

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.