

or township interested) previous to the time appointed by law for apportioning labor to their respective road districts, and shall assign a sufficient number of persons, if practicable, to open such road and keep the same in repair, dividing the road in such manner that the persons so assigned may work under the orders of the supervisors in the county or township to which they belong, and the supervisors and persons so assigned shall be governed by the provisions of the act entitled "An act defining the duties of supervisors of roads and highways."

SEC. 15. That on all applications made under the provisions of this act, the county commissioners shall before granting any order thereon require of the person or persons making such application a bond with one or more sufficient securities, made payable to the county treasurer, and approved by the county commissioners, for the use of the county, conditioned that the persons making such application for a view, review, alteration or vacation of any road, or damages on the same (as the case may be) shall pay into the treasury of the county the amount of all costs and expenses accruing on such view, review, alteration or vacation, on application for damages in case the same shall not be granted or the proceedings had thereon finally confirmed and established.

SEC. 16. That all bonds given under the provisions of this act shall be deposited with the county commissioners' clerk, to be by him prosecuted under the order of the county commissioners, where the same shall have become forfeited and money paid into the county treasury for the use of the county.

Approved January 17, 1840.

[Chap. 92.]

AN ACT to establish a Ferry on the Mississippi river.

Ferry at Du
Buque.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That George W. Jones, his heirs and assigns, are hereby authorized to establish and keep a ferry across the Mississippi river at and from some point in the town or city of Du Buque, in this territory; and that said Jones, his heirs and assigns, have such privilege for the term of twenty years: *Provided*, That said Jones, his-heirs or assigns, keep a good and sufficient boat,

propelled by either steam or horse power, for the safe and speedy transportation of passengers and property across said river.

SEC. 2. That said ferry shall be subject to any ^{Subject to} general law fixing the rates of toll and prescribing ^{General law.} the manner in which licensed ferries shall be kept and regulated: *Provided*, That nothing in this act shall be so construed as to affect the rights of individuals on this side of said river, or to conflict with the act of congress relative to Du Buque, Fort Madison, &c., approved the third July, A. D. eighteen hundred thirty six.

SEC. 3. Provided that nothing in the foregoing ^{Not to conflict with former charter.} parts of this act shall be so construed as to conflict with the act heretofore passed granting a charter for a ferry, to T. Fanning and his heirs and assigns, across the Mississippi river at said town of Dubuque, and an act to incorporate the city of Dubuque.

Approved January 17, 1840.

[Chap. 93.]

AN ACT to locate the Seat of Justice in and for the county of Jones.

SECTION I. *Be it enacted by the Council and* ^{Commissioners.} *House of Representatives of the Territory of Iowa,* That John G. M'Donald of Jackson county, and Franklin Moffatt of Delaware county, and Thomas M. Isett of Muscatine county, be and they are hereby appointed commissioners to locate and establish the seat of justice in and for the county of Jones.

SEC. 2. The said commissioners shall, before they ^{Oath.} enter upon their duties as commissioners, take and subscribe before some district judge or justice of the peace, the following oath, to wit: "I, one of the commissioners appointed to locate the seat of justice in and for the county of Jones, do hereby solemnly swear (or affirm) that I will perform the duties imposed on me by said appointment honestly and faithfully, according to the best of my abilities, and according to the law relative to locating said county seat. And I do further swear (or affirm) that I am not directly or indirectly interested in said location; but that in locating said county seat, I will be actuated only by a desire to the best interests of said county, without the slightest partiality towards any person or persons, and without bias from fear, favor or recompense, or the hope of any gain or advantage to myself in any respect whatever."