

**SEC. 27. Recovery by county of expenses.** In all cases of appropriation out of the county treasury for the support and maintenance or confinement of any insane person, the amount thereof may be recovered by the county from any person who by law is bound to provide for the support and maintenance of such insane person, if there be any such of ability to pay the same.

**SEC. 28. Maintenance of insane persons.** The father or mother of such insane person shall maintain them at their own charge, if of sufficient ability; and if not, then the children, grandchildren, or grandparents, shall, if of sufficient ability, maintain them at their own charge.

**SEC. 29. Repealing section.** That all acts and parts of acts contravening the provisions of this act, be and the same are hereby repealed.

Approved January 14, 1841.

## CHAPTER 62.

AN ACT to establish certain territorial roads therein named.

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

**SECTION 1. Names of commissioners—road from Davenport to Marion—meeting of commissioners.** That Andrew F. Russel, of Scott county, and Norman Seely, of Jones county, and Ross M'Cloud, of Linn county, be and they are hereby appointed commissioners to lay out and establish a territorial road from Davenport, in Scott county, to Marion, in Linn county, via Seely's Mills, in Jones county; thence up the timber of the Wabesipinicon river, on the most direct and eligible route to Marion, having due reference to the accommodation of the people on the route. Said commissioners shall meet on the first Monday in May, eighteen hundred and forty-one, or at such other time during the year as they may agree upon, and proceed to the discharge of their duties.

[53] **SEC. 2. Names of commissioners—road from West Liberty to intersect military road in direction of Dubuque—meeting of commissioners.** That William Smith, sen., of Dubuque county, and A. Hostuttee, of Jones county, and Samuel P. Higginson, of Cedar county, be and they are hereby appointed commissioners to lay out and establish a territorial road from West Liberty, in Muscatine county, to Tipton, in Cedar county; thence to or near Seeley's Mills, in Jones county; thence to Edinburgh, the county seat of Jones county; thence on the most direct and eligible route to intersect the military road in a direction to Dubuque, having due reference to the accommodation of the inhabitants of the county through which the said road passes, as well as the public generally. Said commissioners shall meet at West Liberty on the first Monday in May, eighteen hundred and forty-one, or at such other time during the year as they may agree upon, and proceed to the discharge of their duties.

**SEC. 3. Oath to be taken by commissioners—form of oath.** That each of the several commissioners appointed under the provisions of this act, 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, the following affidavit: "I do solemnly swear (or affirm, as the case may be,) that I will faithfully and impartially, without prejudice or favor, perform the duties of commissioner in accordance with the provisions of this act."

**SEC. 4. Compensation of commissioners, surveyor, etc.—proviso.** That each of the several 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 the discharge of the duties enjoined by this act, the following sums, to-wit: commissioners two dollars; surveyors two dollars and fifty cents; chain carriers one dollar and fifty cents; which several sums shall be paid according to the provisions of an act for laying out and opening territorial roads: provided, that Ross M'Cloud, one of the commissioners appointed by the first section of this act, shall receive three dollars per day, if he perform the duties of surveyor, in addition to those of commissioner.

Approved January 13, 1841.

## CHAPTER 63.

AN ACT to charter the Ellenborough Immigration and Ferry Company.

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

**SECTION 1. Ellenborough incorporated.** That the town of Iowa, near the mouth of Pine river, in Muscatine county, shall hereafter be known and designated by the name of Ellenborough.

[54] **SEC. 2. Name and style of company—charter for thirty years—powers.** That Albert Miller Lea, and all other persons hereafter becoming members of the Ellenborough Immigration and Ferry company, in the manner hereinafter mentioned, their successors and assigns, shall be and are hereby made a corporation and body politic by the name and style of the "Ellenborough Immigration and Ferry company," and by that name shall and may have continuous succession for thirty years from and after the passage of this act, and be capable in law of purchasing, holding, improving and disposing of property, real, personal, and mixed, for the purposes herein authorized; and may sue and be sued in all courts of law and equity, and may receive and make all deeds, conveyances and bargains whatsoever, necessary for said purposes; and generally may do every other act or thing necessary to carry into effect the provisions of this act.

**SEC. 3. A. M. Lea to receive subscriptions to stock, not exceeding two thousand shares, etc.—powers conferred on A. M. Lea.** That the said Albert Miller Lea shall be authorized to receive subscriptions, from time to time, to the capital stock of said company, in shares of one hundred dollars each, to any amount not exceeding two thousand shares; and every person or corporation who shall become a holder or entitled to one or more shares of said stock, shall thereby become a member of the company hereby incorporated; and until the number of stockholders shall exceed five, and an election of trustees shall have been made as hereinafter provided, the said Albert Miller Lea, together with the other actual stockholders or a majority of them, shall exercise all the corporate powers of the said company, in the same manner as the aforesaid trustees, when elected, are authorized to do by this charter.

**SEC. 4. Election of trustees, and their powers—vacancies, etc.** That the members of said company, after their number shall exceed five, shall, annually, at such time and place, and in such manner as may be prescribed by the regulations of said company, elect from the stockholders of said company three trustees, who shall have the sole management of the property, stock and concerns of said company, during their term of service, and who shall