

[12] CHAPTER 8.

WOLVES.

AN ACT to encourage the destruction of wolves.

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

SECTION 1. Commissioners required to offer reward for killing wolves. That the boards of commissioners in the several organized counties in this territory be and they are hereby authorized and required to allow and pay a reward of fifty cents to any person who shall kill any prairie wolf not exceeding six months old, in their respective counties, and the sum of one dollar for every prairie wolf over that age; and for every large black or grey wolf, not exceeding six months old, the sum of one dollar; and for every one over that age the sum of two dollars, except the counties of Keokuck, Mahaska, Wapello, Davis and Delaware, which shall be required to pay one half the amount aforesaid, and as much more as may be allowed by the several boards of county commissioners of said counties.

SEC. 2. Evidence of killing shall be the scalp, and to be produced before justice who shall certify the same. Any person claiming the benefit of this act, shall produce before some justice of the peace, for the county where such wolf was killed, the scalp, with the ears thereon; and the justice shall administer to such person the following oath, to wit: "You do solemnly swear, that the scalp now produced by you was taken from a wolf taken and killed in this county, and that you believe said wolf was more (or less, as the case may be,) than six months old, and that said wolf was killed on or about —;" [here state the time when.] Said justice shall thereupon grant to said person a certificate, stating the name of the killer, the age of the wolf, and the time when killed; and said justice shall receive for his services above mentioned, twelve and one half cents; and it shall be the duty of said justice to destroy the scalp upon granting such certificate.

SEC. 3. The amount of certificate to be paid out of county treasury. When any certificate granted under the provisions of this act is presented to the board of county commissioners of the county where the certificate was issued, said board of commissioners shall order that the person presenting said certificate be paid out of the county treasury the sum to which he is entitled under the provisions of the first section of this act.

SEC. 4. Repealing clause. That an act entitled, "An act to encourage the destruction of wolves," approved January 7th, 1840, be and the same is hereby repealed.

SEC. 5. Time of taking effect. This act to take effect and be in force from and after its passage.

Approved, 9th February, 1844.

[13] CHAPTER 9.

CONVENTION.

AN ACT to provide for the expression of the opinion of the people of the territory of Iowa upon the subject of the formation of a state constitution for the state of Iowa.

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

SECTION 1. First election to take place, when and where. That for the purpose of obtaining the expression of the opinion of the people of the terri-

tory of Iowa upon the subject of the formation of a constitution and state government, a poll shall be opened at each electoral precinct in this territory at the time and place of holding the township elections in April next. In those counties that are not organized into townships polls shall be opened at the places of voting for members of the legislature at the time aforesaid.

SEC. 2. Electors to be interrogated; answer; duty of clerk. That it shall be the duty of the judges of elections at every precinct in this territory to interrogate the several qualified electors, when they approach the polls to vote, whether they are in favor or against a convention, to which interrogatory the said elector shall answer simply "Convention," or "No Convention;" and the clerks of said election shall thereupon write down his name in a column headed "Convention," or "No Convention," in accordance with the vote of said elector.

SEC. 3. Returns, how and by whom made out, to whom forwarded, and within what time—clerk of board of commissioners on receipt of returns to make abstract; to whom transmitted, within what time, how opened, counted, and result declared. That immediately after the polls are closed it shall be the duty of the judges of said election to mark down distinctly, on a sheet of paper, the number of votes given for and the number of votes given against a convention, and certify the same together with the paper containing the names of the voters, above mentioned, to be correct; and [14] they shall thereupon carefully seal up said papers so certified, endorsed thereon "returns for and against a convention," and forward the same to the clerk of the board of county commissioners of the proper county within five days from the day of election aforesaid; and it shall be the duty of the clerk by whom said returns shall be received, within four days after the same shall be deposited in his office, to make out an abstract of the votes given for and against a convention, and enclose them in an envelope, endorsed thereon "returns for and against a convention for _____ county," as the case may be, and transmit the same to the office of the secretary of the territory, who, within thirty days after the election aforesaid, shall, in the presence of the governor, examine and count said returns, and file them in his office; and thereupon the governor shall issue his proclamation, declaring the number of votes given for and the number of votes given against a convention.

SEC. 4. Election for delegates, when held; notice of, when and how given. That if a majority of the votes polled at the election provided for in this act shall be for a convention, then there shall be another election held for the election of delegates to a convention to form a constitution for the state of Iowa at the next general election; and the notice for said election for delegates shall be given at least twenty days before the holding thereof; and the manner of giving said notice, and all other proceedings connected with said election, shall be in accordance with the provisions of the law providing for the election of members of the council and house of representatives in this territory, so far as the same may be applicable.

SEC. 5. Number of delegates, apportionment, qualification of. That the convention shall consist of seventy members, to be elected within the several organized counties in this territory, as follows, to wit:

The county of	Lee	shall elect	eight	members;
"	"	Des Moines,	eight	"
"	"	Van Buren,	eight	"
"	"	Jefferson,	five	"
"	"	Henry,	five	"
"	"	Washington,	three	"
"	"	Louisa,	three	"
"	"	Muscatine,	three	"
"	"	Johnson,	three	"

"	"	Linn,	three	"
"	"	Cedar,	two	"
"	"	Scott,	three	"
"	"	Clinton,	two	"
"	"	Jones,	one	"
"	"	Jackson,	three	"
"	"	Dubuque, Delaware,	} six	"
"	"	Buchanan, Blackhawk,		
"	"	Clayton & Fayette,		
"	"	Wapello,	one	"
"	"	Davis,	one	"
"	"	Keokuk,	one	"
"	"	Mahaska,	one	"

[15] The said delegates shall be citizens of the United States, and shall have resided six months within the territory before the election aforesaid.

SEC. 6. Returns by whom certified, to whom sent, by whom opened; result of election for delegates how declared; in case of tie new election; when held and how conducted. That the judges of election in the several townships and precincts shall certify the votes for delegates in the same manner as is provided by law for the election of members of the council and house of representatives, and shall send returns of said election so certified to the clerk of the board of county commissioners, who shall open said returns and certify the election of delegates in the same manner as is now provided by law for the election of members of the council and house of representatives; and in case of a tie vote between any of the candidates for delegates it shall be the duty of the clerk of the board of county commissioners to order a new election, to be held within twenty days after said first election, and to be conducted in the same manner as said first election.

SEC. 7. Delegates, where and when to meet. That the said delegates elect shall meet at Iowa City on the first Monday of October after the election of delegates, and proceed to form a constitution and state government for the territory of Iowa.

SEC. 8. Publication of constitution; to be submitted for adoption at the next April election; qualification of electors, how election to be conducted, returns made, and result declared. That when a constitution and form of state government shall have been adopted by said convention, they shall cause the same to be published in all the newspapers printed in the territory; and at the township election in April succeeding the formation of a constitution and state government by said convention, the electors of said territory, who are qualified to vote for members of the legislature at said general election, shall be and they are hereby authorized to vote for the constitution or against the constitution. The vote for and against the constitution shall be counted and returned to the clerk of the board of county commissioners, [who shall] in the same manner transmit returns of said votes for and against the constitution to the secretary of the territory who shall open and count the same as soon as they are all received from the several counties in this territory, in the presence of the governor, who shall issue his proclamation declaring the result.

SEC. 9. Electors to vote in the county where they reside, for delegates, but may vote in any county for or against constitution. That all electors qualified as aforesaid may vote for or against a constitution in any county of this territory, whether residents of such county or not; but in the election of delegates to the convention the said electors shall not vote out of the counties wherein they have their residence.

SEC. 10. **Elections to be governed by general law.** That the several elections provided for in this act shall in all respects be conducted in accordance with the provisions of an act regulating general elections in this territory, so far as the same is applicable, and except as is herein specially provided for.

SEC. 11. **This act to be published immediately after approval. Notice of first election, when, by whom, and how given.** That it shall be the duty of the secretary of the territory to cause this act to be published in the several newspapers of this territory as soon as the same may be approved by the governor; and it shall be the duty of the clerk of the board of county commissioners in the several counties of this territory to give notice that a poll will be opened for the purposes specified in the first section of this act to the sheriff of his proper county, who is hereby required to post up notices in accordance with law at least twenty days before the first Monday in April next.

[16] SEC. 12. **Secretary to procure room for convention; furniture, etc.** That it shall be the duty of the secretary of the territory to procure a suitable room for the meeting of the convention; also, to provide the same with furniture, stationery, and all other things necessary for the comfort and convenience of the convention.

SEC. 13. **Compensation of delegates.** That the members of said convention shall be entitled to such compensation as the convention may direct, not exceeding three dollars per diem, and three dollars for every twenty miles travel to and from the place of holding said convention.

SEC. 14. **Time of taking effect.** This act shall take effect and be in force from and after its passage.

Approved, 12th February, 1844.

CHAPTER 10.

DISTRICT COURTS.

AN ACT to establish the time of holding the district courts in the several judicial districts in this territory.

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

SECTION 1. **First Judicial District.** That the terms of the district courts shall hereafter commence as follows in each year.

FIRST JUDICIAL DISTRICT.

1. **In Des Moines county** the third Monday in February, first Monday in June, and the tenth Monday after the first Monday in September.

2. **In Henry county** the third Monday after the third Monday in February, fourth Monday of June, and the eighth Monday after the first Monday in September.

3. **In Jefferson county** the fifth Monday after the third Monday in February, and the first Monday in September.

4. **In Wapello county** the seventh Monday after the third Monday in February, and the second Monday after the first Monday in September.

5. **In Davis county** the eighth Monday after the third Monday in February, and the third Monday after the first Monday in September.

[17] 6. **In Van Buren county** the ninth Monday after the third Monday in February, and fourth Monday after first Monday in September.

7. **In Lee county** the eleventh Monday after third Monday in February, and sixth Monday after first Monday in September.