

mill, in Henry county; thence on the nearest and best ground to intersect the territorial road leading from Burlington to Mount Pleasant, at or near John Sleeth's, in Des Moines county. Said commissioners shall meet at Washington on the second Monday in June, A. D. eighteen hundred and forty-one, or such time thereafter during the year as they shall agree.

SEC. 2. Commissioners—road from Moscow to Wabesipinicon bridge—meeting of commissioners. That William Chambers, jr., of Muscatine county, Joseph K. Snyder, of Cedar county, and Gideon H. Ford, of Jones county, be and they are hereby appointed commissioners to lay out and establish a territorial road, commencing at Moscow, Muscatine county; thence on the nearest and best route to Tipton; thence to Pioneer Grove, in Cedar county; thence to the Wabesipinicon bridge, in Jones county. Said commissioners shall meet at Moscow on the first Monday in June next, or at such time during the year thereafter as they shall agree.

SEC. 3. Commissioners—road from Sanbornton to Ivanhoe. That James Hall, of Clinton county, Washington A. Rigby, of Cedar county, and A. Cowles, of Linn county, be and they are hereby appointed commissioners to lay out and establish a territorial road, commencing at Sanbornton in Clinton county, and running thence west as near practicable, to intersect the territorial road from Davenport to Marion, at Pioneer Grove, and thence on the nearest and best route to Ivanhoe, in Linn county.

SEC. 4. Compensation to commissioners, surveyor, etc. Said commissioners shall each receive two dollars per day for their services in locating and establishing said road. Said commissioners shall employ a competent surveyor, who shall receive the sum of two dollars and fifty cents per day for his services; chain carriers and other hands necessarily employed by them shall each receive one dollar and fifty cents for their services. Said commissioners shall in all other respects be governed by an act entitled, "An act to provide for laying out and establishing territorial roads," approved December 29, 1839.

SEC. 5. Commissioners to take oath—form of oath. Said commissioners, before entering upon the duties of their office, shall each take and subscribe an oath before some justice of the peace or other officer authorized to administer oaths, the following affidavit: "I do solemnly swear (or affirm, as the case may be) that I will faithfully and impartially, without prejudice or favor, perform the duties of commissioner to lay out and establish [28] a territorial road from Washington to intersect the territorial road leading from Burlington to Mount Pleasant."

Approved January 9, 1841.

CHAPTER 38.

AN ACT to establish a territorial road from Charleston, in Jackson county, to Tipton in Cedar county.

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

SECTION 1. Names of commissioners—route of road—time and place of meeting of commissioners—proviso—vacancies. That Anson Newbery, of Jackson county, Eli Goddard, of Clinton county, and Solomon Knott, of Cedar county, be and they are hereby appointed commissioners to view and lay out a territorial road, commencing at the town of Charleston; thence running upon the nearest and best ground to Tipton, or until it intersects a territorial road running to Tipton, the county seat of Cedar county. Said commissioners, or a

majority of them, shall meet at Charleston on the first Monday in June, eighteen hundred and forty-one, or such day thereafter during the year as they shall agree; provided, that should any of the above named commissioners die, refuse to serve, or remove out of their respective counties, it shall be competent for the board of county commissioners where such vacancy shall happen to fill the same.

SEC. 2. Commissioners to take oath—form of oath. That each and every commissioner appointed under the provisions of this act, shall, before he enters upon the duties required of him, take and subscribe before some justice of the peace or other person authorized to administer oaths, the following affidavit: "I do solemnly swear (or affirm, as the case may be) that I will faithfully and impartially, without prejudice or favor, perform the duties of commissioner to lay out and establish a road from _____ to _____."

SEC. 3. Compensation of commissioners, surveyor, etc. That each of the commissioners, together with the chain carriers, surveyor and markers, employed by them, shall receive for their services each day they may be necessarily employed in discharge of the duties enjoined by this act, the following sums, to-wit: commissioners one dollar and fifty cents; surveyor two dollars and fifty cents; and chain carriers and markers one dollar and twenty-five cents; which several sums shall be paid according to the provisions of an act for laying out and opening territorial roads.

Approved January 9, 1841.

[29] CHAPTER 39.

AN ACT to authorize John S. Faber to establish and keep a ferry across the Mississippi river, at Faber's Landing.

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

SECTION 1. J. S. Faber authorized to keep ferry—location and limits of ferry—exclusive privilege guaranteed—proviso. That John S. Faber, his heirs and assigns, be and they are hereby authorized to establish and keep a ferry across the Mississippi river, at Faber's Landing, in the county of Jackson, in township eighty-seven north, in range four east of the fifth principal meridian, within the following limits: Commencing at said Faber's Landing, and extending one-half mile above, (provided the same does not extend above the mouth of the Tete des Morts,) and one-half mile below said landing; and that said John S. Faber have the exclusive privilege of ferrying within said limits for the term of fifteen years: provided, that said ferry, when so established, shall be subject to the same regulations and under the same restrictions as other ferries are, or hereafter may be, by the laws of this territory fixing the rates of toll, and prescribing the manner in which licensed ferries shall be kept and regulated.

SEC. 2. Steam or horse boat to be put on within two years, etc.—authority to use flat boat, etc. That the said John S. Faber, his heirs and assigns, shall, within two years from the passage of this act, procure for said ferry a good and sufficient horse or steam ferry boat, which shall be kept at said ferry for the transportation of all persons and their property across said river at said ferry without delay; and until said ferry boat be provided as aforesaid, the said John S. Faber shall keep, at said ferry, a good and sufficient number of flat boats, and hands to work the same, for the transportation of all persons and their property across said river, when passable, without delay.