E. Shephard & Co., sundries,.....	2 35
	“ Wm. Penn Clarke, bale matting, freight and drayage,	32 50
	“ Mrs. Wentz,.....	13 50
	“ Sally Patton,.....	10 00
	“ Mrs. Hutchinson,.....	5 25
	“ Lewis Wahl, labor on State House,.....	6 75
	“ J. W. Holt, curtains,.....	6 80
	“ N. Coldren & Co., Oil and Chintz,.....	14 90
	“ S. B. Daniels & Co., velvet,.....	29 18
	“ Gower, Mygatt & Galley, 23 1-4 yds. velvet.	18 60
	“ Sydell & Bixby, repairing buckets and dippers	2 65
	“ Mrs. Wahl, making carpet,.....	10 00
	“ Moffitt & Snavely, 3 dozs. spittoons,.....	12 60
Hospital.	“ W. P. Doty, excavating vault, and laying stone, and moving building,.....	113 13
	“ F. Sanxay, for nails,.....	35
Newspapers.	“ Sylvester, Harrison & Bro., for daily papers, for Senate,.....	213 00
	“ J. Teesdale, for daily papers, for Senate,.....	153 50
	“ Davis & Hunter, for paper weights,.....	4 50
	“ Morseman & Cochran, for paper weights to Clerk of Senate, Session of 1854 and 1855.....	5 00
	“ Vogt & Bro., paper folders and wrapping paper,	3 10
Refreshments.	“ Kimball & Co., for ice,.....	7 00
Postage.	“ William Vogt, Postmaster, for postage to Senate	202 30
Contingent.	“ further appropriations to William Vogt, for such amount as may be audited by Auditor..	20 00
Praying.	“ F. A. Shearer, Chaplain [Senate].....	50 00

APPROVED, July 15, 1856.

CHAPTER 50.

SCHOOL FUND.

AN ACT to prevent the loaning of the School Fund by the Superintendent of Public Instruction.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Superintendent of Public Instruction be and is hereby prohibited from loaning or parting with the possession of any moneys now in his possession, belonging to the School Fund, except as provided for at the present session of the General Assembly, until otherwise authorized by act of the General Assembly. Prohibition

SEC. 2. This act to be in force from and after its publication in the Iowa City Republican and Iowa Capital Reporter, and the Secretary is requested to publish the same to-morrow, or as soon as practicable. Take effect

APPROVED July 15th, 1856.

I certify that the foregoing act was published in the Iowa City Republican July 23d and in the Iowa Capital Reporter July 23rd, 1856.

GEO. W. McCLEARY,

Secretary of State.

JOINT RESOLUTIONS.

JOINT RESOLUTIONS.

RESOLUTION NO 1.

JOINT RESOLUTION providing for the publication of certain laws.

Take effect. *Resolved, by the General Assembly of the State of Iowa.*
That all acts and resolutions of a local character, passed at the present session of the General Assembly, the publication of which are not provided for in said acts and resolutions respectively, may be published in at least one newspaper in their respective localities, and one paper printed at Iowa City; that from and after such publication, such acts and resolutions shall take effect.

State exempt from expense. *Resolved,* That said publication shall incur no expense to the State.

APPROVED, July 15th, 1856.

JOINT RESOLUTION NO. 2.

LAWS.

JOINT RESOLUTION providing for furnishing the Code and Laws to officers entitled thereto by law.

Code and laws to officers. *Resolved, by the General Assembly of the State of Iowa.*
That the Secretary of State be and is hereby authorized and required to transmit to the county clerk of each county in the State, a sufficient number of copies of the Code of Iowa and of the acts of the General Assembly of 1853 and 1855, to supply the officers entitled to the same by law, and that

Expense.

the expense of transportation shall be audited, and paid by the Auditor by warrant on the State Treasury.

APPROVED, July 14th, 1856.

RESOLUTION NO. 3:

GRANT OF LAND.

JOINT RESOLUTION asking Congress for a grant of land to aid in the construction of a certain Rail Road.

Resolved, by the General Assembly of the State of Iowa, Grant of land.
That our Senators in Congress be instructed, and our Representatives be requested, to use their best exertions to procure the passage of a bill, making a grant of land to aid in the construction of a Rail Road from Clinton, Clinton county, Iowa, to Cedar Rapids, and thence in a north-westerly direction to the northern boundary of the State. Clinton.
To northern boundary.

Resolved, That the Secretary of State be instructed to forward a copy of the foregoing resolution to each of our Senators and Representatives in Congress. Secretary forward.

APPROVED, July 14, 1856.

RESOLUTION NO. 4.

PENITENTIARY.

A JOINT RESOLUTION in relation to paying over money for the use of the Penitentiary.

Resolved, by the General Assembly of the State of Iowa, State treasurer to pay Warden.
That the Treasurer of State is hereby directed to pay over to the Warden of the Iowa Penitentiary for the use of the same, twenty-three dollars, moneys collected and paid over to him by the Attorney General, from the securities of Richard Quinton, late Warden of the Penitentiary.

APPROVED July 12, 1856.

JOINT RESOLUTIONS.

RESOLUTION NO. 5.

MAIL FACILITIES.

JOINT RESOLUTION to procure additional mail facilities.

Mail facilities. *Resolved, by the General Assembly of the State of Iowa,* That our Senators be instructed, and our Representatives in Congress be requested, to use their influence to procure increased mail facilities, on the route from Chariton, in Lucas county, *via* Oseeola, in Clark county, Afton, in Union county, Quincy, in Adams county, Frankford, in Montgomery county, and Glenwood, Mills county, to Plattsmouth, in Cass county, Nebraska Territory, so as to have a *mail* conveyed over said route three times a week, in hacks or coaches.

Secretary to
forward.

Resolved, That the Secretary of State, be instructed to send a copy of these resolutions to our Senators and Representatives in Congress, and to the Postmaster General.

APPROVED July 15th, 1856.

RESOLUTION NO. 6.

GRANT OF LAND.

JOINT RESOLUTION asking a grant of public lands, to aid in the construction of a Rail Road, from Fort Madison to a point at or near Nebraska City.

Instructions.

Resolved, by the General Assembly of the State of Iowa, That our Senators and Representatives in Congress be instructed to procure a grant of the public lands, to aid in the construction of a Rail Road from Fort Madison, *via* West Point, Keosauqua and Bloomfield, to a point at or near Nebraska City.

Resolved, That the Secretary of the State of Iowa be instructed to send a copy of these resolutions to each of our Senators and Representatives in Congress. Secretary to forward.

APPROVED July 14th, 1856.

RESOLUTION NO. 7.

GRANT OF LAND.

JOINT RESOLUTION, asking for a grant of land to construct a Rail Road from Keokuk to the South Bend of the Minnesota River, with a branch from Fort Desmoines to the Northwest corner of the State.

Resolved, by the General Assembly of the State of Iowa, Lands requested. That our Senators and Representatives in Congress be instructed to procure a grant of land, to aid in the construction of a Rail Road from Keokuk by the way of Fort Desmoines to the northern line of the State of Iowa, in the direction of the southern bend of the Minnesota or St. Peters River, with a branch from Fort Desmoines to a point near the North West corner of the State of Iowa.

Resolved, That the Secretary of State be instructed to send a copy of this resolution to our Senators and Representatives in Congress. Secretary forward.

APPROVED July 14, 1856.

RESOLUTION NO. 8.

GRANT OF LANDS.

A JOINT RESOLUTION asking for a grant of lands to aid in the construction of a certain Rail Road.

Resolved, by the General Assembly of the State of Iowa, Grant of lands That our Senators be instructed, and our Representatives be requested, to use their utmost exertions to procure a grant of lands to aid in the construction of a Rail Road,

JOINT RESOLUTIONS.

from Washington, in Washington county, *via* Oskaloosa, Mahaska county, and Knoxville, in Marion county, to some point on the Missouri river, at or near Council Bluffs, upon the same terms and conditions as the "act for a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of certain Rail Roads in said State," approved May 15, 1856.

Secretary for- *Resolved*, That the Secretary of State forward to each
ward. member of Congress a copy of the foregoing resolutions.

APPROVED, July 15th, 1856.

RESOLUTION NO. 9.

STATE LOAN.

JOINT RESOLUTION authorizing the borrowing of money from the School Fund of Iowa.

Agent. *Be it resolved by the General Assembly of the State of Iowa*, That the Governor of Iowa be and is hereby appointed
Borrow. agent of the State, to borrow the sum of one hundred thousand dollars from the Superintendent of Public Instruction of Iowa, for a term not exceeding five years, at a rate
Interest. of interest not exceeding ten per cent. interest per annum; interest payable annually at the office of the Superintendent of Public Instruction.

Bonds. *Be it further resolved*, That the said agent be and is hereby empowered and authorized to execute to the Superintendent, in the name of the State of Iowa, sufficient vouchers for said sum of money, and upon the receipt of said money, it is hereby made the duty of said agent to pay said
Pay into State money to the Treasurer of State, reserving so much as shall
Treasury. be necessary to liquidate the bonds of the State hereinafter
Liquidate provided for in the fifth resolution, taking therefor duplicate
debt. receipts, one of which shall be filed with the Secretary of State.

Be it further resolved, That the faith of the State is here ^{Faith of State pledged.} by irrevocably pledged for the full payment of said money and interest, according to the terms and conditions of this resolution.

Be it further resolved, That the Superintendent of Pub-^{Sup. Pub. Ins.} lic Instruction be and is hereby authorized to loan the State ^{to loan.} of Iowa, from the school fund of said State, a sum of money not exceeding one hundred thousand dollars, for a term not exceeding five years.

Be it further resolved, That the Governor of Iowa be au-^{Agent to pay bonds.} thorized, and it is hereby made his duty, to appropriate so much of the money borrowed in pursuance of this resolution, as shall be sufficient to liquidate the bonds of the State, payable at the Philadelphia Bank, on the first of January, A. D., 1857.

APPROVED, July 15th, 1856.

MEMORIAL NO. 1.

EXTENSION OF BOUNDARY.

MEMORIAL AND JOINT RESOLUTION for the extension of the Western Boundary Line of the State of Iowa to the Missouri river.

Memorial. *To the Senate and House of Representatives of the United States of America, in Congress assembled:*

Your memorialists, the General Assembly of the State of Iowa, would respectfully represent that the Missouri river is the most natural and appropriate western boundary for the State of Iowa; and that it is highly important to the best interests of said State, as it will be to the people who may hereafter settle and occupy the delta of land, located between the present western boundary of said State and said river, that the same should be attached to and made a part of the State of Iowa, so that the Missouri river may constitute the entire western boundary line of said State, and as a parallel of latitude, (forty-three degrees, thirty minutes,) extending from the Mississippi river to the Missouri river, may constitute the northern boundary line of said State.

Request. Your memorialists would therefore respectfully ask of your honorable bodies, that a law may be passed providing for the immediate extinguishment of the Indian title to said land, and for its annexation to the State of Iowa.

Instructions. *Resolved*, That the Senators from this State be instructed, and the Representatives be requested, to use their best exertions to procure the passage of a law, as asked for in the foregoing memorial, and that the Secretary of State forward a copy thereof to each.

Forwarded. APPROVED, July 12th, 1856.

MEMORIAL NO. 2.

FOR GRANT OF LANDS

MEMORIAL AND JOINT RESOLUTIONS, asking Congress for a grant of land to aid in the construction of a Rail Road, from McGregor's landing on the Mississippi River, to a point in the Western bounds of the State of Iowa, between Sargeant's Bluffs, and the north bounds of the State, and in case the bounds of the State be extended to the Missouri River on the northwest, said grant to extend to the *then* west bounds of said State.

WHEREAS, by an act of Congress, approved May 15th, Preamble. 1756, in answer to a memorial of the General Assembly of the State of Iowa, a grant of land was made to said State, to aid in the construction of three several Rail Roads as applied for in said memorial. And Whereas, one road to wit: that from McGregor's landing named in said memorial of the General Assembly, was left out of the said grant, and whereas the route of said road from McGregor's landing would be at least eighty miles north of the most northern of the said roads, provided for in said grant;—and whereas it is believed that a great portion of the north western part of the State of Iowa, and the south western portion of Minnesota, must remain for a long time unsettled, unless encouraged by Rail Road facilities; and whereas it is believed that the granting of alternate sections to the State under proper restrictions for the purpose of aiding in the construction of all practicable Rail Roads in the State, has a direct tendency to promote not only the best interests of the State, but of the General Government; therefore,

Resolved, by the General Assembly of the State of Iowa, Instruction. That our Senators be instructed, and Representatives in Congress be requested to procure the passage of a law granting to the State of Iowa, the alternate sections of land along the line of the proposed road, to an equal extent, under like privileges and restrictions with the grant made to the said other roads by said act of May 15th, 1856, to wit:

Commencing at McGregor's landing on the Mississippi, McGregor's to N. boundary. thence on the most practicable route to a point in the western bounds of the State between Sargeant's Bluffs and the north

boundary of the State, and in case the west bounds of the State be extended to the Missouri on the North West, that the said grant of land be also extended to the other western boundary, and that the lands likely to be within the scope of the applied for grant now for sale, be immediately withdrawn from market, and wherever the lands are not in market the same be withheld from sale, until sufficient time shall have expired for the particular location of this road, and the selecting of said lands, to be conveyed in said grant.

Forward copy *Resolved*, That the Secretary of State be instructed to forward a copy of the foregoing memorial and resolutions to each of our Senators and Representatives in Congress, to the Secretary of the Interior, and to the Commissioner of the General Land Office.

APPROVED July 15th 1856.

MEMORIAL NO. 3.

SWAMP LANDS.

MEMORIAL AND JOINT RESOLUTION in relation to the swamp land.

To the Senate and House of Representatives of the United States, in Congress assembled.

Recital.

Your memorialists, the General Assembly of the State of Iowa, respectfully represent, that under the act of Congress entitled "an act to enable the State of Arkansas, and other states, to reclaim the swamp lands within its limits," approved September 28th, 1850, a considerable amount of such land accrued to the State of Iowa; that by an act of the General Assembly of the State of Iowa, passed in January, 1852, entitled "an act to dispose of the swamp and overflowed lands within the State, and to pay the expenses of selecting and surveying the same," those lands were

granted to the counties respectively in which they were situated, in trust for the purpose of draining and reclaiming the same, and provisions were made for the selection, survey and disposal of the same.

That under the last named act the greater part of the or-Selections. organized counties of the State, containing swamp lands, proceeded to select and survey the same.

That much of the land so selected has been returned, ac-Returned. cording to the provisions of law, and the instruction of the proper department, to the land offices of the several districts in which it was situated, marked upon the plats as swamp land, and withheld from sale or entry, and plats of land so withheld furnished to the several counties in which it was situated, that subsequently, to-wit: on the 25th of January, 1855, an act of the General Assembly of this State was approved, entitled "a bill to prevent trespass or waste upon the swamp or other lands in the State of Iowa, and for other purposes;" by which, among other things, pre-Pre-emptions. emptation rights were granted to actual settlers upon the swamp or overflowed lands, when the same had been selected, and return thereof made to the County Judges of the several counties; and at the same session of the General Assembly, an act was passed authorizing the Governor of the State, to cause the swamp lands in the unorganized counties of the State to be selected.

That under the provisions of the acts above mentioned, a Lands sold. large quantity of these lands has been sold to or pre-empted by actual settlers, and especially since the passage of the law above named, granting pre-emption rights; the withdrawal of the same from sale or entry, at the land offices, and the furnishing of the several County Judges with plats thereof, having been considered by the people settling upon the same and by the counties as a sufficient guaranty of title in the State, and through the State to the counties in Guarantee of title. which they are situated. That in many of the counties the funds arising from the sale of the swamp lands have been Funds appor- appropriated according to the intent of the act of Congress tioned. to reclaiming the same, and contracts have been entered in-Contracts. to for ditching and draining.

MEMORIALS.

Instructions of
Commis'r. Your memorialists would further represent, that under the instructions of the Commissioner of the General Land Office, dated February 11th, 1856, much hardship, and in many instances great injustice has been and will be wrought upon actual settlers upon the swamp lands, as well as upon the counties in which they are situated; under those instructions the question as to whether the lands selected were swamp or not, has been permitted to be opened, and applications for said lands been allowed at the Land Offices, by filing the following affidavit, viz:

Affidavit.

STATE OF IOWA, }
COUNTY OF _____ } ss.

On this _____ day of _____ 1856, personally appeared before me the undersigned _____, in the State of Iowa, _____, who being by me duly sworn deposes and says that he is well acquainted with the character of the soil in the following described tract of land, to-wit: _____ of section _____, in township _____, of range _____, in the district of lands subject to sale at _____, in the county of _____. That he has been over and examined the lines of said land and the marks or designations on the corner posts or trees, and from such examination has ascertained and knows the greater part of each forty acre tract thereof to be dry and fit for cultivation, without artificial drainage or embankment, and free from such regular periodical overflow, either at the planting, growing, or harvesting season, as would materially injure or destroy a crop.

And further, that such was the character thereof on the 28th day of September, 1850, the day on which the Swamp Land Law was passed.

Subscribed and sworn before me, on the day aforesaid.

Not final.

Those instructions are based upon the supposition that the selections made by the state or county agents, even when properly authenticated, and followed by a withdrawal of the lands so selected from sale or entry, are not final nor binding upon the General Government. This supposition your memorialists do not design at this time to controvert, nor do they deny that the selections may not in some in-

stances have embraced dry and tillable lands; but they do say that the character of many of the lands selected as swamp lands, has materially changed within the last two years; that this change is owing, partly to the improvement of contiguous lands, partly to the construction of roads through them, which in some instances operate as drains, but mainly to the drought of the summer of 1854; that there are numerous tracts of land in many counties, which, prior to said drought, could not be crossed by teams, and upon which there was always standing water, which could not now be proved to be swamp lands. Change.

The particular point which your memorialists wish to make is, that after the General Government has acquiesced for a series of years in the action taken by the State of Iowa in relation to those lands, without any interference, after vested rights have been permitted to accrue, and contracts to be made for the purpose of reclaiming those lands, rights and contracts accruing, and made in good faith, based upon a grant of several years' standing, it would be an act of injustice, that would inevitably work much wrong and hardship, both to individual settlers and to counties, resulting in the loss of homes to the former, and involving the latter in debt, to permit the question of the character of these lands to be opened at this late day, and allow applications for the same to be filed at the Land Offices, without providing against infringement of vested rights, and securing the counties from loss under contracts made in good faith. In many of the counties bordering on the Missouri river, the proportion of the swamp land is large. They embrace the bottom lands of the Missouri and its tributaries, and are so liable to inundation that it would require an extensive system of draining and dyking to reclaim them and render them fit for cultivation. In those counties we are informed a large amount of those lands have been applied for by non-resident speculators, covering in many instances the entries made by actual settlers under the provisions of the State laws. The settler of course, if they lose their homes, will look to the counties for indemnity, and will demand, not only a return of the purchase money, but damages; while

Applications
for swamp
lands.

MEMORIALS.

the counties must either loose the lands applied for, and pay damages to actual settlers, or become involved in expensive litigation, in many instance at a remote land office, to prove each separate tract applied for under the instructions of the Commissioner of the General Land Office, to be swamp land. The large amount of lands in some of the western counties applied for by non-residents, amounting in some instances to twenty or thirty thousand acres, precludes the possibility of the affidavits upon which they are based having been made in good faith by persons so familiar with the lands as to be able to swear to the metes and bounds of each tract. Your memorialists, therefore, are impressed with the belief, that if the true character of those lands was ascertained, it would be found that but a small proportion of them are dry and fit for cultivation, and that while the General Government will suffer but a trifling loss by confirming them to the State, much wrong will be wrought upon the settlers who have entered or pre-empted them under the State laws, and upon the counties in which they are situated, if this question of their actual character is yet to be determined. Their original selection by the state and county agents, was prima facia evidence that they are swamp or overflowed, and their reservation from sale or entry at the Government Land Offices, for so long a period, should be conclusive.

Grant conferred.

Your memorialists, therefore, respectfully urge the passage of an act confirming the grant to the State of Iowa; and authorizing patents to be issued for all the lands that have been selected and reserved from sale or entry, at any of the Land Offices in this State.

Patents.

Instructions.

Be it resolved by the General Assembly of the State of Iowa, That our Senators in Congress be instructed, and our Representatives requested, to use their best exertions to procure the passage of such an act as is contemplated by the foregoing memorial, and that copies of this memerial be forwarded without delay to each of our Senators and Representatives in the Congress of the United States, by the Secretary of State.

By Secretary.

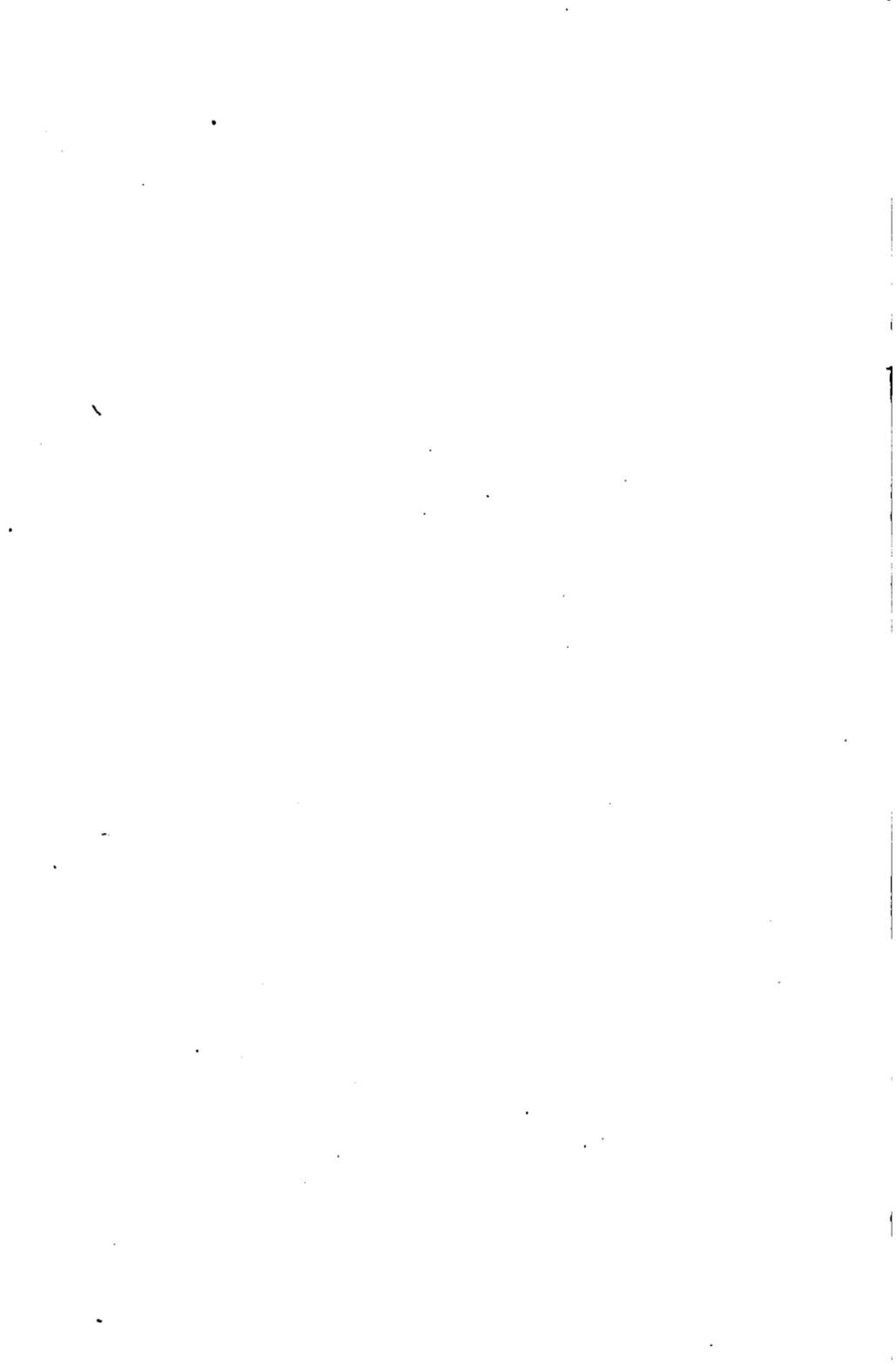
APPROVED, July 12th, 1856.

STATE OF IOWA—S S.

I, GEO. W. McCLEARY, Secretary of State, of the State of Iowa, do hereby certify that the foregoing acts, resolutions and memorials are truly copied from the original rolls on file in my office.

In testimony of which, I have hereto subscribed my
{ L. S. } name, and affixed the great seal of the State of
{ } Iowa. Given at Iowa City, Iowa, the 9th day
{ } of September, A. D., 1856.

GEO. W. McCLEARY,
Secretary of State.



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