

[45] CHAPTER 56.

AN ACT to authorize Richard Irwin and Alfred Colvin to erect a dam across Big Cedar Creek in Jefferson county.

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

SECTION 1. Authority to erect dam over Big Cedar creek—where to be erected—proviso. That Richard Irwin and Alfred Colvin, their heirs and assigns, be, and they are hereby authorized to erect a dam across Big Cedar creek, in Jefferson county, at or near the point where the territorial road leading from Fairfield, in said county, to Keosauqua, in Van Buren county, crosses said creek: provided, the same shall not affect the property or rights of the United States, or of any individual.

Approved January 13, 1841.

CHAPTER 57.

AN ACT to establish a certain territorial road.

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

SECTION 1. Names of commissioners—road from Burlington to Blackhawk. That Dr. Fullenwider, Wesley Swank and James Clark, be and they are hereby appointed commissioners, whose duty it shall be to lay out and establish a territorial road, on the nearest and best route from Burlington to the town of Blackhawk, on the Iowa river, commencing at the north end of Water street, in the upper end of Burlington; thence to the house of James Clark; thence to the town of Blackhawk, as aforesaid.

SEC. 2. When and where commissioners to meet—compensation of commissioners. *And be it further enacted,* That the commissioners, or a majority of them, shall meet at the town of Burlington on the second Monday of February next, and proceed to lay out and establish said road as hereinbefore mentioned; said commissioners shall receive as a compensation for their services the sum of three dollars each, per day, to be paid out of the county treasury.

SEC. 3. Authority to employ surveyor, etc.—pay of same. *And be it further enacted,* That the said commissioners shall take to their assistance a surveyor, and such number of chain and other hands, as the said commissioners may deem necessary; which said surveyor, chain carriers, and others so employed as aforesaid, shall be entitled to such compensation as may be allowed by the board of county commissioners.

SEC. 4. When to take effect. *And be it further enacted,* That this act shall be in force from and after its passage.

Approved January 13, 1841.

[46] CHAPTER 58.

AN ACT to lay out and establish a road from Bellview to Iowa City.

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

SECTION 1. Names of commissioners—road from Bellview to Iowa City. That Nicholas Jefferson, of the county of Jackson, Anson Cowles, of the

county of Linn, and Stephen B. Gardner, of the county of Johnson, be and they are hereby authorized and appointed to lay out, survey, and establish a territorial road from Bellview, in Jackson county, to Iowa City, in Johnson county, on the nearest and best route, taking into consideration the convenience of building bridges across such streams as may require to be bridged.

SEC. 2. Meeting of commissioners—oath to be taken—form of oath—oath to be filed—may employ assistance—compensation of commissioners, surveyor, etc. That the said commissioners so authorized shall meet at Bellview, on the first Monday of May, A. D. one thousand eight hundred and forty-one, or as soon thereafter as they may agree, in said year; and before entering upon the discharge of their duty, shall respectively take and subscribe, before some justice of the peace, or other person authorized to administer oaths, the following oath: "I do solemnly swear (or affirm as the case may be,) that I will faithfully and impartially discharge the duties of commissioner to lay out and establish a road from Bellview to Iowa City, according to the law authorizing and establishing said road, to the best of my ability;" which oath shall be filed in the office of the clerk of the board of county commissioners; and the said commissioners shall then proceed to employ the necessary assistance, according to an act to provide for laying out and opening territorial roads, approved December twenty-ninth, eighteen hundred and thirty-eight; and for all time necessarily spent in laying out, surveying and establishing said road, the commissioners shall receive three dollars per day each; the chain carriers and other necessary hands one dollar and fifty cents per day.

SEC. 3. Repealing section. That the nineteenth section of the act to establish certain territorial roads therein named, approved January fourteenth, eighteen hundred and forty, be and the same is hereby repealed.

Approved January 13, 1841.

[47] CHAPTER 59.

AN ACT to authorize the commissioners of Linn county to employ an agent to sell lots at Marion, the seat of justice of said county.

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

SECTION 1. Authority to appoint agent, etc. That the county commissioners in and for the county of Linn are hereby authorized and empowered to employ an agent, whenever by them deemed necessary, to dispose of and sell lots at Marion, the county seat of Linn county.

SEC. 2. Agent to give bonds, etc. When a person shall be appointed as aforesaid, he shall enter into bonds with good and sufficient securities, to be approved of by the board of county commissioners, in the sum of five thousand dollars, payable to the treasurer of said county, conditional to pay over all moneys by him received from the sale or disposal of lots at Marion, under his appointment, to the county treasurer, and to a faithful and honest discharge of his duties as such agent.

SEC. 3. Compensation of agent—to take oath—form of oath. The county agent shall receive such compensation as he and the county commissioners may agree upon, which shall not exceed ten per cent. of the amount of moneys and notes by him received for the sale of lots; and said agent shall, before entering upon the duties of his appointment, take and subscribe to the following oath, before the clerk of the district court: "I do solemnly