

as if no informality had occurred in the filing of his bond or other requirements of the act entitled "An act for the election of constables and defining their duties," approved January 24th, 1839.

Approved, January 13th, 1846.

CHAPTER 58.

ROAD FROM FAIRFIELD.

AN ACT to relocate a territorial road from Fairfield in Jefferson county to the Agency City, in Wapello county.

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

SECTION 1. Road from Fairfield to Agency City. That David Sears and Henry B. Mitchell of the county of Jefferson, and Nathaniel H. Gates of the county of Wapello, be and they are hereby appointed commissioners to relocate that part of a territorial road, leading from Fairfield to Ottumwa, which lies between Fairfield and Agency City; said commissioners shall meet in Fairfield, on the third Monday in March next; or on such other day as [54] a majority of them may agree on, within three months thereafter, and proceed to discharge the duties herein required of them; commencing at Fairfield, thence the nearest and best route to William P. Holmes, in Jefferson county; thence the nearest and best route to Agency City, in Wapello county; said commissioners shall in all other respects, be governed by an act to provide for laying out and opening territorial roads, approved December 29th, 1838.

SEC. 2. In force from passage. This act to be in force from and after its passage.

Approved, January 13th, 1846.

CHAPTER 59.

ROAD FROM DUBUQUE.

AN ACT to declare a certain road in the county of Dubuque, to be a territorial road, and to locate a territorial road from Floyd's in said county, via Colony in Delaware county to Boardman's precinct, in the county of Clayton, thence to the Neutral Ground.

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

SECTION 1. Road from Dubuque to Floyds established. That the county road in the county of Dubuque, leading from Dubuque City via Benton's furnace to John Floyd's, in said county, be, and the same is hereby declared to be a territorial road.

SEC. 2. Commissioners to survey one from Floyds. That John Floyd, of the county of Dubuque, David Moreland, of the county of Delaware, and Elisha Boardman, of the county of Clayton, be, and they are hereby appointed commissioners, to locate and mark out a territorial road, commencing at Floyd's, in the county of Dubuque, and running via the Colony in Delaware

county, to Boardman's precinct in the county of Clayton; thence on the nearest, best and most eligible ground, to the boundary line of Clayton county in the direction of Fort Atkinson.

SEC. 3. Commissioners to meet in six months. Said commissioners or a majority of them shall meet at the house of John Floyd, in Dubuque county, within six months after the passage of this act, and proceed to locate and mark out said road as above designated.

SEC. 4. Compensation of viewers, etc. That said commissioners and hands employed in locating [55] said road, shall receive for their services, such sum as the board of commissioners of the respective counties through which said road passes, shall deem to be just and right.

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

Approved, January 13th, 1846.

CHAPTER 60.

APPANOOSE COUNTY.

AN ACT for the organization of the county of Appanoose.

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

SECTION 1. Appanoose county organized. That the county of Appanoose be, and the same is hereby organized, from and after the first Monday of August next, and the inhabitants thereof shall be entitled to all the privileges and rights to which by law, the inhabitants of other counties in this territory are entitled; and the said county of Appanoose, shall constitute a part of the first judicial district of the territory.

SEC. 2. First general election in August. That the first general election in and for said county, shall be held on the first Monday in the month of August next, at which time the county officers for said county, shall be elected; and also such number of justices of the peace and constables as may be ordered by the clerk of the district court of said county; said clerk having due regard to the convenience of the people.

SEC. 3. Duty of the clerk on giving notice. That it shall be the duty of the clerk of the district court, in and for said county, to give notice of the first general election in said county, grant certificates of election, and in all respects discharge the duties required by law, to be performed by clerks of the board of county commissioners in relation to general elections, until a clerk of the [56] board of county commissioners for said county, may be elected and qualified.

SEC. 4. Clerk to discharge duty of sheriff. That it shall be the duty of the clerk of the district court, in said county, to perform and discharge all the duties required by law, to be performed by sheriffs in relation to general elections, until a sheriff for said county shall be elected and qualified.

SEC. 5. Term of officers to be elected. That the term of office of the county officers elected at the first general election under the provisions of this act, shall expire on the day of the general election for the year 1847, and the term of office of the justices of the peace and constables elected as aforesaid, shall expire on the first Monday in the month of April, 1847.

SEC. 6. Appointment of clerk. The clerk of the district court for said county, may be appointed at any time after the passage of this act.