

nearest and best route to Fairfield. Said commissioners shall, in all respects where the same is applicable, comply with the provisions of an act entitled "an act for opening and regulating roads and highways," approved January 17, 1840; provided, however, that the compensation of said commissioners, together with that of the surveyor, chain-carriers, marker, etc., employed by said commissioners, shall be fixed by the county commissioners of Jefferson county, after the rendition of said services.

Approved February 12, 1842.

CHAPTER 60.

AN ACT to relocate a territorial road from Farmington to the Missouri line.

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

SECTION 1. Names of commissioners—route of road. That Charles Davis, John Burrier and Stephen Weekley, be and they are hereby appointed commissioners to re-locate a territorial road from Farmington to the southern line of the Territory, as follows: beginning in the middle of the old territorial road, near the southeast corner of Stephen Weekley's land; thence, on the line between Weekley and Twamly, to the northwest corner of Twamly's land; thence south, on the line between Burner and Twamly and Burner and Rollins, to the southern territorial line.

SEC. 2. When and where commissioners to meet—compensation of commissioners, etc., to be allowed by board of county commissioners. Said commissioners, or a majority of them, shall meet at Harris' ferry landing, opposite Farmington, on the second Monday in April next, or as soon thereafter (within one year) as a majority of them may agree, and proceed to discharge the duties enjoined upon them by this act; said commissioners shall employ one surveyor, and such other hands as may be actually necessary to complete said work, who, together with the said commissioners, shall receive such compensation for their services, as the board of commissioners of the county of Van Buren shall hereafter allow; and in all other respects said commissioners shall comply with the law now in force relative to the laying out of territorial roads.

SEC. 3. Road from Farmington to line vacated. That so much of the territorial road already established from Farmington to the southern territorial line, as lies between Stephen Weekley's southeast corner, aforesaid, and the southern territorial line aforesaid, be and the same is hereby vacated.

Approved February 12, 1842.

[49] CHAPTER 61.

AN ACT authorizing James Muir, a minor, to execute a deed to Anson L. Deming and Jesse C. Smith.

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

SECTION 1. Empowered to make deed—persons—land. That James Muir, a half breed of the Sac and Fox tribe of Indians, under the age of twenty-one years, be and he is hereby authorized to make and execute a good and sufficient deed in fee simple to Anson L. Deming and Jesse C. Smith, or to any other

person or persons for the fractional southeast quarter of section four, in township sixty-seven north of range four west, situated in the county of Lee, and Territory aforesaid, and containing thirty-four acres more or less.

SEC. 2. When to take effect. This act to take effect and be in force from and after its passage.

Approved February 12, 1842.

CHAPTER 62.

AN ACT to revive and amend "an act to incorporate the Bloomington Insurance Company," approved January 13, 1840.

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

SECTION 1. Act revived—Names of commissioners—when and where books to be opened. That an act entitled "an act to incorporate the Bloomington Insurance Company," be and the same is hereby revived and declared to be of full force and effect, and that John W. Richman, John W. Brady, Robert C. Kinney, Adam Oglevie, Hezekiah Musgrove, John Zeigler, George W. Humphreys, David Clark, or any four of them, are hereby appointed commissioners to open books for subscription of stock, and to superintend the business of the stockholders, until a board of directors shall have been chosen; which books shall be opened in the town of Bloomington, on or before the first day of April, A. D. 1843, and to be kept open until all the shares are taken.

SEC. 2. Stockholders personally responsible. That if said company shall become insolvent, and fail to adjust any of its liabilities, then and in that case, the stockholders shall be personally responsible for the same.

Approved February 15, 1842.

CHAPTER 63.

AN ACT to amend an act entitled "an act regulating criminal proceedings," passed January 4, 1839.

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

SECTION 1. Duty of justice of the peace—when an indictable offence has been committed—duty of officer arresting suspected person. That whenever by affidavit, it shall be rendered probable to a justice of the peace, that an indictable offence has been [50] committed within any county in this Territory, he shall, by his warrant, cause said person to be arrested; and it shall be the duty of the officer arresting such person, to take him before said justice of the peace who issued the warrant, or before the next nearest justice of the peace, if the justice of the peace who issued the warrant shall be absent or from any other cause shall be unable to attend.

SEC. 2. Duty of officer when arrest is made out of county—where prisoner shall be committed. If the arrest of the person charged with a criminal offence shall be made, out of the county where it is charged to have been committed, it shall be the duty of the officer making the same, to take the prisoner to some justice of the peace most convenient for the attendance of the witnesses in favor of the prosecution, and the justice of the peace, if he shall commit