

[Chap. 40.]

AN ACT supplemental to "An act to establish the Seat of Justice of Scott county," approved July, 1840.

Time of election.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That the election for county seat, in first section mentioned, of said act, shall take place on the fourth Monday of August next, and that the qualified electors of said county shall vote at said election for Davenport or Rockingham, or for the northwest fractional quarter of section number thirty, township number seventy-eight, north, of range four, east of the fifth principal meridian.

Places to be voted for.

Qualification of electors.

SEC. 2. That to constitute a qualified elector at any election in said county for county seat, he shall be a citizen of the United States, twenty-one years of age, and shall have resided in said county sixty days next preceding said election.

Section amended.

SEC. 3. That the fifth section of said act shall be so amended as to require the judge of election, when examining the returns in presence of the clerk of the district court, on being satisfied that one of the three places mentioned has a majority of legal votes over the other two places, to declare said place the seat of justice of Scott county.

No one place having a majority of votes, another election to be had.

SEC. 4. That if said judges shall declare that no one place has a majority of legal votes over the other two, then they shall require said clerk to give proper notice that another election will be held on the third Monday of September next, at which election the voters of said county, as qualified in the second section of this act, shall vote for one or the other of the two places mentioned, which, at said first election, shall have received the highest number of votes. Said election shall be conducted, returns made and examined, &c. as at the first election.

How conducted.

How to be construed.

SEC. 5. This act, and the one to which this is a supplement, shall be so construed as to carry out the design of the legislature to have said county seat located fairly, and to punish all unlawful conduct.

SEC. 6. This act to take effect and be in force from and after the fourth day of August, 1840; and so much of the act to which this is a supplement as contravenes this act is hereby repealed.

APPROVED, August 1, 1840.