

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.

SEC. 6. Further duty of clerk—duty of county commissioners—proviso—loan authorized—limit of interest. It shall be the duty of the clerk of the board of county commissioners, on opening the poll books and determining which place has the greatest number of legal votes, to make a record of the same, and to notify the board of county commissioners thereof, whose duty it shall be to proceed forthwith to lay out (provided the place above located by said commissioners be selected) one quarter section of land, or so much thereof as they may think proper, into lots, out lots, streets, alleys and squares, and to determine upon the lots or squares upon which the public buildings shall be erected: provided, however, that said board of county commissioners shall, before surveying said seat of justice, borrow a sum of money sufficient to enter said quarter section of land according to an act of congress, approved May twenty-sixth, eighteen hundred and twenty-four, entitled "An act granting to counties or parishes of each state and territory of the United States in which public lands are situa-[85]-ted, the right of pre-emption to one quarter section of land for seats of justice within the same," and to pay interest for said money not exceeding forty per cent., and forthwith enter said quarter section.

SEC. 7. Lots to be sold, etc.—proviso. It shall be the duty of said county commissioners, within sixty days after surveying said seat of justice, to proceed to sell, at public auction, for cash, or on such terms as they may think proper, a sufficient number of lots in said seat of justice, to build public buildings for the county, and refund the money borrowed to enter the same, together with the interest thereon: provided, the county and district courts shall be held at Bellview until said public building be erected.

SEC. 8. Notice of sale to be given. That it shall be the duty of said county commissioners to give notice of said sale, by publishing the same in the two nearest newspapers, and also by posting up written notices in four of the most public places in the county, at least forty days before the sale.

SEC. 9. Compensation to A. Beard. That the said board of county commissioners are hereby authorized and directed to pay Abner Beard, one of the commissioners appointed under the act to which this is amendatory, a reasonable compensation for his services in repairing to Bellview to perform the duties assigned him in said act.

Approved January 15, 1841.

CHAPTER 74.

AN ACT to incorporate the Presbyterian Church of Dubuque.

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

SECTION 1. Names of corporators—name and style—may be sued, etc. That Henry L. Stout, John W. Finley, Isaac E. Norris, Lewis L. Wood, James H. Warren, and E. Lockwood, their associates and successors, be and they are hereby created a body politic and corporate, by the name and style of the "Presbyterian Church of Dubuque;" and by that name may have succession, and shall be able in law and equity to sue and be sued, and to hold personal and real estate, to the amount of ten thousand dollars.

SEC. 2. Of president, and his powers. It shall be lawful for said trustees to elect one of their number president, who shall be authorized in the name of the president and trustees of the Presbyterian church to convey and receive conveyances of any property which does or may belong to them.