

**SEC. 10. Power to repeal, amend, etc., reserved.** That upon conviction by a jury of any court of law of a violation by said company of any of the provisions of this charter, it shall be competent for the legislative assembly of the territory of Iowa, at its next session thereafter, to alter, amend or repeal, all or any part of this charter.

Approved January 14, 1841.

[56] CHAPTER 64.

AN ACT to locate the seat of justice of Clinton County.

*Be it enacted by the Council and House of Representatives of the Territory of Iowa:*

**SECTION 1. Names of commissioners.** That William Miller, of Cedar county, Andrew F. Russell, of Scott county, and William A. Warren, of Jackson county, be and they are hereby appointed commissioners to re-locate the seat of justice of Clinton county.

**SEC. 2. When and where commissioners to meet—location at geographical centre.** It shall be the duty of said commissioners to meet at the house of Abraham Folcks, in Clear Creek precinct, in said county, on some day within six months from the date of this act, and proceed to locate said seat of justice as near the geographical centre of said county as a good and suitable situation, convenient to wood and water, can be found, having reference to the welfare and convenience of the present and future population of said county.

**SEC. 3. Oath to be taken—form of oath.** The commissioners aforesaid shall, before entering upon their duties as commissioners, take and subscribe, before some justice of the peace, the following oath or affirmation, to-wit: "We, the commissioners to locate the seat of justice of Clinton county, do solemnly swear (or affirm, as the case may be,) that we will perform the duties imposed upon us by our appointment, honestly and faithfully, according to the best of our abilities, and according to the law relative to locating said seat of justice; and we do further swear, that we are not directly or indirectly interested in said location, and that in locating said seat of justice we will act 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."

**SEC. 4. County seat to be named by commissioners, etc.** 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 it by such name as they may think proper, and agreeable to the wishes of the citizens of said county; and they 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.

**SEC. 5. Compensation of commissioners.** That said commissioners shall each receive three dollars per day 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 returning from the aforesaid place of meeting to their place of residence; said compensation to be paid out of the treasury of Clinton county, by order from the board of county commissioners.

**SEC. 6. Of vacancies.** That in case of vacancy by death, or otherwise, in said board of commissioners for locating the seat of justice, 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. 7. **Proviso.** That the site selected under this act shall be the seat of [57] justice for Clinton county from the time of such selection: provided, that until the judge of the district court of said county is notified, in writing, by the county commissioners, that suitable buildings are erected at said seat of justice for the accommodation of the court and suitors, the town of Camanche shall remain the temporary seat of justice.

SEC. 8. **Duty of sheriff.** That the said judge, when notified as above, shall direct the sheriff of said county to give notice to the citizens of said county that the next term of said court will be held at the seat of justice herein directed to be located.

SEC. 9. **Of writs, process, etc.** All writs and process, of whatever kind, shall, upon such notice being given, be returnable to said court at such place; and every thing pertaining to business in said court shall proceed and remain as good as though said court were not removed.

Approved January 14, 1841.

#### CHAPTER 65.

AN ACT to amend "An act regulating the publication and distribution of the laws and journals of the legislative assembly of the territory of Iowa."

*Be it enacted by the Council and House of Representatives of the Territory of Iowa:*

SECTION 1. **Additional officers to whom copies of laws shall be furnished.** That the assessor, supervisors of roads, and constables of each county, and each district attorney in this territory, shall hereafter be furnished with a copy of the laws of this territory, subject to the same conditions as is provided for in the ninth section of the law to which this is amendatory.

Approved January 14, 1841.

#### CHAPTER 66.

AN ACT to authorize Judah Leaming to erect a dam across Big Cedar Creek, in Jefferson county.

*Be it enacted by the Council and House of Representatives of the Territory of Iowa:*

SECTION 1. **Location of dam—may erect mills, etc.—proviso.** That Judah Leaming, his heirs and assigns, be and they are hereby authorized to erect a dam across Big Cedar creek, at or near a place known as "Leaming's ford," in Locust Grove precinct, in said county; and to erect mills and other machinery to be propelled by the water power thereby [58] created: provided, that nothing herein contained shall authorize the said Leaming, his heirs or assigns, to do any act which shall affect the property or rights of the United States, or of any individual.

Approved January 14, 1841.