

CHAPTER 36.

AN ACT to locate and establish a territorial road, from Denson's ferry, on the Wabesipinicon river, towards Dubuque.

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

SECTION 1. **Names of commissioners—points of route.** That Frederick Scarborough, and H. Bunk, of Jackson county, and Joseph D. Denson, of Cedar county, be and they are hereby appointed commissioners, to locate and establish a territorial road, commencing at Denson's ferry on the Wabesipinicon; thence to Milford, in Jackson county; thence the nearest and best route, so as to intersect the Military road in Dubuque county, some where in township eighty-seven, north, range one east.

SEC. 2. **Time of meeting.** That said commissioners shall meet at Denson's ferry, on the first Monday of May next, or at such other time during the year, as they may agree upon, and proceed to the discharge of their duties.

SEC. 3. **Compensation for services.** That each of the said commissioners named in the first section of this act, together with the surveyor, shall receive for their services two dollars, and the chain carriers and markers one dollar and fifty cents per day; which several sums shall be paid according to the provisions of an act for laying out and opening territorial roads: provided, that Frederick Scarborough, one of the said 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 that of commissioner.

Approved February 8, 1842.

CHAPTER 37.

AN ACT to divorce Sarah Wilson, from her husband, John Wilson.

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

SECTION 1. That the bonds of matrimony heretofore existing between Sarah Wilson, of Scott county, and her husband John Wilson, be and the same are hereby dissolved, from and after the passage of this act; and that the said Sarah Wilson, be henceforth known by the name of Sarah Smith.

Approved February 8, 1842.

[29] CHAPTER 38.

AN ACT to amend an act organizing a board of county commissioners in each county.

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

SECTION 1. **Sessions of commissioners not to exceed—to hold extra sessions.** That the number of days occupied at the regular sessions of the boards of

county commissioners, in the several counties within this Territory, shall not exceed eighteen in any one year; not more than six days at their session in July, and not more than four days at each other session required to be held by the act to which this is an amendment: provided, however, that when the public interest requires it, said commissioners shall hold extra sessions, which shall not exceed six days in each year.

SEC. 2. Expenditures to give items—condition of the finances of the county. That the statement of the receipts and expenditures of the county, required to be published by the tenth section of the act to which this is amendatory, shall contain a full and particular description of each item, from whom and on what account received, and to whom and on what account expended, together with an accurate statement of the actual condition of the finances of the county, at the end of each fiscal year, including all debts and liabilities of every description, and the assets and other means to discharge the same.

SEC. 3. Per diem for services. That the county commissioners shall receive two dollars per day for every day necessarily employed under the provisions of law.

SEC. 4. Clerk to execute a bond—oath or affirmation. That upon the taking effect of this act, the commissioner's clerk, in each of the counties in this Territory, is hereby required to execute a bond, with two or more securities, to the acceptance of the board of county commissioners of the proper county, in the penal sum of two thousand dollars, payable to the Territory of Iowa, and conditioned for the faithful discharge of the duties of his office, and shall also take and subscribe an oath or affirmation to be endorsed on said bond, that he will faithfully and impartially discharge the duties of his office, to the best of his skill and ability; which bond, so endorsed, shall be deposited with the county treasurer, and be by him carefully preserved.

SEC. 5. Suit upon bond. That suit may be instituted on such bond against the commissioner's clerk and his securities, in the name of the Territory of Iowa, and for the use of the Territory, county, or any party or person injured by the misconduct in office of said clerk, or by the omission of any duty required of him by law.

SEC. 6. Clerk's fees. That the county commissioners' clerk shall receive as a compensation for his services the following fees: for recording the proceedings of the county commissioners, or other record, and entering the accounts necessary to be kept in his office, for every one hundred words, ten cents; for making calculation and carrying out the amount of tax on assessment roll, two dollars per day while necessarily employed; for every order on the county treasury, five cents; for making out abstracts of the assessment roll, and certifying the same as required by law, for every sheet of one hundred words, eight cents; and for every other service required of him by law, the county commissioners shall allow him two dollars per day, and no more.

[30] **SEC. 7.** That the seventh section of said act be and the same is hereby repealed.

SEC. 8. Duty of clerks to certify and transmit abstracts of the value of property. The clerk of the board of commissioners for each county shall, on or before the tenth day of December in each year, certify under his hand, and transmit to the auditor of public accounts, by mail, an abstract of the aggregate valuation of the taxable property of the county, as taken from the corrected valuation of the assessment rolls for that year, as corrected and equalized by the commissioners.

SEC. 9. This act to take effect and be in force from and after the first Monday in April next.

Approved February 8, 1842.