

the other two, then there shall be held another election as above, on the first Monday of the next month, and the vote shall be for the two points which received the highest number of votes at the last election, and the point receiving the highest number of votes, shall be and remain the permanent seat of justice of Clinton county. Such special elections to be conducted, and returns made as in regular elections.

SEC. 2. Court house and jail to be built. That if either Lyons or Camanche, in said county, be determined upon as the county seat, at any election as aforesaid, that the citizens of said place shall, at their own expense, erect and complete (free of charge to the county) a court house of the same dimensions, upon the same plan, and of similar materials as the court house of Scott county, in the town of Davenport; and also, a jail of the same dimensions, and upon the same plan, and constructed in the same manner as the jail of Scott county; which buildings, when completed, shall be the property of the county of Clinton.

SEC. 3. When county seat to be removed. Before the present county seat of said county shall be removed, or before any of the county business of said county shall be transacted at the place decided upon by the legal voters of said county, the provisions of the second section of this [act] shall be strictly complied with, and the board of county commissioners of said county shall, and it is hereby made their duty, to determine when such compliance has been made.

SEC. 4. Acts repealed. All acts and parts of acts contravening the provisions of this act, are hereby repealed.

SEC. 5. When to take effect. This act to take effect by publication in the Iowa Capital Reporter and Iowa City Standard.

Approved, January 24, 1848.

Published in the Standard, February ninth, and the Reporter, March fifteenth, eighteen hundred and forty-eight.

[48] CHAPTER 50.

DAVIS COUNTY SEAT.

AN ACT to provide for the relocation of the seat of justice of Davis county.

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

SECTION 1. Vote on county seat. That the legal voters of the county of Davis shall, at the annual township election in April next, vote for or against the removal of the seat of justice of said county; said election to be conducted, in all respects, as general elections.

SEC. 2. Commissioners to locate. If a majority of the votes cast be for a removal, then William G. Coop, of the county of Jefferson, William S. Whitaker, of the county of Van Buren, and George Wilson, of the county of Wapello, be and are hereby appointed commissioners to select a new seat of justice for said county of Davis, as near the geographical center of said county as a suitable site may be obtained, having due regard to donations of land which may be made by the owners thereof, for the use of the county; to the obtaining of good water; its contiguity to building materials, stone coal and public roads.

SEC. 3. Time and place of meeting—oath. Said commissioners, or a majority of them, shall meet at the town of Bloomfield, in said county, on the first Monday in May next, or within ten days thereafter, and shall, before entering upon their duties, take an oath, before the clerk of the board of commissioners of said

county, who shall file the same in his office, conditioned that they will faithfully and impartially locate the seat of justice of said county of Davis agreeable to the provisions of this act, and that they have no personal interest, directly or indirectly, in the location of said seat of justice.

SEC. 4. Duty of commissioners—duty of county clerk. Said commissioners, when met and qualified as aforesaid, shall proceed to locate the seat of justice of said county, and as soon as they shall have determined, they shall give it such name as they may deem proper, and commit their proceedings to writing, which shall be signed by said commissioners and filed with the clerk of the board of county commissioners of said county, whose duty it shall be to record and keep the same on file in his office.

SEC. 5. Vote on site selected. And the site thus selected by said commissioners shall, together with Bloomfield, be submitted to the legal voters of said county on the first Monday in June next, and if the site selected as aforesaid receive a greater number of votes than Bloomfield it is hereby declared the seat of justice of said county.

[49] **SEC. 6. Compensation.** Said commissioners shall each be entitled to receive the sum of two dollars per day, while necessarily employed; and the sum of two dollars for every twenty miles of travel from their place of residence to the county seat of the said county of Davis, in the discharge of the duties enjoined by this act, which shall be paid out of the county treasury as other moneys are paid.

SEC. 7. Town to be laid out. As soon as the said seat of justice is selected, as provided for in this act, it shall be the duty of the commissioners of said county to immediately proceed and lay out a town at the point selected as aforesaid, and to sell lots, and perform all other matters necessary for the improvement of said town.

SEC. 8. Lots to be conveyed. It is hereby made the duty of the commissioners of said county to deed and convey to every person or persons (who were owners of a lot or lots in Bloomfield at the passage of this act) other lot or lots similarly situated in the new location: provided, that they first deed and convey the said lot or lots in the town of Bloomfield to the county, such conveyance not to extend to any improvements thereon.

SEC. 9. Acts repealed. All acts and parts of acts coming in conflict with this act are hereby repealed.

SEC. 10. When to take effect. This act to take effect and be in force from and after its publication in the Iowa Democrat and Des Moines Valley Whig.

Approved, January 24, 1848.

Published in the Democrat and in the Whig February eleventh, eighteen hundred forty-eight.

CHAPTER 51.

RAILROAD COMPANY.

AN ACT to authorize the "Mississippi Rapids Railroad Company" to acquire a right of way.

Preamble. Whereas, Lucius H. Langworth, Wm. W. Coriell, Caleb H. Booth, James M. Marsh, and Daniel S. Harris, did, under the provisions of an act entitled "An act to authorize general incorporations," approved, February 22d. 1847, constitute and form themselves and their associates into a body politic and