

SEC. 6. Governor to draw appropriations—proviso. That the governor is hereby authorized to draw any appropriation which may be made by congress for the completion of said building, 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, that the governor shall not pay over to said superintendent more than ten thousand dollars at any one time.

SEC. 7. Authority to issue certificates, etc. That the superintendent is hereby authorized to issue certificates, payable out of any moneys hereafter appropriated by congress, to the amount of one thousand five hundred dollars, to be used in payment for the transportation of stone from the quarry in Illinois to the penitentiary, and the completion of the doors for the cells.

SEC. 8. Payment of certificates, etc. That the superintendent is hereby authorized to pay, out of any appropriation to be made for the purpose aforesaid, the several sums due on the certificate issued by the superintendent for work done and materials furnished for said building; and also the several sums due, or which may hereafter become due, for expenses for guarding, clothing and boarding the convicts; and provided that no such appropriation be made, then and in that case the superintendent is hereby required to certify the amount of the several sums so due to the auditor of the territory, who is hereby authorized to draw his warrant on the treasurer of the territory for the payment of the same.

SEC. 9. Of rewards for recovery of convicts. That the director is hereby authorized, on the escape of any convicts from said prison, to offer such reward not exceeding one hundred dollars for the apprehension and delivery of such fugitive, as to him may seem proper; and the superintendent is hereby authorized to pay, out of any appropriation to be made for the purposes aforesaid, all rewards now due and owing, or which may hereafter become due, to any individuals for the apprehension of convicts, and provided no such appropriation be made, then and in that case he shall certify the amount so due to the auditor of the territory, who is hereby authorized to draw his warrant on the treasurer of the territory for the payment of the same.

SEC. 10. Appropriation to Wells and Wilson, seven thousand one hundred dollars. That the superintendent is hereby authorized to pay to Wells and Wilson, of Fort Madison, the sum of seven thousand one [83] hundred dollars, with six per cent. interest until paid, for work done on the penitentiary, out of the first appropriation to be made by congress for the completion of said building; and provided no such appropriation be made, then he is hereby required to certify the sum so due to the auditor of the territory, who is hereby authorized to draw his warrant on the treasurer of the territory for said amount.

SEC. 11. Repealing section. That all acts and parts of acts contravening the provisions of this act, be and the same are hereby repealed.

SEC. 12. To take effect. This act to take effect from and after its passage. Approved January 15, 1841.

CHAPTER 72.

AN ACT authorizing a loan of money to be expended upon the Capitol.

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

SECTION 1. Agent authorized to borrow not over twenty thousand dollars—proviso. That the territorial agent is hereby authorized to negotiate a loan of money not exceeding the sum of twenty thousand dollars, and not less than

five thousand dollars, to be expended upon the capitol at Iowa City: provided, that the money can be obtained on the faith of the unsold lots of Iowa City, and at a rate of interest not exceeding ten per cent.

Approved January 15, 1841.

CHAPTER 73.

AN ACT to amend an act entitled "An act to re-locate the county seat of Jackson county," approved July 24, 1840.

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

SECTION 1. Names of commissioners—county seat to be re-located. That Jesse Yount, of the county of Dubuque, Eli Goddard, of the county of Clinton, and Thomas Denson, of the county of Jones, be and they are hereby authorized and appointed commissioners to re-locate the county seat of Jackson county, according to the provisions of an act entitled "An act to re-locate the county seat of Jackson county," approved July twenty-fourth, eighteen hundred and forty.

SEC. 2. Meeting of commissioners—proviso. The commissioners aforesaid, or a majority of them, shall [84] meet at the town of Bellview, on the second Monday of April next, to discharge the duties required in the act to which this is amendatory: provided, that if the said commissioners do not meet at the time appointed, it shall be the duty of the sheriff of said county to notify said commissioners of the day when it shall be lawful for them to meet to discharge the duties aforesaid.

SEC. 3. County seat to be named, etc.—duty of clerk of commissioners—election notice, etc.—places to be voted for. So soon as said commissioners shall have determined upon the place where said seat of justice shall be located, they shall name said seat of justice by such name as they may think proper, and forthwith commit their proceedings to writing, giving a full description of the numbers of the quarter section upon which they have made said location, and sign the same, and file them in the office of the clerk of the board of county commissioners; whereupon said clerk shall immediately make out and deliver to the sheriff of said county three written notices for each precinct, giving at least twenty days previous notice that there will be an election held at the different precincts in said county, for the purpose of selecting by vote the place, to be the permanent seat of justice of said county, giving a full description of the numbers of the lot of ground upon which said commissioners have made said location, and also the name of said place, at which time and place there shall be polls opened in an ordinary manner, and the present seat of justice and the place located as aforesaid shall be voted for; and the place receiving the largest number of legal votes shall be the permanent seat of justice of said county.

SEC. 4. Legal voters, etc. At said election all persons who were residents of said county at the passage of this act, and are still residents, and who shall otherwise be legal voters according to the laws of this territory, shall be allowed to vote.

SEC. 5. Manner of voting. The manner of voting shall be by the electors approaching the bar, and mentioning by name the place for which he wishes to vote, which shall be recorded by the clerks of the election opposite the name of the person presenting the same; and in all other respects the election shall be conducted as the elections in this territory.