

SEC 2. Neglect or refusal. That if any person elected to either of the before mentioned offices shall refuse or neglect to comply with the provisions of this act, for the term of twenty days after being elected and qualified, said office shall be deemed vacant.

SEC. 3. Special election and vacancy—proviso. That if any office shall become vacant by the provisions of this act, there shall be a special election ordered to fill such vacancy; such election shall be conducted in all respects agreeably to an act re-[79]-gulating general elections: provided, however, that ten days previous notice of such election shall be sufficient.

SEC. 4. Take effect. This act shall take effect and be in force from and after its publication.

Approved, February 18th, 1847.

CHAPTER 62.

STATE ROAD.

AN ACT to establish a state road from Iowaville to Lancaster, in Keokuk county, by way of Creaseville.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Commissioners—route of road. That Michael Peibler and Jacob L. Sears, of Jefferson county, and Joel Skinner, of Keokuk county, are hereby appointed as commissioners to lay out and establish a state road from Iowaville, in Van Buren county, by way of Creaseville, in Jefferson county, to Lancaster, in Keokuk county.

SEC. 2. When to meet—to take oath—duties. That said commissioners shall meet in Iowaville, on the first day of April next, or within sixty days thereafter, and after taking an oath or affirmation faithfully and impartially to discharge the duties of their appointments, they shall take to their assistance a skillful surveyor, two chainmen and one marker, who shall also take an oath or affirmation before entering on their duties, for the faithful performance of the same. They shall then proceed to establish and lay out said road on the nearest and best route between the several points, taking into consideration the public interest, and at the same time doing as little damage to private property as the public convenience will admit.

SEC. 3. How governed. That said commissioners shall in all other respects be governed by an act entitled "an act to provide for laying out and opening territorial roads," approved December 29th, 1838.

SEC. 4. To take effect. That this act to take effect and be in force from and after its passage.

Approved, February 20th, 1847.

[80] CHAPTER 63.

STATE ROAD.

AN ACT to lay out and establish a state road from Ottumwa to Well's Mill, on Chariton river.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Commissioners—route of road. That Thomas Blair and Gabriel Trellinger, of Davis county, and Samuel J. Vassair, of Wapello county, be, and

they are hereby appointed commissioners to lay out and establish a state road from Ottumwa, in Wapello county, by the way of Thomas Bair's, on Soap creek, in Davis county, and from thence to Well's Mill, on Chariton river, in Appanoose county.

SEC. 2. When to meet—assistance—duties. Said commissioners, or a majority of them, shall meet at Ottumwa on the first Monday of May, or within two months thereafter, and shall take to their assistance two chain carriers and a marker, and proceed to lay out and establish said road according to law.

SEC. 3. Compensation. Said commissioners, chain carriers and marker shall receive such reasonable compensation as the commissioners of Wapello, Davis and Appanoose counties may allow.

SEC. 4. To take effect. This act shall take effect and be in force from and after its passage.

Approved, February 20th, 1847.

CHAPTER 64.

WASHINGTON COUNTY.

AN ACT supplemental to an act entitled "An act to provide for finishing the public buildings in Washington county;" approved the 11th day of February 1847.

Be it enacted by the General Assembly of the State of Iowa:

[SECTION 1.] **When tax to be levied—to be collected in money—order upon the treasurer, etc.** That the additional tax authorized to be levied and collected by virtue of an act entitled "An act to provide for finishing the buildings in Washington county," approved the 11th day of February, A. D. 1847, be and the same is hereby required to be levied at the time of levying other tax, and collected in money only; and that the same be set apart exclusively for the purpose in said act mentioned, and no other, and that orders given upon the treasurer and collector for the payment of any demand, on account of finishing the public buildings in said act mentioned, shall designate out of what funds the said order shall be paid.

Approved, February 20th, 1847.

[81] CHAPTER 65.

COMMISSIONERS' CLERK.

AN ACT to legalize the acts of Charles W. Hobbs, county commissioner, clerk and recorder of Delaware county.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Acts legalized. That all the official acts of Charles W. Hobbs, county commissioners' clerk and recorder of Delaware county, be, and the same are hereby legalized.

SEC. 2. To take effect. This act to take effect and be in force from and after its publication and distribution.

Approved, February 20th, 1847.