

## CHAPTER 75.

AN ACT to locate a territorial road from Fairfield, in Jefferson county, to the forks of Skunk river, in Washington county.

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

**SECTION 1. Name of commissioner to locate—route—limit of time for location.** That Henry Harden, of Jefferson county, be and he is hereby appointed a commissioner to locate and establish a territorial road from Fairfield, in Jefferson county, thence to the southeast corner of Hadley's farm, thence to Richland, thence to Western City, thence to the forks of Skunk river in Washington county; said commissioner to repair to the town of Fairfield on the first Monday in the month of April next, or any time within three months thereafter, for the purpose of locating said road.

**SEC. 2. Surveyor, chain carriers, etc.—compensation.** That said commissioner shall take to his assistance, a competent surveyor, and the necessary chain-carriers and markers, and said commissioner, surveyor, chain-carriers, and markers, shall receive such compensation, and be governed in all respects not herein provided for, by an act entitled an act for opening and regulating roads and highways, approved January 17th, 1840.

Approved, February 16, 1842.

## [66] CHAPTER 76.

AN ACT making the clerk of the board of county commissioners, elective by the people.

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

**SECTION 1. Election of clerk of board of commissioners by the people—time of election—term of office—to take an oath and enter into bonds.** That an election shall be held on the first Monday in August next, and on the first Monday in August, one thousand eight hundred and forty-four, and on the first Monday in August in every second year thereafter, in each county in this territory, for a clerk of the board of county commissioners; and the clerks so elected, shall continue in office for two years, and until their successors shall be elected and qualified to office, and previous to their entering upon the duties of their respective offices, they shall take and subscribe an oath, and enter into bonds as is now required by law.

**SEC. 2. Places of holding elections—clerk pro tem.** The election provided for in this act, shall be held at the same places, and conducted in all respects as is now provided for by the law regulating general elections; and vacancies shall be filled in the same manner, provided said board may appoint a clerk pro tempore, whose term of service shall continue until a clerk shall be elected and qualified as provided for in this act.

**SEC. 3. Contested elections provided for.** In all contested elections of the before mentioned officers, it shall be settled as provided for in the act in relation to contested elections.

**SEC. 4. Forfeiture for failure to deliver over papers, books and moneys.** Every clerk who shall neglect or refuse to deliver over to his successor in office, all papers, books, and moneys, in his possession, as well as all and every thing appertaining to his office, shall forfeit and pay any sum not exceeding five

hundred dollars, nor less than twenty-five dollars, to be recovered as in action of debt, in any court having jurisdiction of the same.

**Sec. 5. Acts repealed.** All acts and parts of acts, authorizing the county commissioners to appoint clerks, be and the same are hereby repealed.

Approved February 16, 1842.

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## CHAPTER 77.

AN ACT to divorce Seth Baker from his wife Sally Baker.

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

**SECTION 1.** That the marriage contract heretofore existing between Seth Baker and Sally Baker, be and the same is hereby dissolved.

Approved, February 16, 1842.

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## [67] CHAPTER 78.

AN ACT to vacate the survey and plat of a part of the town of Toolesborough, in Louisa county.

Whereas, the proprietors of the town of Toolesborough, in Louisa county, deem it unnecessary to continue on record all of the plat and survey of said town: Therefore,

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

**SECTION 1. Part of town vacated—part excepted—Power to change location and relocate.** That so much, and all that part of the town of Toolesborough, in Louisa county, that is situated, lying and being west of Mound street, in said town, be and the same is hereby vacated: (block number forty-five and forty-nine excepted) provided, however, that said proprietors shall have the power, and are hereby authorized to change the location of, and re-locate any part of the vacated part of said town, at any time hereafter they may deem proper, by retaining in said resurvey, so far as practicable, the numbers of the blocks and size of the lots, etc., so re-located, and have the same recorded according to law.

**SEC. 2. Not to interfere with the vested rights of others—other parts shall remain as now seen on record.** That the vacating of said part of said town of Toolesborough, shall not interfere with the vested rights of any person or persons, who now own lots in said town, or lots in any block that may be hereafter relocated; and the remainder, or other part of the survey and plat of said town, situated east of Mound street, shall remain as now seen on record. This act to take effect and be in force from and after its passage.

Approved, February 16, 1842.