

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.