

In Jefferson on the first Monday in April and second Monday in September. Jefferson.

In Van Buren on the second Monday in April and the third Monday of September. Van Buren.

In Lee on the fourth Monday in April and first Monday in October: *Provided*, That all executions on judgments heretofore obtained in the county of Des Moines shall not be returnable till the first Monday of May next. Lee.

SEC. 3. No suits, writs, indictments, recognizances, informations, declarations, plea or other process or proceeding, returnable to or pending in the supreme or any of the district courts of this territory, shall abate, be made void or in any wise affected in consequence of any change of time of holding of any of said courts by the provisions of this act; but where the same may have been issued or may have been made returnable to any day in accordance with the time heretofore fixed for holding said courts, they shall be considered returnable to the term of the courts respectively named in this act. And all jurors, witnesses and other persons bound in any way or summoned to appear before the courts mentioned above at the next term thereof, shall be bound to appear at the time specified by this act as the time for holding said court. Suits not to abate.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved January 17, 1840.

[Chap. 89.]

AN ACT appointing commissioners to review a territorial road.

SECTION I. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That Joshua Holland, Henry Swan, and Thomas Blair, be and they are hereby appointed commissioners to review so much of the territorial road leading from the city of Burlington, in Des Moines county, by the way of New London and Mount Pleasant, Trenton, York's and Lee's to the Indian boundary line, as runs through the county of Des Moines. Said commissioners shall meet in the city of Burlington on the second Monday in April next, to discharge their duties. Commissioners.

SEC. 2. *And be it further enacted*, That the said commissioners shall proceed to review said road, to straighten or alter any part thereof as to them To review and alter,

may appear right and expedient, and make report of their proceedings to the next annual session of the board of county commissioners of Des Moines county, naming every person through whose land the said reviewed road runs, if any alteration be made.

Persons to be notified.

SEC. 3. *And be it further enacted*, That the said county commissioners shall direct the sheriff to notify each individual through whose land such review is made, to appear at their next annual meeting and make objections, if any they have to such review, and in this case the commissioners shall proceed according to law.

To be public highway.

SEC. 4. *And be it further enacted*, That [if] upon the report of the commissioners appointed by the first section of this act, it shall appear that the said commissioners have made alterations in said road, the board of county commissioners shall declare the said reviewed road to be a public highway, and order the same to be opened and worked, but should the said commissioners report that no alteration be necessary, the board of county commissioners shall declare the present road to be a highway, and direct the same to be worked and kept in repair, but in either case any county or territorial roads now laid off and worked and kept in repair for the same purpose shall be discontinued: *Provided however*, That the county commissioners of Des Moines county, at their next session of their board deem it inexpedient to have such review made, they shall issue an order directing their sheriff to inform the commissioners appointed by this act to make such review of the same; and the said board of county commissioners shall proceed immediately to declare which of the two roads, to wit, the territorial or the county road now worked and kept in repair shall be the public highway; and upon such decision the other road shall be by said board discontinued.

Proviso.

Approved January 17, 1840.

[Chap. 90.]

AN ACT to provide for the settlement of the claim that Des Moines county has upon Lee, Van Buren, Henry, Slaughter, (now Washington,) Louisa and Muscatine counties.

SECTION I. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That the several boards of the counties above named shall,