

until the claims of all the other creditors of the partnership shall be satisfied. Creditors to be first satisfied.

SEC. 24. No dissolution of such partnership, by the acts of the parties, shall take place, previous to the time specified in the certificate of its formation, or in the certificate of its renewal, until a notice of such dissolution shall have been filed, and recorded, in the register's office, in which the original certificate was recorded, and published once in each week, for four weeks, in a newspaper published, as is provided for in the ninth section of this act. Notice of dissolution to be recorded, where and how long, published.

APPROVED, January 25, 1839.

PENITENTIARY.

AN ACT to provide for the erection of a Penitentiary, and establishing and regulating Prison Discipline for the same.

SEC. 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That a Penitentiary, of sufficient capacity to receive, secure, and employ one hundred and thirty-six convicts, to be confined in separate cells at night, shall be erected, at or near the place hereinafter designated, for the confinement and employment of persons sentenced to imprisonment and hard labor in the Penitentiary of said Territory, or State: *Provided,* That said Penitentiary shall be constructed on such a scale that in the estimation of the directors it can be fully completed for a sum not exceeding forty thousand dollars, exclusive of the labor of the convicts: *Provided,* That said directors shall lay a full and complete plan of said buildings and estimate in detail of the cost of erecting said buildings, before the Legislative Assembly, in the first week of their next session. Capacity to employ, &c., 186 convicts. Separate cells. Scale and cost of building, plan and estimate thereof, when and to whom submitted.

SEC. 2. There shall be elected, by joint ballot of the Council and House of Representatives of the Territory of Iowa, three directors of the Penitentiary hereby authorized to be built, and under the direction of a majority of them, the erection of the Penitentiary shall be conducted and prosecuted. They shall severally take an oath or affirmation faithfully to discharge the duties required of them. Of the three directors, to be elected by this General Assembly, the first elected shall hold his office for the term of three years, the second for the term of two years, and the third for the term of one year, and after the Directors, their number, and how elected. Directors' oath and tenure of office.

Vacancies, how filled.	<p>first election of said directors, as the term of office of any shall expire, his successor shall be elected for the term of three years; and in case a vacancy should happen in the office of director from death, resignation, or other cause, the Governor may appoint a person to fill such vacancy, and the person so appointed, shall qualify in manner hereinbefore provided, and shall hold his appointment until the legislature shall elect a person to fill his place during the remainder of the term; and the directors shall hold their office until their successors shall be elected and qualified.</p>
Where penitentiary to be located.	<p>SEC. 3. The directors of the Penitentiary, elected and qualified as aforesaid, are hereby authorized and instructed to locate and erect the said Penitentiary within one mile of the public square, in the town of Fort Madison, in the county of Lee: <i>Provided</i>, The citizens of said town of Fort Madison and county of Lee shall, on or before the first day of May next, execute to the directors, for the Territory of Iowa, a proper deed of conveyance for a tract of ten acres of land in fee simple absolute, which land shall in the opinion of the directors include a suitable spot on which to erect the said Penitentiary, and cause such deed to be recorded in the recorder's office of the county of Lee, and deposited in the office of the Secretary of the Territory. And the directors are hereby also authorized and instructed to procure by contract, or otherwise, the right to take and conduct into the Penitentiary for the use thereof any spring, or water course they may deem necessary.</p>
Fort Madison. Proviso, as to title and quantity of land.	
10 acres.	
Deed, where recorded, and with whom deposited.	<p>SEC. 4. The directors shall appoint a superintendent of the buildings, who shall hold his appointment during their pleasure, or until the buildings are completed. The superintendent shall take an oath, or affirmation, faithfully to discharge his duties, and shall execute to the Territory of Iowa a bond in the sum of ten thousand dollars, with at least two sufficient securities, freeholders of said Territory, to be approved of by the directors, conditioned for the faithful performance of the several duties that may from time to time be required of him by law, which bond the directors shall deposit in the office of the Secretary of the Territory; and the superintendent, having taken the oath, and executed the bond required of him as above, shall, under the direction, and subject to the control of the directors, project the plan for the said Penitentiary, conforming as nearly as convenient and may appear advisable, to</p>
Springs, or water.	
Superintendent, by whom appointed, and tenure of office. His oath, duties, and bond; condition thereof, and with whom deposited.	
Superintendent's direction and duties.	

the Connecticut State Prison at Wethersfield; he shall also, and under the like direction, and subject to the same control, contract for and procure all the materials of every description whatsoever necessary and proper for the erection of the penitentiary, shall contract for all the workmanship and labor necessary for the erection and completion of the same; he shall superintend the erection of the Penitentiary, in its progress, inspect the materials and workmanship, securing to the Territory a Penitentiary of the most substantial materials and workmanship.

SEC. 5. For the erection of the said Penitentiary, the Governor is hereby authorized and required to draw the sum of twenty thousand dollars, appropriated for the erection of public buildings in the Territory of Iowa, by an act of Congress approved July 7, 1838, and pay the same over to the Superintendent, to be used by him for the purchase of materials and pay of workmen and laborers necessary to erect said building: *Provided*. It shall not interfere with the twenty thousand dollars appropriated by the organic law, organizing the Territory of Iowa. And the said directors are hereby authorized and empowered to cause to be employed, in the erection of the Penitentiary, all such persons as now are, or may hereafter be, convicted of any infamous crime in this Territory, and sentenced to hard labor, or as many thereof as in the opinion of said directors can be employed, with advantage and safety to the Territory, and all convicts so employed shall be kept at hard labor, under such guards, and according to such rules and regulations, as the directors shall prescribe for that purpose, and an account of the labor of the convicts thus employed shall be carefully preserved and reported by the directors to the Legislative Assembly annually. The directors shall examine the accounts of the Superintendent as frequently as they may choose so to do, not less than once a month, and they shall make a settlement with him quarter yearly, and submit such quarterly settlements to the Legislative Assembly annually.

SEC. 6. The directors shall receive, annually, as a compensation for the services required of them by this act, such yearly salary, not exceeding eight hundred dollars, as to the directors may appear reasonable, to be paid quarterly, on the order of a majority of the directors.

Appointment of Warden. SEC. 7. As soon as the Penitentiary shall be fitted for the reception and employment of convicts, the directors shall thereupon appoint a Warden of the Penitentiary, who shall hold his office during the pleasure of the directors, he shall take an oath or affirmation faithfully to discharge the duties of his office, and shall give bond to the Territory, or State of Iowa, in the sum of ten thousand dollars, with at least two sufficient sureties, who shall be freeholders within this Territory, or State, to be approved of by the directors, conditioned for the faithful performance of the several duties which may from time to time be required of him, by law, which bond the said directors shall deposit in the office of the Secretary of the Territory, or Treasurer of the State of Iowa. The Warden shall appoint such number of assistants, not exceeding ten, as to the directors may appear necessary, and the assistants so appointed shall severally take an oath, or affirmation, to discharge, with fidelity, their duties as such, and shall enter into bonds to the Territory, or State of Iowa, with one or more sufficient sureties to be approved of by the directors, in any sum not exceeding five hundred dollars each, conditioned for the faithful discharge of their duties, which bond shall be deposited in the office of the Secretary of the Territory, or Treasurer, of the State of Iowa.

His securities, bond and condition. \$10,000.

Bond, with whom deposited. \$500.

Assistants; their securities, bond, and condition.

Bond deposited.

Compensation of Warden and assistants. SEC. 8. The Warden shall receive an annual compensation for his services, to be fixed by the directors, not exceeding eight hundred dollars, and each assistant shall receive not exceeding twenty-five dollars per month, to be fixed by the directors.

Raw materials, manufacturers, and sales. Food and clothing of convicts. SEC. 9. The Warden shall attend to the purchasing of the raw materials, to be manufactured in the Penitentiary, and shall also attend to the sale of all articles manufactured therein; he shall also provide food and clothing for the convicts, and shall have in charge the whole operations of the establishment. All moneys drawn from the Treasury for the use of the prison, after the same shall be completed, shall be drawn on the order of the Warden, countersigned by at least one of the directors, and under such rules and regulations as shall from time to time be prescribed by law, or the rules established by the directors.

Money, how drawn, &c.

Warden's account, inspection of prison and report. SEC. 10. The directors shall, in turn, every two weeks, and in company every three months, inspect the warden's accounts, the different apartments of the prison, and the condition of the prisoners, and annually, in the month of December, submit to the

Legislative Assembly a report of the progress and condition of the prison, together with suggestions as to the improvement that may to them appear necessary. Improvements.

SEC. 11. The directors of the Penitentiary shall from time to time establish by-laws, rules, and regulations, for the discipline and government thereof, and the Warden, for himself and his assistants, shall be held responsible for the observance and enforcement of such by-laws, rules, and regulations: *Provided*, always, That such by-laws, rules and regulations shall not be contrary to law, and the directors shall annually submit such by-laws, rules, and regulations, to the legislature. By-laws, rules, and regulations. Proviso, and report.

SEC. 12. That the directors may, at their discretion, employ any minister of the Gospel to officiate as chaplain in the Penitentiary, and they are hereby authorized to pay such minister of the Gospel any sum not exceeding five dollars for each and every Sabbath he shall so officiate as chaplain in the said Penitentiary. Minister of the Gospel may be employed, his compensation.

SEC. 13. The whole amount of twenty thousand dollars appropriated in the fifth section of this act, may be expended in the first instance, if necessary, in the erection of the cells and inclosure of the Penitentiary, but if at any time hereafter the Congress of the United States shall make a sufficient specific appropriation for the establishment of a Penitentiary, within this Territory, the said twenty thousand dollars shall be refunded from such specific appropriation, and expended in the erection of other public buildings within the Territory of Iowa. Appropriations, past and future.

APPROVED, January 25, 1839.

PETITIONS.

AN ACT to regulate the mode of petitioning the Legislature in certain cases.

SEC. 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That previously to any petition or memorial being received at any future session of the legislature, praying that an act may be passed, whereby the particular rights or privileges of any individual or individuals, bodies politic or corporate, may be affected or infringed, notice of such intended application by petition or memorial shall be given at least thirty days before Public notice to be given of any intended application to the legislature.