

SEC. 21. That John H. Levitt, of Black Hawk county; ^{Waterloo to} C. B. Rhodes, of Marshall county, and John Lewis, of Polk ^{capital.} county, be, and they are hereby appointed commissioners to locate and establish a State road from Waterloo, in Black Hawk county, through Lafayette, Marietta and Edwinville, in Marshall county, to Fort Des Moines, in Polk county.

SEC. 22 That the commissioners above appointed to lo- ^{Meeting.} cate each respective road, or a majority of them, shall meet on the first Monday in July next, or within six months thereafter, at the first point mentioned in each proposed road, or some other point, if agreed upon by them, and taking to their assistance a surveyor and necessary chainmen and markers, and after having been sworn to the faithful discharge of their duties respectively, shall proceed to perform the same according to law.

SEC. 23. The commissioners, surveyors and hands, to be ^{Compensation.} paid as provided by law in such cases, but the State shall in no case be liable for any part of the expenses incurred in the location of said roads, and this act shall take effect from and after its passage.

Approved Jan. 28, 1857.

CHAPTER 193.

SWINE AND SHEEP.

AN ACT amending section 114 of chapter 15 of the Code, and also to regulate the same.

SECTION 1. *Be it enacted by the General Assembly of the* ^{Amend code.} *State of Iowa,* That so much of section 114 of chapter 15 of the Code, as authorizes county judges to submit the question whether stock shall be permitted to run at large, the word "stock" shall be construed to mean swine and sheep.

SEC. 2. That in any county that has heretofore decided, ^{Power to re-} or shall hereafter decide by a majority vote, in favor of re- ^{strain.} straining swine and sheep from running at large, every owner of such stock shall, from and after eight months

from the canvass of the vote in said county, retain their swine and sheep from running at large in said county; and in the event of a failure so to do, shall be liable for any damages done by said swine or sheep, to be recovered by action of trespass by the party injured.

Take up.

SEC. 3. That any person may take possession of any swine or sheep found running at large in said county after the time specified in section 2 of this act, and give notice thereof to any constable in said county, who shall have power, and it is hereby made his duty, to sell such swine or sheep at public auction at the highest bidder for cash, upon giving ten days' notice of the time and place of sale, by posting the same in writing in three public places in the township where such swine or sheep were found running at large, the proceeds of which sale, after payment of costs and charges of keeping, shall be paid into the county treasury, to be applied to the use of the county until legal proof be made to the county judge of said county, by the person or persons claiming such property to be his or theirs, whereupon the said judge shall order said amount to be paid out of any money in the hands of the treasurer not otherwise appropriated: *Provided*, that if the owner, or any person for him, shall, on or before the day of such sale, pay the costs and charges thus far made, the constable is hereby required to release said sheep or swine to the person making such application, upon satisfactory proof being made of ownership.

Fees.

SEC. 4. The fees of the constable under this act shall be the same as upon sale of like property on execution.

SEC. 5. This act to take effect and be in force from and after its publication according to law.

Approved January 28, 1857.