

[Chap. 56.]

AN ACT to provide for the election of delegate to Congress, judges of probate, sheriffs, county recorders, county surveyors, and to amend "An act regulating general elections in this territory."

- Delegate to Congress. SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That the delegate to congress from this territory, shall be elected at the general election, in the year eighteen hundred and forty, whose term of service shall commence from the twenty-seventh day of October, in the same year; and a delegate to congress shall be elected at the general election in the year eighteen hundred and forty-one, and every two years thereafter.
- Judge of probate. SEC. 2. That one judge of probate shall be elected at the general election in the year eighteen hundred and forty, in each organized county, who shall hold his office three years, and until his successor is elected and qualified.
- Repeal. SEC. 3. That the fifth section of an "Act for establishing courts of probate," approved January seventeen eighteen hundred and thirty-nine, and so much of said act as requires the appointment by the governor of judges of probate is hereby repealed.
- Sheriff. SEC. 4. That in each organized county there shall be elected one sheriff at the general election in the year eighteen hundred and forty, who shall hold his office two years and until his successor is elected and qualified.
- Certificate. SEC. 5. That a certificate of election shall be issued to the person elected sheriff, in like manner as to other county officers, and the oaths required to be taken by him shall be endorsed on the back of said certificate.
- Repeal. SEC. 6. That so much of the first section of "An act for the appointment and duties of sheriffs," approved January twenty-one, eighteen hundred and thirty-nine, as requires them to be appointed and commissioned by the governor, is hereby repealed; and every sheriff shall, within thirty days after receiving his certificate of election, enter into bonds, &c. as required in section second of said act; and in section fourteen of said act, the words "appointed and commissioned," shall read "elected and qualified," after the next general election; and in section fifteen of said act, the words "commissioned" and "appointed," shall read "elected."
- Bond.
- Amendments.

SEC. 7. That one county recorder shall be elected at the general election, in the year eighteen hundred and forty, in each organized county, who shall hold his office two years. The bonds of such recorders shall be approved by the boards of county commissioners, if in session, if not, by any two of the board. County recorder.

SEC. 8. That so much of "An act defining the duties of county surveyors," approved December twenty-fifth, eighteen hundred and thirty-eight, as requires the governor to commission county surveyors, is hereby repealed. Repeal.

SEC. 9. That every two years one county surveyor shall be elected in each organized county, at the general election, in like manner as other county officers, and their oaths of office shall be endorsed on the back of their certificates of election by the person administering the same. County surveyor.

SEC. 10. That all county surveyors elected at the last general election and qualified by taking the oath of office required by the act mentioned in section eight of this act, shall hold their offices until the general election in the year eighteen hundred and forty-one, and until their successors are elected and qualified: *Provided*, Those who have not received or shall not receive a commission required in said act, shall nevertheless be deemed as holding their office by a lawful tenure. County surveyors now in office.

SEC. 11. That the third section of "An act regulating general elections," approved January twenty-five, eighteen hundred and thirty-nine, be so amended as to require the clerks of the several boards of county commissioners at least fifty days previous to any general election, and twenty days previous to any special election to make out and deliver to the sheriff three written notices thereof for each election precinct. Notice of elections.

SEC. 12. That when any vacancy occurs in any county office by death, resignation, removal or other disqualification, the county commissioners shall order their clerk to issue the written notices for a special election to fill such vacancy required by the next preceding section; and the person elected to fill such vacancy shall hold his office until the end of the term which his predecessor would have held had he continued in office: *Provided*, That no order need be made for such election, if no Vacancies.

inconvenience to the people will arise by waiting till the next succeeding general election.

Approved January 16, 1840.

[Chap. 57.]

AN ACT to provide for the compensation of the printers, members and officers of the legislative assembly, and for other purposes.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That the following sums are hereby appropriated out of any moneys in the hands of the Secretary of the Territory, for the following purposes, to wit:

SEC. 2. For the pay and mileage of the members of the House of Representatives, the sum of six thousand four hundred and sixty-two dollars and seventy-five cents.

SEC. 3. For the pay of the officers of the House of Representatives, the sum of two thousand nine hundred and twenty-five dollars.

SEC. 4. For the pay and mileage of the members of the Council, the sum of four thousand six hundred and fifty-four dollars, eighty cents.

SEC. 5. For the pay of the officers of the Council, the sum of three thousand five hundred and twenty-five dollars.

SEC. 6. To William J. A. Bradford, for supervising the printing of the laws, the sum of three hundred dollars.

SEC. 7. To Samuel Wilson, for articles purchased by him for the use of the legislative assembly the sum of five dollars and fifty cents.

SEC. 8. To Levi Hagar, for taking care of furniture the sum of seventy-five dollars; for putting the house in order at the beginning of the present session, and for ten boxes to the late Secretary, the sum of forty dollars.

SEC. 9. To Bridgeman and Partridge, for two sets of chairs, the sum of forty dollars; for brushes, brooms, curtains, knives, &c., the further sum of sixty nine dollars.

SEC. 10. To Charles Weston, for services as librarian, &c., the sum of one hundred dollars; to Charles Weston, for services rendered as fiscal agent, two hundred and fifty dollars; to Charles Weston, for making and forwarding copies of memorials and resolutions passed at the last session of the legislature, one hundred dollars.