

SEC. 3. **When to take effect.** This act to take effect from and after its passage.

Approved January 9, 1841.

#### CHAPTER 40.

AN ACT to locate and establish certain territorial roads in Louisa county.

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

**SECTION 1. Road from Mississippi to intersect road from Oquawka to Iowa City—names of commissioners.** That there shall be surveyed and established a territorial road in Louisa county, as follows: Commencing at the Mississippi river, at or near the mouth of the Iowa river; thence the nearest and best route through Harrison and Fre-[30]-donia, to the territorial road running from Oquawka to Iowa City; and that G. W. Austin, J. R. Rockafeller and William Thompson, of Louisa county, be and they are hereby authorized to locate said road, at any time during the year eighteen hundred and forty-one they may agree upon.

**SEC. 2. Ib.—road from Black Hawk to intersect road leading from Burlington to Iowa City—meeting of commissioners.** And be it further enacted, that Gabriel Walling, of Louisa county, Richard Lord, of Muscatine county, and George W. Hawkins, of Johnson county, be and they are hereby appointed commissioners to lay out and establish a territorial road from Black Hawk, in Louisa county, by Grandview, in the nearest and best route to intersect the territorial road leading from Burlington to Iowa City, in township number seventy-seven north, of range five west, in Johnson county. Said commissioners shall meet at Grandview, in Louisa county, on the first Monday of March next, eighteen hundred and forty-one, or at such subsequent day during the year as they may agree upon, and proceed to locate said road.

**SEC. 3. Names of commissioners—road from Florence to Washington county line—meeting of commissioners.** That Philip B. Harrison, John Minton and Joseph Biffington, of the county of Louisa, be and they are hereby appointed commissioners to lay out and establish a territorial road, commencing at the town of Florence; thence to the residence of George Kees; thence to the residence of William Buffington, sen.; thence to the line of Washington county, and intersect at said line the road running from Washington to Wappello. Said commissioners shall meet at Florence on the first Monday in July next, eighteen hundred and forty-one, or at such time thereafter during the year as they may agree upon, and proceed to locate said road.

**SEC. 4. Names of commissioners—road from Black Hawk to county line, etc.—road from Wapello to county line, etc.—meeting of commissioners.** And be it further enacted, that George Humphrey, Perry Morrison and Joseph Newell, of Louisa county, be and they are hereby appointed commissioners to lay out and establish a territorial road, beginning at Black Hawk; thence the nearest route to the courthouse of Louisa county, crossing the Iowa river directly opposite said courthouse; thence the best route to the county line, by Hope Farm, and intersect the territorial road running from said county line, via Mount Pleasant, to the Missouri line. And said commissioners are hereby authorized to lay out and establish a territorial road, commencing at Wapello; thence the nearest and best route via Hope Farm to the county line, and intersect the road already established from Washington to said county line. Said commissioners shall meet at Black Hawk on the first Monday of March next, eighteen hundred and forty-one, or at such other time during the year [as] they may agree upon, and proceed to locate said road.

**SEC. 5. County commissioners authorized to keep ferry, etc., across Iowa river—citizens of Louisa county to cross free of toll.** And be it further enacted, that the county commissioners of Louisa county are hereby authorized, if they think it expedient, to establish and keep a ferry across the Iowa river, where the road referred to in the preceding section crosses said river, which ferry shall always be kept in operation under the direction of the county commissioners; and all citizens of said county, with their horses, teams, etc., shall be ferried across said river at this ferry, free of all charge, at all times.

[31] **SEC. 6. Vacancies—how filled—proviso.** That should any of the commissioners named in the foregoing sections of this act die, or refuse to serve, or remove out of the county, the county commissioners shall fill such vacancies; provided, however, that any two of them shall have power to discharge the duties herein required.

**SEC. 7. County commissioners to fix compensation of commissioners, surveyor, etc.** That each of the several commissioners named in the foregoing sections, together with the surveyors, chain carriers and markers, employed by them, shall receive such compensation for their services as the county commissioners may direct.

**SEC. 8. Commissioners to take oath.** That each and every commissioner appointed under the provisions of this act, shall, before he enters on the duties required of him, take and subscribe an oath before some justice of the peace, that he will faithfully and impartially perform the duties, according to law.

**SEC. 9. Commissioners—how to be governed.** The commissioners shall in all respects not provided for in this act, be governed by the general law now in force in this territory, defining the mode of laying out and establishing territorial roads.

Approved January 9, 1841.

## CHAPTER 41.

AN ACT to district the county of Johnson into county commissioners' districts.

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

**SECTION 1. County commissioners to district Johnson county.** That the county commissioners of the county of Johnson be, and they are hereby authorized, to district said county into three districts, for the purpose of electing county commissioners; which districts shall be numbered first, second, and third.

**SEC. 2. Election of commissioners—how to take place.** At the first annual election after said county shall have been districted as aforesaid, there shall be elected, by the qualified electors of said county, one county commissioner in the first district, resident therein; at the second election there shall be elected one county commissioner in the second district; and so on alternately as long as this act is in force.

Approved January 9, 1841.