

appointed under the provisions of this law, shall, before he enters upon the duties required of him, take and subscribe before some justice of the peace or other officer authorized to administer oaths, an oath faithfully and impartially, without fear, favor or prejudice, to perform his duties as commissioner under this act.

SEC. 4. **Vacancies—how to be filled.** Be it further enacted, that should any of the commissioners named in the above sections of this act die, refuse to serve, or remove out of their respective counties, the county commissioners of the county where such vacancies shall happen shall fill the same.

[25] SEC. 5. **Compensation of commissioners, surveyor, etc.** That each of the commissioners named in the foregoing sections, together with each of the surveyors, chain carriers and markers, employed by them, shall receive for their services each day they may be necessarily employed in discharge of the duties enjoined by this act the following sums, viz.: commissioners two dollars; surveyors two dollars and fifty cents; and chain carriers and markers one dollar and twenty-five cents; which several sums shall be paid according to the provision of "An act for laying out and opening territorial roads," approved December twenty-ninth, eighteen hundred and thirty-eight.

Approved January 7, 1841.

#### CHAPTER 34.

AN ACT to amend an act entitled, "An act to authorize the keeping of certain ferries therein named," approved January 17, 1840.

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

SECTION 1. **J. R. Brown and administrators of A. M. Anderson allowed one year more time.** That the fourth section of the act above referred to be so amended as to allow Joseph R. Brown, and also the administrators of Angus M. Anderson, deceased, the further time of one year from the passage of this act, to provide and keep good and sufficient flat boats for the use of their respective ferries.

SEC. 2. **Charter forfeited for non-compliance with law.** If either of the persons aforesaid fail to comply with the requisitions of the act to which this is amendatory within the time above specified, his charter shall be forfeited.

Approved January 8, 1841.

#### CHAPTER 35.

AN ACT to authorize William St. John to establish and keep a ferry across the Mississippi river, opposite fractional section fourteen, township seventy-six.

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

SECTION 1. **Where ferry to be kept—twenty years' charter—proviso.** That William St. John, his heirs and assigns, be and they are hereby authorized to keep a ferry across the Mississippi river, opposite fractional section fourteen, township seventy-six north, range five west, in the county of Muscatine, for the term of twenty years from the passage of this act: [26] provided, that said ferry, when so established, shall be subject to the same regulations, and

under the same restrictions, as other ferries are, or may hereafter be, by the laws of this territory fixing the rates of toll, and prescribing the manner in which licensed ferries shall be kept and regulated.

**SEC. 2. Flat boat to be kept.** That the said William St. John, his heirs and assigns, shall keep at said ferry a good and sufficient flat boat, and number of hands to work the same, for the transportation of all persons and their property across said river, when passable, without delay.

**SEC. 3. Power to repeal, etc., reserved.** This act may be altered, amended or repealed, by any subsequent legislature.

**SEC. 4. Not to affect rights of others.** That none of the provisions contained in the foregoing shall interfere with the rights of any other person.

**SEC. 5. When to take effect.** This act to take effect and be in force from and after its passage.

Approved January 8, 1841.

## CHAPTER 36.

AN ACT for the relief of the citizens of Muscatine county.

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

**SECTION 1. Time for paying taxes extended—duty of collector.** That those citizens of the county of Muscatine who have not paid their taxes for the year eighteen hundred and forty, shall have until the first Monday in May, A. D. eighteen hundred and forty-one to pay their taxes for the year eighteen hundred and forty; and that the collector shall then proceed to collect the unpaid taxes as provided by section nineteen of an act entitled "An act for assessing and collecting county revenue," approved January twenty-fourth, eighteen hundred and thirty-nine.

**SEC. 2. When collector to make return—proviso.** That the collector of taxes of said county shall have until the first Monday of June next to make his returns, as required by the fourteenth section of the act aforesaid: Provided, nothing in this act contained shall be so construed as to authorize said collector to retain moneys already collected.

**SEC. 3. When to take effect.** This act to take effect from and after its passage.

Approved January 8, 1841.

## [27] CHAPTER 37.

AN ACT to establish the territorial roads therein mentioned.

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

**SECTION 1. Commissioners—road from Washington to intersect road from Burlington to Mount Pleasant—meeting of commissioners.** That William E. Curts, of Washington county, Azariah Gregg, of Des Moines county, and Adam Richie, of Henry county, be and they are hereby appointed commissioners to lay out and establish a territorial road, commencing at Washington, the county seat of Washington county; thence on the nearest and best ground to Richie's