

of an act entitled, "An act relative to incorporated religious societies."

SEC. 2. **Notice of first meeting to be given.** That said society shall give ten days' notice of its first meeting under this act, by posting up advertisements thereof in three of the most public places in Davenport.

Approved January 13, 1841.

CHAPTER 53.

AN ACT to locate and establish a territorial road from the Town of Dubuque to Camp Atkinson.

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

SECTION 1. **Commissioners—road from Dubuque to Camp Atkinson.** That Calvert Roberts, Samuel L. Clifton and Joseph Hewett, are hereby appointed commissioners to locate and establish a territorial road commencing at the town of [43] Dubuque, running from thence on the nearest and best route to Camp Atkinson.

SEC. 2. **Meeting of commissioners, etc.—pay of commissioners, etc.—how to be paid—of failure to meet, etc.** That said commissioners, or a majority of them, shall meet at the town of Dubuque on the first Monday of May next; and after being first duly sworn, shall take to their assistance some suitable surveyor, together with suitable hands as chainmen and markers, and shall proceed to lay out and mark said road, and shall receive for their services the following sums per day, to-wit: the commissioners shall each receive the sum of three dollars; the surveyor three dollars, and the chainmen and markers shall each receive the sum of two dollars—to be paid out of the county treasury of the county through which the said road may be located, in proportion to the distance the said road may run through said county or counties; and should the said commissioners fail to meet at the time or place above specified, it shall be the duty of said commissioners to meet at any other time within this year, and proceed to make said location.

Approved January 13, 1841.

CHAPTER 54.

AN ACT to amend an act entitled, "An act to provide for the survey of a territorial road," approved July 29th, 1840.

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

SECTION 1. **Repealing section.** That so much of the act to which this is amendatory as provides for the survey of the territorial road aforesaid by a surveyor or engineer, appointed by the governor of this territory, be and the same is hereby repealed.

SEC. 2. **Three commissioners to be appointed.** *And be it further enacted,* That the duties incumbent upon said surveyor or engineer under the act to which this is amendatory shall be performed and executed by three disinterested commissioners, one of whom shall act in the capacity of a surveyor and commissioner, who shall proceed, as soon as practicable, to re-locate said road according to the provisions of an act to which this is amendatory.

SEC 3. **Names of commissioners—A. Hebard, surveyor.** *And be it further enacted,* That Alfred Hebard, John Lee, of Henry county, and William Rankin, be appointed said commissioners; and that Alfred Hebard be appointed surveyor under the provisions of this act.

SEC. 4. **Vacancies, how filled.** *And be it further enacted,* That if any of said commissioners shall refuse to serve, that the other two commissioners shall be authorized to fill such vacancy, and proceed as though such vacancy had not occurred.

[44] SEC. 5. **Compensation to commissioners—compensation to surveyor—proviso.** *And be it further enacted,* That the said commissioners shall be allowed the sum of three dollars per day as a compensation for their services as commissioners; and that an additional sum shall be allowed by the county commissioners to said surveyor—which said several sums shall be paid out of the county treasury: provided, said compensation shall not be less than two dollars and fifty cents per day.

SEC. 6. **Meeting of commissioners, etc.** Said commissioners shall meet at Burlington on the second Monday of February, or as soon thereafter as practicable, and proceed to discharge the duties enjoined under this act.

SEC. 7. **When to take effect.** *And be it further enacted,* That this act shall take effect and be in force from and after its passage.

Approved January 13, 1841.

CHAPTER 55.

AN ACT to authorize Elias Smith and Company to establish and keep a ferry across the Mississippi river, at the Town of Nashville.

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

SECTION 1. **Ferry at Nashville for eight years—proviso—Ib.** That Elias Smith and Company be and they are hereby authorized to establish and keep a ferry across the Mississippi river, at the town of Nashville, in the county of Lee, for the term of eight years from the passage of this act: provided, that said ferry, when so established, shall be subject to the regulations, and under the same restrictions, as other ferries are or may hereafter be by the laws of this territory fixing the rates of tolls, and prescribing the manner in which licensed ferries shall be kept and regulated: provided, also, that this act shall not be so construed as to interfere with the rights that any individual may have to the lands on either side of the river.

SEC. 2. **Exclusive privilege, etc.—proviso—horse or steamboat.** No court or board of county commissioners shall authorize any person or persons to keep a ferry within the limits of the town of Nashville, [or] one-half mile above and one-half mile below said town: provided, that the said Elias Smith and Company shall keep at said a good and sufficient number of flat boats, with a sufficient number of hands to work the same, for the transportation of all persons and their property across said river, when passable, without delay; and the said Elias Smith shall, within three years, procure a good and sufficient horse or steam ferry boat.

Approved January 13, 1841.