

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

the first section of this act, shall not be a resident of the district in which either of the commissioners whose term of office does not expire at the time of said first election, shall reside; and alternately thereafter, there shall be elected from each district one county commissioner annually, in accordance with the provisions of an act organizing a board of commissioners in each county, approved February 15th, 1843, in like manner as though the county had been divided under the provisions of said act.

**SEC. 3. To take effect.** This act shall take effect and be in force from and after its publication in the weekly newspapers published in Iowa City.

Approved, February 22d, 1847.

Published in the Reporter March 7th, 1847, and Standard, March 18th, 1847.

[88] CHAPTER 73.

DAVENPORT.

AN ACT to repeal the charter of the town of Davenport.

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

**SECTION 1. Charter repealed.** That an act entitled "An act to incorporate the town of Davenport," approved February 11th, 1842, be, and the same is, hereby repealed, from and after the first day of April next: provided, a majority of the votes polled at the election hereinafter authorized shall be in favor of such repeal.

**SEC. 2. Election.** Previous to the third Monday in March next the mayor of said town shall appoint three persons to act as judges of election, and shall cause a notice to be served upon such persons so appointed; and on the said third Monday in March a poll shall be opened at the LeClaire House, in said town, for the purpose of determining whether the charter of said town shall be repealed. The said election shall be opened at one o'clock, p. m., and continue open until four o'clock, p. m. The electors shall vote by ballot a ticket with the word "Repeal," or "No repeal," written or printed thereon. At the close of said election the judges shall certify the number of votes polled for and against a repeal of said charter, and shall deliver the same to the clerk of the board of commissioners of Scott county, who shall file the same in his office and enter upon the books of said board the number of votes polled for and against the repeal of said charter.

**SEC. 3. Voters.** Every person who is a qualified elector for mayor and aldermen of said town, and every white male person above the age of twenty-one years who shall, on the said third Monday in March next, be the legal owner of any real estate within the limits of said town, shall be allowed to vote at said election.

**SEC. 4. Effect of repeal.** The repeal of said act shall not extinguish the debts due to or from said corporation, nor shall the lands and tenements of said corporation revert to the grantor and his heirs, or the goods and chattels thereof be vested in the state thereby; but the mayor, aldermen and other officers who shall be in office under the law creating said corporation on the said first day of April next, shall continue to hold and exercise their said offices respectively for the term of one year thereafter, for the purpose of collecting all debts, taxes and assessments due or owing to said corporation, and for the