

## CHAPTER 71.

## SEAT OF GOVERNMENT.

AN ACT to provide for the location of the seat of government of the state of Iowa, and for the selection of land granted by congress to aid in erecting public buildings.

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

**SECTION 1. Commissioners—duties.** That John Brown, of the county of Lee, and Joseph D. Hoag, of the county of Henry, and John Taylor, of the county of Jones, be, and they are hereby appointed commissioners, whose duty it shall be to locate the permanent seat of government of this state, and to select the lands granted by congress to aid in erecting public buildings.

**SEC. 2. Oath.** That it shall be the duty of said commissioners to take and subscribe an oath, before entering upon the discharge of the duties of their offices, that they will honestly and faithfully perform the duties devolved upon them by this act, to the best of their ability.

**SEC. 3. When to meet—shall examine the state.** The said commissioners, or any two of them, shall meet at any place upon which they may agree, on some day between the first day of May and the first day of June next; and the said commissioners, or any two of them, having met as aforesaid, shall proceed to an examination of the state, or such parts thereof as they may think expedient in order to determine judiciously upon a point for the permanent seat of government of the state of Iowa.

**SEC. 4. Location near the center.** The location shall be made as near the geographical centre as, in the opinion of the commissioners, may be consistent with an eligible and healthy site, the general features of the surrounding country and the interest of the state generally; and the point thus selected shall be the permanent seat of government.

**SEC. 5. Consideration of grants.** In making the selection of land in this act mentioned, and the location of the seat of government, it shall be lawful for said commissioners to take into consideration any proposition of land or claims which may be submitted for that purpose.

**SEC. 6. To employ a surveyor—plat to be made.** The said commissioners shall employ a surveyor, and upon locating the seat of government and selecting said land, cause the same, [86] thus selected, to be surveyed, and a plat thereof to be made out, and attach the same to a report of their proceedings under this act, to be by them filed in the office of the secretary of state.

**SEC. 7. To lay off town—town plats—capitol square.** The said commissioners having selected the land aforesaid, and located the seat of government, shall proceed to cause to be laid off and surveyed a town, upon such a place as they may think most conducive to the interest and convenience of the state; and shall cause a fair plat or plats thereof to be made and recorded according to the existing laws. The commissioners shall cause a square to be laid off, of not less than five acres, upon which to erect the capitol, and also such other squares as they may think proper.

**SEC. 8. Public sale of lots—terms of sale—size of town—certificate of sale—as to titles—sale forfeited—state may sell again.** The said commissioners shall have power to fix upon a time for a public sale of lots, giving such notice, through the newspapers and otherwise, as they may deem necessary; they shall fix the terms of sale, requiring at least one fourth of the purchase money in hand, and the remainder in three equal instalments of two, four and six years, bearing interest at the rate of six per centum per annum, from date until paid.

The said commissioners shall not lay out more than one section of land into town lots, nor sell more than two lots in any one block, within the first two years. The commissioners shall give to purchasers a certificate of sale, specifying therein the lot or lots sold, the amount sold for, the amount paid in hand, and the amount and date of each subsequent payment: but no title shall pass to the purchaser by virtue of such certificate, until the purchase money and interest shall be fully paid; and which payment if not fully done, on or before the expiration of sixty days after the last payment shall become due, the purchaser shall be taken and considered to have forfeited all right whatever to the property thus sold, as well as the money he may have paid thereon, and the state may proceed to sell the same as though no previous sale had taken place.

**SEC. 9. Treasurer—bond and security—condition—money how paid.** Before proceeding to a sale of lots as hereinbefore provided, the said commissioners shall select one of their own body as treasurer, and [who] shall give bond and security to the governor in the penalty of ten thousand dollars, to be approved by a judge of one of the district courts, and by him filed with the secretary of state. Said bond shall be conditioned that he shall well and truly account for and pay over all moneys coming into his hands by virtue of his office according to law; and, upon the sale of lots as hereinbefore provided, the money shall be paid into the hands of said treasurer.

**SEC. 10. Commissioners' report—where filed.** The said commissioners shall, after the termination of the public sale aforesaid, make a full report of all their proceedings in [87] writing to the governor, to be filed in the office of the secretary of state, and thereupon their commission shall terminate.

**SEC. 11. Compensation.** The commissioners aforesaid shall be allowed the sum of three dollars per day for the time which they shall necessarily be employed in the discharge of the duties of their commission.

**SEC. 12. Expenses, how paid—funds, how paid.** All necessary and reasonable expenses attending the discharge of the duties herein provided for, shall be allowed and paid out of the funds received at said sale of lots; and the balance of funds in their hands, after paying said demands, shall be paid into the state treasury, and be set apart and preserved, with all funds arising from the sale of lots, for the specific purpose of erecting public buildings.

Approved, February 22d, 1847.

## CHAPTER 72.

### COMMISSIONERS' DISTRICTS.

AN ACT authorizing county commissioners to lay off their counties into county commissioners' districts.

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

**SECTION 1. Counties districted.** That the board of county commissioners of the several counties of this state, not heretofore divided into county commissioners' districts, and all counties which may hereafter be organized, be, and they are hereby authorized to lay off their respective counties into county commissioners' districts, which districts shall be numbered first, second and third.

**SEC. 2. Commissioners how elected.** That the commissioner to be elected at the next election after districting any county, in the manner provided for in