

LAWS OF IOWA

[3] CHAPTER 1.

AN ACT for the benefit of the minor heirs of Joseph Swasey, deceased.

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

SECTION 1. Minor heirs authorized to convey real estate. That Charles Swasey and Hezekiah Swasey, minor heirs of Joseph Swasey, deceased, be and they are hereby authorized to sell and convey all or any part of their right in and to certain real estate in the said Joseph Swasey, by virtue of a pre-emption right at the time of his decease, which pre-emption has since been perfected by the widow of said deceased.

SEC. 2. Sale, etc., by minor heirs legalized. Be it further enacted, that all sales, transfers and conveyances, made by the said Charles Swasey and Hezekiah Swasey, or by their lawfully constituted attorney, of their right and interest in said real estate, shall be deemed valid in law.

SEC. 3. This act shall take effect from and after its passage.

THOMAS COX,
Speaker of the House of Representatives.
M. BAINBRIDGE,
President of the Council.

Approved November 23, 1840. Robert Lucas.

[4] CHAPTER 2.

AN ACT to locate a territorial road from Davenport to Bellview.

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

SECTION 1. Names of commissioners—route of road. That Williard Barrows, of Scott county, Simeon Gardner, of Clinton county, and Charles Swan, of Jackson county, be and they are hereby appointed commissioners to lay out and establish a territorial road from the town of Davenport, in Scott

county, via Parkhurst, Camanche, Lyons and Charleston, to Bellview, in Jackson county.

SEC. 2. Commissioners to meet at Davenport. That said commissioners meet at Davenport on such day as they may agree, (not exceeding twelve months from the passage of this act,) to discharge their duties.

SEC. 3. Pay of commissioners, etc. Said commissioners shall be allowed one dollar and fifty cents per day for their services, and shall employ one surveyor, and as many laboring hands as they may think necessary. The surveyor's salary shall not exceed two dollars and fifty cents per day, and the laborers shall not exceed one dollar a day, to be paid according to the provisions of an act to provide for the laying out and opening Territorial roads, approved January 25, 1839.

Approved November 27, 1840.

CHAPTER 3.

AN ACT to attach Benton county to Linn, for judicial and other purposes.

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

SECTION 1. That for judicial, election, and revenue purposes, the county of Benton is hereby attached to and embraced within the jurisdiction of Linn county.

SEC. 2. This act shall take effect from and after its passage.

Approved November 30, 1840.

[5] CHAPTER 4.

AN ACT to amend the act organizing a board of county commissioners in each county in the territory.

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

SECTION 1. Discretion vested in commissioners. That so much of said act as makes it the duty of the sheriff of the county, or his deputy, to attend said board, and execute its orders, be so amended, that the said commissioners may at their discretion require his attendance.

Approved December 3, 1840.

CHAPTER 5.

AN ACT to authorize John H. Sullivan to vacate, for re-survey, a portion of the town of Rockingham.

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

SECTION 1. Re-survey of certain lots authorized. That John H. Sullivan be and is hereby authorized to vacate, for re-survey, so much of the town of Rockingham, in Scott county, Iowa, as lies below Des Moines street; also, all that portion lying back of Fifth street, and below Wapello avenue; and also lots number one, two and three, in block number one.