

the taking effect of this act, shall not exceed twelve and one-half cents on every one hundred dollars' worth of property to be assessed.

SEC. 2. Election—form of vote. Before this act shall take effect, the qualified voters residing within the limits of said city shall vote for or against the provisions of this act, the vote upon which shall be put in this manner: "Are you in favor of, or against a reduction of the tax?" If a majority of all the votes cast be in favor of a reduction, then this act shall be in full force and effect—but not otherwise.

SEC. 3. Poll opened—when—notice. A poll shall be opened in said city at the usual places of holding elections therein, on the second Monday in April next, for a vote to be taken for or against the provisions of this act; of which said election said mayor and aldermen shall cause ten days' previous notice to be given, and said election shall be conducted as other city elections.

SEC. 4. To take effect—how paid for. This act shall be published, by one insertion, in the State Gazette and Hawkeye, printed in the city of Burlington, at least three weeks before said election; said insertion to be paid for by said city.

Approved, February 22d, 1847.

[92] CHAPTER 77.

UNITED STATES SENATORS AND JUDGES.

AN ACT to provide for the election of United States senators and other officers.

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

SECTION 1. Election. That at each and every regular session of the general assembly of this state, next preceding the expiration of the constitutional term of service of a United States senator, or at any session when a vacancy shall exist, at an hour to be designated by a resolution of either branch, with the concurrence of the other branch of the general assembly, the members of both houses thereof shall meet in convention in the hall of the house of representatives, for the purpose of electing a senator or senators, by joint vote, in pursuance of the constitution of the United States, to represent this state in the senate of the United States.

SEC. 2. Presiding officer. The president of the senate, or in his absence the speaker of the house of representatives, shall preside over the deliberations of the convention; and in the absence of both, a president pro tempore shall be appointed by joint vote.

SEC. 3. Judges of election. At any time prior to meeting in convention as aforesaid, after the time for meeting has been designated as aforesaid, each branch of the general assembly shall appoint one teller, and the two tellers thus appointed shall act as judges of the election.

SEC. 4. Record—secretary. The secretary of the senate and the chief clerk of the house of representatives shall each keep a fair and correct record of the proceedings of the convention, which shall be entered upon the journals of each branch of the general assembly. The chief clerk of the house of representatives shall act as secretary to the convention.

SEC. 5. Names arranged. The names of the members of the general assembly shall be arranged by the secretary in alphabetical order, and each member shall vote in the order in which his name stands when thus arranged.

SEC. 6. Vote how taken. When the convention shall be organized as aforesaid, the members present shall proceed to choose, *viva voce*, a senator or senators, as the case may be, to represent this state in the senate of the United States. The name of the person voted for, and of the members voting, shall be entered in writing by the tellers, who shall, after the secretary shall have called the names of the members a second time, and the name of the person for whom each member has voted, report to the president of the convention the number of votes given for each candidate.

[93] **SEC. 7. Second election, etc.** If neither of the candidates shall receive the votes of a majority of the members present, a second poll may be taken, and so from time to time, until some one of the candidates shall receive a majority of the votes of the members present.

SEC. 8. Adjournment. If the election shall not be completed at the first meeting, the president shall adjourn the convention whenever, and to such time, as a majority of the members then present shall determine, and so from time to time, until some one of the candidates shall receive a majority as aforesaid.

SEC. 9. Certificate of election. When any person shall have received a majority of the votes as aforesaid, the president of the convention shall declare him to be duly elected a senator to represent this state in the senate of the United States; and he shall, in the presence of the members of both houses, sign two certificates of the election, attested by the tellers, one of which he shall transmit to the governor, and the remaining one shall be preserved among the records of the convention, and entered at length on the journals of each house of the general assembly.

SEC. 10. Duty of governor—credential. Upon the reception of said certificate, the governor shall cause a credential to be made out, with the great seal of the state affixed thereto, and cause it to be delivered to such senator elect, which credential shall be in form following:

“State of Iowa, to wit: The general assembly of this state, on the — day of —, one thousand eight hundred and —, having, in pursuance of the constitution of the United States of America, chosen — a senator to represent this state in the senate of the United States, I, —, governor of the state of Iowa, do, by these presents, certify the same to the senate of the United States.

Given under my hand and the great seal of the state of Iowa, this — day of —, one thousand eight hundred and —.”

SEC. 11. Temporary appointment—credential. When the executive shall, by virtue of the constitution of the United States, make a temporary appointment of a senator, he shall deliver to such senator a credential, in form following:

“State of Iowa, to wit: —, who was chosen United States senator from this state, in pursuance of the constitution of the United States of America, having died, (resigned, or otherwise, as the case may be,) during the recess of the general assembly of this state, I, —, governor of the state of Iowa, have, therefore, thought fit to appoint — to fill the vacancy.

Given under my hand and the great seal of the state of Iowa, this — day of —, one thousand eight hundred and —.”

[94] **SEC. 12. Election of judges.** That the judges of the supreme court, and all other officers required to be elected by joint vote of the general assembly, shall be conducted according to the provisions of this act, so far as the same may be applicable.

SEC. 13. Rules. In the absence of other rules, the rules of parliamentary practice, comprised in Jefferson's Manual, shall govern the convention.

SEC. 14. To take effect. This act to take effect and be in force from and after its publication in the weekly newspapers printed in Iowa City.

Approved, February 23d, 1847.

Published in the Reporter April 7th, and in the Standard April 14th, 1847.

CHAPTER 78.

STATE GOVERNMENT.

AN ACT to complete the change from a territorial to a state government.

Preamble. Whereas, by our present laws, writs are directed to run in the name of the United States of America, and in many other ways the federal government is, by those laws, regarded as the sovereign authority, and ourselves as a dependent territory; and whereas, in order to assume fully the attitude of our independent state, it is proper that our laws and judicial proceedings should be accommodated to our new condition, in shape as well as in substance; therefore,

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

SECTION 1. Style of writs. That all writs which have heretofore run in the name of "the United States of America," shall hereafter run in the name of "the state of Iowa."

SEC. 2. Bond and recognizances. A like change shall be made in bonds and recognizances executed to the public, and in all other cases where a similar reason exists, and where such change shall be proper to carry into effect the object of this law.

SEC. 3. The word territory. The word territory shall be changed to the word state, under like circumstances.

SEC. 4. Writs and proceedings made valid. All writs and other proceedings and instruments wherein, since the adoption of our state constitution, and before the taking effect of this law, the changes above authorized shall have been or may hereafter be made, shall be deemed as valid as though this act had all the while been in force.

SEC. 5. Acts and resolutions made valid. That all acts and resolutions passed by the general assembly of the state of Iowa, prior to her admission into the union, shall be [95] considered as valid and effectual, in all respects, as if passed and approved subsequent to her admission.

SEC. 6. To take effect. This act shall take effect and be in force from and after the first day of April next, and shall forthwith be published in the newspapers of Iowa City.

Approved, February 23rd, 1847.

Published in the Standard Mar. 3d, 1847, and in the Reporter Mar. 17th, 1847.

CHAPTER 79.

FARMINGTON.

AN ACT to incorporate the city of Farmingham, Van Buren county, Iowa.

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

SECTION 1. Limits of the corporation—title—may sue, etc.—hold property—seal. That all that part or tract of land lying in township sixty-eight north,