

**SEC. 3. By-laws, etc.** The said trustees may make and ordain such by-laws, rules and regulations, in relation to the election of their successors, and the management of the affairs of the church, as they may deem expedient.

Approved January 15, 1841.

[86] CHAPTER 75.

AN ACT to amend an act incorporating the city of Burlington.

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

**SECTION 1. Authority to pay mayor and aldermen—proviso—ib.** That the act incorporating the city of Burlington be so amended as to authorize the mayor and aldermen of said city to receive pay not exceeding one dollar and fifty cents each, per day, for each regular session: provided, that there shall not be more than one regular session in each month: and provided further, that no regular session shall continue longer than two days.

**SEC. 2.** This act to take effect and be in force from and after its passage.

Approved January 15, 1841.

CHAPTER 76.

AN ACT to provide for the election of additional justices of the peace.

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

**SECTION 1. Day of election—precincts—term of office.** That there shall be an election held on the first Monday of March next, for the election of additional justice of the peace and constable in the following precincts, to-wit: at the towns of Montrose and Keokuk, in the county of Lee; at the town of Jefferson, in the county of Henry; at the town of Salem, in the county of Henry; and the town of Philadelphia, in the county of Van Buren, who shall hold their offices until the annual election of eighteen hundred and forty-two.

**SEC. 2. Conducting of election.** Said elections shall be conducted in all respects according to the law regulating elections.

**SEC. 3. Duty of clerk of commissioners.** It shall be the duty of the clerks of the board of commissioners of each of the aforesaid counties, to give twenty days notice of such election, time, place, etc., by causing notices to be posted up at three of the most public places in each of said precincts.

Approved January 15, 1841.

[87] CHAPTER 77.

AN ACT to amend an act relative to practice in the district courts of this territory.

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

**SECTION 1. Duty of clerk of district court in certain cases.** That hereafter, when any action is pending in any of the district courts of this territory, it

shall be legal for the clerk of said court, and it is hereby made his duty, on the application of any party to any such suit, to issue subpoenas for witnesses into any adjoining county in this territory, which shall be issued and returned as in other cases; and all subsequent process shall issue accordingly as in other cases.

**SEC. 2. When to take effect.** This act to take effect and be in force from and after its passage.

Approved January 15, 1841.

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## CHAPTER 78.

AN ACT requiring clerks of the district court to give bonds.

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

**SECTION 1. When clerk to enter into bonds—amount of bond.** That each and every clerk of the several district courts now in office, who have not already given bonds, shall, on or before the first Monday of June, eighteen hundred and forty-one, enter into bonds to the territory, with good security, to be approved of by the judge in whose district such clerk resides, in the sum of five thousand dollars, conditioned for the faithful performance of the duties of his office.

**SEC. 2. Like bond required from clerks hereafter appointed.** That each and every clerk hereafter to be appointed, shall, before he enters upon his office, give a like bond to the territory; and any person aggrieved by the mal-practice of any such clerk may sustain an action thereon before any court of competent jurisdiction.

Approved January 15, 1841.

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## [88] CHAPTER 79.

AN ACT to amend the act therein named, providing for the valuation and sale of lots in Iowa City.

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

**SECTION 1. Amendment to former act—lots to revert to territory, etc.** That the ninth section of an act entitled, "An act directing the valuation and sale of lots in Iowa City, and to provide for executing deeds for the same," approved July twenty-fourth, eighteen hundred and forty, shall be so amended as to read as follows: that in cases when full payment may not be made on lots heretofore sold on a credit, at public sale, in Iowa City, at the time the last instalment may become due, or within thirty days thereafter, all such delinquent lots shall revert to the territory, and the payments that may have been made thereon shall be forfeited according to the condition of sale.

Approved January 15, 1841.