

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.

SEC. 2. **Survey not to effect private rights, etc.—proviso.** That nothing in this act contained, shall be so construed as to destroy, abridge, or in any way interfere with the private right or rights of any person or persons, to any portion of said re-surveyed tract of land, unless by their special and expressed will and consent; and said tract shall be surveyed having due regard to the interests and rights of all the owners thereof.

SEC. 3. This act to take effect and be in force from and after its passage.  
Approved December 3, 1840.

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#### CHAPTER 6.

AN ACT to district the county of Washington into three county commissioners' districts.  
*Be it enacted by the Council and House of Representatives of the Territory of Iowa:*

SECTION 1. **Three districts.** That the county of Washington [6] shall be divided into three districts, for the purpose of electing county commissioners.

SEC. 2. **Boundary of first district.** That part of the county of Washington lying west of range line dividing ranges seven and eight, and south of the line dividing townships seventy-six and seventy-seven, north, shall compose the first district.

SEC. 3. **Boundary of second district.** All that part of said county lying east of range line dividing ranges seven and eight, and south of the line dividing townships seventy-six and seventy-seven, shall compose the second district.

SEC. 4. **Boundary of third district.** All that part of the county lying north of township line dividing townships seventy-seven and seventy-six, north, shall compose the third district.

SEC. 5. **One commissioner to be elected each year.** At the next annual election there shall be elected one county commissioner from the said first district, resident therein, by the qualified voters of said county; at the next annual election thereafter there shall be elected by the qualified voters of said county, one county commissioner resident in the second district; and at the next annual election thereafter there shall be elected by the qualified voters of said county, one county commissioner resident in the third district, and so on alternately, so long as this act shall remain in force.

Approved December 3, 1840.

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#### CHAPTER 7.

AN ACT to amend an act to authorize John H. Sullivan and Adrian H. Davenport to establish and keep a ferry across the Mississippi river at the town of Rockingham, approved December 17, 1838.

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

SECTION 1. **Time for putting on boat extended twelve months.** That John H. Sullivan and Adrian H. Davenport, who are authorized to keep a ferry by an act entitled, "An act to authorize John H. Sullivan and Adrian H. Davenport to establish and keep a ferry across the Mississippi river, at the town of Rockingham," approved December 17, 1838, be and they are hereby allowed twelve months from the passage of this act to procure for said ferry a horse or steam ferry boat for the same.

Approved December 8, 1840.