

word "Burlington," and if a majority shall be in favor of the centre, then it shall be the duty of the county commissioners to proceed to make selection of a suitable sight at or as near the centre as a good situation can be had, on which the seat of justice shall be located, but should the majority be in favor of Burlington, then and in that case Burlington shall be the seat of justice for said county.

Elector not to vote out of precinct.

SEC. 3. That no elector shall vote out of his precinct in casting his vote for the establishment of the county seat of Des Moines county.

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

Approved January 9, 1840.

---

[Chap. 36.]

AN ACT to locate and establish a territorial road from Fairfield to Wapello, &c.

Commissioners appointed.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That George Miller, Lewis F. Temple, of the county of Henry, and David Cowan, of the county of Jefferson, be and they are hereby appointed commissioners to view and locate a territorial road from Fairfield, in Jefferson county, to Jefferson, in Henry county, thence to the territorial road running from Mount Pleasant to Wapello, in Louisa county, on the nearest and best route.

Route.

Oath.

SEC. 2. Sa'd commissioners shall, before they proceed to the discharge of their duty, take an oath faithfully and impartially to discharge their duties according to law, and the provisions of this act. And they shall meet in the town of Fairfield, on the second Monday in May, eighteen hundred and forty, to discharge the duty assigned them, and if they shall fail to meet at said time, it shall be the duty of the sheriff of Jefferson county, at the suggestion of any one of the commissioners, to appoint another day of meeting and said notice may be sent by mail or otherwise.

Approved January 10, 1840.