

out and establish a territorial road from Moscow, in Muscatine county, to Marion, in Linn, via Rochester, Antwerp, and Mason's Grove, in Cedar county, and Ivanhoe, in Linn county.

SEC. 2. Meeting of commissioners. The commissioners aforesaid, or any two of them, shall meet at Moscow on the third Monday of April next, or any day thereafter during the year which they may agree upon to proceed to the discharge of their duties; and may adjourn from day to day as circumstances shall require.

SEC. 3. Duties of commissioners. That said commissioners shall discharge their duties in accordance with "An act to provide for laying out and establishing territorial roads," approved December 19th, 1838.

Approved, January 15, 1841.

CHAPTER 97.

AN ACT to locate a territorial road from Columbus City, in Louisa county, to Smith's Mills, in Henry county.

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

SECTION 1. Commissioners—route of road. That George Key, of Louisa county, James D. Spearman and John Milliford, of Henry county, be and they are hereby appointed commissioners to view and locate a territorial road, commencing at Columbus City, in Louisa county; thence on the nearest and best route to intersect the west line of section number two; thence on the section line west of sections eleven, fourteen, twenty-three and twenty-six, in township number seventy-one north, range number five west; and from thence on the nearest and most approved route to Smith's Mills, on Skunk river.

SEC. 2. Meeting of commissioners. That said commissioners, or a majority of them, meet at Columbus City on the first Monday of April next, and shall proceed to locate said road according to the provisions of "An act to establish territorial roads;" and if said commissioners, or a majority of them, shall fail to meet as is herein specified, it shall be legal for [106] said commissioners, or a majority of them, to meet at such time thereafter during the present year as they may agree upon, who shall then proceed to locate said road as above directed.

SEC. 3. Pay of commissioners, surveyor, etc. That the commissioners, surveyor and chain carrier, employed to locate the road herein specified, shall receive such compensation for their services as the respective boards of commissioners for the counties of Louisa and Henry may think proper to allow them, and no more.

Approved, January 15, 1841.

CHAPTER 98.

AN ACT to provide for the survey of a territorial road from Burlington, through Henry county, to Keosauqua, in Van Buren county, and the Missouri line.

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

SECTION 1. Commissioners—route of road. That Warren Dee, of Des Moines county, John S. Stephenson, of Henry county, and Isaiah M'Mana-

man, of Van Buren county, be and they are hereby appointed commissioners to lay out and survey a territorial road from the city of Burlington, in Des Moines county, to Smith's Mills, and Salem, in Henry county, and thence to Keosauqua, in Van Buren county, and the Missouri line.

SEC. 2. To follow township line, etc. The said commissioners shall follow the township line between sixty-nine and seventy north, or as nearly so as practicable; and be allowed to adopt such parts of the route without re-survey as they may be able to procure the field notes for, which may be necessary to make the legal returns.

SEC. 3. Meeting of commissioners. The commissioners shall meet at Burlington the first Monday in March, or any time thereafter during the year eighteen hundred and forty-one, and proceed to the discharge of the duties assigned them.

SEC. 4. Pay of commissioners, surveyor, etc. The commissioners shall be allowed three dollars per day, and shall employ one surveyor, whose pay shall be four dollars per day; and the necessary laborers, who shall be allowed one dollar and fifty cents per day.

Approved January 15, 1841.

[107] CHAPTER 99.

AN ACT to authorize Hezekiah H. Gear to keep a ferry.

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

SECTION 1. Point where ferry to be kept—term. That Hezekiah H. Gear, his heirs and assigns, exclusively, are hereby authorized to establish and keep a ferry across the Mississippi river from the mouth of the stream called Tete des Morts, in the county of Jackson, and for one mile above said stream, for the term of fifteen years.

SEC. 2. Boat to be kept, etc. That within five years from the taking effect hereof, the said Gear, his heirs or assigns, shall cause to be established and kept a good and sufficient horse or steam ferry boat at the place aforesaid, for the safe conveyance of passengers and property across said river without delay.

SEC. 3. Regulations, etc. That said ferry, when established, shall be subject to like regulations and under like restrictions as all other ferries are or may be by the general laws of this territory fixing the rates of toll, and prescribing the manner in which licensed ferries shall be kept and regulated.

SEC. 4. Of failure to comply with law. That upon the failure of the said Gear, his heirs or assigns, to comply with the regulations of law in any essential particular relative to said ferry, the privilege hereby granted shall be forfeited.

SEC. 5. How this act to be construed. Nothing in this act shall be so construed as to interfere with the property of any other person, or with that of the United States, on either side of said river.

SEC. 6. Flat boat to be kept. That until said Gear shall provide the ferry aforesaid with a steam or horse ferry boat, he shall immediately procure and keep good and sufficient flat boats, and hands to conform with the objects of the same.

SEC. 7. Power to repeal. Any future legislature of this territory (or state) may alter, amend or repeal, this act.

Approved January 15, 1841.