

ing Commissioner of public buildings shall give to the person or persons entitled thereto a certificate of final payment for the same. Final certificate.

SEC. 7. That whenever any certificate of final payment for lots in Iowa city shall be presented to the Secretary of the Territory, he shall file the same in his office and make out a deed of conveyance in accordance with such certificate, which deed of conveyance shall be sealed with the seal of the Territory, signed by the Governor and countersigned by the Secretary of the Territory, and when thus executed, shall convey to the grantee a title in fee simple to the lots therein described. Secretary to make out deed.

SEC. 8. It shall be the duty of the Secretary of the Territory to keep a record in his office of all deeds of conveyance made out by him under the provisions of this act. Secretary to keep record of deeds.

SEC. 9. That in all cases where full payment may be made on lots heretofore sold on a credit, at public sale, in Iowa city, at the time the last instalment may become due, or within thirty days thereafter, all such delinquent lots shall revert to the Territory, and the payments that may have been made thereon shall be forfeited according to the condition of sale. Lots forfeited.

SEC. 10. That it shall be the duty of the Acting Commissioner of public buildings to place all forfeited lots upon the list of unsold lots, and to place a valuation upon them not less than the same were previously sold for, nor less than the minimum average price of lots in the city, and to dispose of them as other lots at private sale. Forfeited lots to be valued and sold like other lots.

SEC. 11. That all acts and parts of acts that are in contravention of the provisions of this act be, and the same are hereby repealed. Acts repealed.

SEC. 12. This act shall take effect and be in force from and after its passage.

APPROVED, July 24, 1840.

[Chap. 6.]

AN ACT to re-locate the County Seat of Jackson County.

SECTION I. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That Andrew Bankson, of Du Buque county, William Hutton, of Jones county, and Abner Beard, of Clinton county be, and they are hereby appointed, Commissioners to re-locate the county seat of Jackson, whose duty Commissioners appointed.

Time of meeting.

it shall be, or a majority of them, to meet at the town of Bellview, on the second Monday of October next, and proceed forthwith to locate the seat of justice of said county, having reference to the geographical centre, water, timber, and the welfare and convenience of the present and future population.

Oath.

SEC. 2. The commissioners aforesaid shall, before they enter upon their duties as commissioners, take and subscribe, before some District Judge or Justice of the peace, the following oath or affirmation, to wit: We, the commissioners to relocate the seat of justice in and for the county of Jackson, do solemnly swear, (or affirm, as the case may be,) that we will perform the duties imposed on us by said appointment, honestly and faithfully, and according to the best of our abilities, and according to the law relative to locating said county seat; and we do further swear, that we are not, directly or indirectly interested in said location, but that in locating said county seat we will be actuated only for the best interests of said county, without the slightest partiality towards any person or persons, without bias from fear, favor or recompense, or the hope of any gain or advantage to ourselves in any respect whatever.

Commissioners to name seat of justice.

SEC. 3. That so soon as said commissioners shall have determined upon the place where said seat of justice shall be located, it shall be the duty of said Commissioners to name said seat of justice by such name as they may think proper, and shall forthwith commit their proceedings to writing and sign the same, and file them in the office of the clerk of the District Court of said county, whose duty it shall be to record the same in the record book.

Pay of Commissioners.

SEC. 4. That said commissioners shall each receive three dollars per diem for the time they are actually employed in the location of said seat of justice, not exceeding ten days, and three dollars for every twenty-five miles travel going to and from Bellview to their place of residence, to be paid out of the Treasury of Jackson county by an order from the board of county commissioners.

County Commissioners to fill vacancy.

SEC. 5. That in case of vacancy by death or otherwise in said board of commissioners, it shall be the duty of the county commissioners, in the county where such vacancy shall occur, to appoint some suitable person to fill said vacancy.

SEC. 6. That the site selected, as aforesaid, shall be the seat of justice for Jackson county from and after the first day of December next, provided that until suitable buildings are erected at the place selected as the county seat the District Court shall be held at the town of Bellview.

Site selected to be seat of justice from 1st Dec. next, provided.

APPROVED, July 24, 1840.

[Chap. 7.]

AN ACT to amend an act entitled "An act to provide for the organization of the county of Delaware, and to locate the county seat thereof."

WHEREAS, The commissioners appointed by "An act to provide for the organization of the county of Delaware, and to locate the seat of justice thereof," approved December 20, 1839, did wholly fail to meet on the first of May, eighteen hundred and forty, and to locate the county seat for said county, according to the provisions of said act—therefore,

*Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That so much of said act as relates to the meeting of the commissioners for the purpose of locating said county seat on or before the first day of May, eighteen hundred and forty, be, and the same is hereby repealed; and that William Smith, senior, of Du Buque county, William Jones, of Jackson county, and Thomas Denson, of Jones county, are hereby appointed commissioners to meet at the house of William Eads, in said county, on the first Monday of October, in the year of our Lord eighteen hundred and forty, or within ten days thereafter, and proceed to permanently locate the county seat in and for said county according to the provisions and requirements of the act to which this is amendatory.

Part of act repealed.

Commissioners appointed.

When to meet.

SEC. 2. That the eighth section of the act to which this is amendatory is hereby repealed.

Section repealed.

APPROVED, July 24, 1840.

[Chap. 8.]

AN ACT to amend an act entitled "An act to authorize Timothy Fanning to establish and keep a Ferry across the Mississippi river at the town of Du Buque.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That the aforesaid act, to which this is an amendment, be and is

Act altered.