

of actual notice that it is ready to be delivered to him, he shall be deemed to have resigned the office, and the governor shall order a new election.

**SEC. 7. General election laws applicable.** All statutory enactments relating to general elections which shall be in force at the time of holding any election under this act, shall be applied to the election of district judges, so far as the same may be applicable and consistent with the provisions of this act.

**SEC. 8. Contested elections—duty of governor.** In contesting an election of district judge, the depositions and documents shall be transmitted to a judge of the supreme court, who shall notify his fellow judges and the parties of the time and place of hearing; and the said supreme judges, or any two of them, [68] shall hear and determine the matter, and certify their decision to the governor, who shall cause the same to be carried into execution by commissioning the successful party, or by proclaiming a new election, or otherwise, as the case may require; but no person commissioned and qualified as district judge, shall be ousted of his office except by impeachment, or by judgment of the supreme court in a proceeding by information in the nature of a quo warranto.

**SEC. 9. Take effect.** This act shall take effect from and after its publication in the weekly newspapers printed in Iowa City.

Approved, February 16th, 1847.

Published in the Reporter and Standard February 24th, 1847.

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## CHAPTER 52.

### DISTRICT COURT OF BENTON COUNTY.

AN ACT to provide for holding the district court for the county of Benton at such place as the county commissioners may direct.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Where district court to be held.** That the district court in and for the county of Benton shall be held at such place within said county as the county commissioners of said county may direct.

**SEC. 2. Take effect.** This act shall take effect and be in force from and after its passage.

Approved, February 17th, 1847.

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## CHAPTER 53.

### REAL ESTATE.

AN ACT to authorize H. H. Ritchie, Thomas T. Botts and Andrew Jones to convey certain real estate therein named.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Trustees authorized to sell estate.** That H. H. Ritchie, Thomas T. Botts and Andrew Jones, trustees of the Christian church in West Point, in Lee county, be, and they are hereby authorized and empowered to sell and

convey by deed to Aaron Chatterton, his heirs and assigns, in fee simple, the east halves of lots No. fifteen and sixteen, in block No. twenty-three, in the town of West Point, in said county.

[69] **SEC. 2. Take effect.** This act shall take effect and be in force from and after its passage.

Approved, February 17th, 1847.

## CHAPTER 54.

### JUSTICES OF THE PEACE.

**AN ACT** to legalize the official acts of the justices of the peace of the county of Monroe.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Acts legalized.** That the official acts of the justices of the peace of the county of Monroe, performed and executed by said justices before the taking effect of an act changing the name of said county from Kishkekosh to Monroe, be, and the same are hereby made good and valid, as if no such change had been made.

**SEC. 2. Take effect.** This act shall take effect and be in force from and after its passage.

Approved, February 17th, 1847.

## CHAPTER 55.

### WEST POINT.

**AN ACT** to vacate the public square in the town of West Point, in Lee county.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Square vacated—proviso.** That that portion of the town plat of the town of West Point, in the county of Lee, as is embraced in the public square in said town, is hereby vacated: provided, that said public square be considered as extending no farther than the inner line of the streets that contiguously surround it on all sides.

**SEC. 2. If said college should cease.** That if at any time hereafter said college or institution of learning should cease to exist, or be removed and located elsewhere than at said town, whereby the object of this act should be frustrated, the said public square is hereby, upon the happening of any such event, declared to be restored to the public, as fully and amply, to all intents and purposes, as though this act had never been passed or the said public square [had] never been vacated.

**SEC. 3. Square enclosed—gates to be left—proviso.** That if the said college trustees shall at any time enclose said public square, they shall put up and keep in repair good and suffi-[70]-cient gates, or leave openings, at convenient and reasonable distances, to afford ready, easy and convenient passage to all persons, in an orderly manner, to and fro across said public square: provided.