

tered by any officer authorized by law to administer oaths within said county, and the officer administering the said oath or affirmation shall certify and file the same in the office of the clerk of the district court of said county of Lucas; which oath or affirmation shall be recorded by said clerk.

SEC. 13. Duty of commissioners—duty of clerk of district court. Said commissioners, when met and qualified under the provisions of this act, shall proceed to locate the seat of justice of said county, and as soon as they shall have come to a determination, the same shall be committed to writing, signed by said commissioners, and filed with the clerk of the district court of said county whose duty it shall be to record the same, and the place thus designated shall be the seat of justice for said county.

SEC. 14. Compensation. Said commissioners shall each be entitled to receive the sum of two dollars per day, while necessarily employed in the discharge of the duties required of them by this act, and two dollars for every twenty miles travel, in going to and returning from said seat of justice, which shall be paid by said county out of the first money arising from the sale of town lots in such seat of justice.

SEC. 15. Where district court to be held. That the district court for said county shall be held at Chariton Point in said county, or at such other place as may be designated by the board of county commissioners of said county, until the seat of justice of said county may be located.

Approved, January 15, 1849.

[91] CHAPTER 75.

RAIL ROAD.

AN ACT to provide for the making of a rail road from Dubuque to Keokuk.

Preamble. Whereas, the general assembly of the state of Iowa did, on the twenty-second day of January, A. D. 1848, pass a memorial to the congress of the United States, in which was asked an appropriation of lands for the construction of a rail road from Dubuque to Keokuk, through the interior of the state aforesaid, equal to five sections for each mile of said road, to be located in alternate sections five miles on each side of said road, or lands adjacent thereto, as the same may be conveniently obtained. And whereas, it is reasonable to be expected that the public lands prayed for may be granted to the state of Iowa by the congress of the United States, for the aforesaid purposes, previous to the next regular session of the legislative assembly. Now therefore, in order to provide for such a contingency, and that the construction of a work so important to the interests of the population in the interior of this state, and the general prosperity, should not be unnecessarily delayed: therefore,

Be it enacted by the General Assembly of the State of Iowa:

Commissioners—commissioners to inspect each section. That L. H. Langworthy, of Dubuque county, John C. Berry, of Linn county, and William Patterson, of Lee county, be and are hereby appointed commissioners to proceed as soon as practicable to select and make location of such lands as the congress of the United States may appropriate for the purposes aforesaid, according to the conditions and requirements of the act making said grant; and the said commissioners after having selected the said lands, shall make a full and complete description of the same, which shall be recorded in the office of secre-

tary of state. The said commissioners, or one of them, shall personally inspect and examine each section or subdivision of land selected, and shall receive such compensation as may be allowed by the general assembly of this state.

Approved, January 15, 1849.

[92] CHAPTER 76.

FERRY.

AN ACT to authorize Augustus Phelps to keep a ferry across the Mississippi river at the town of Lyons, in Clinton county.

SECTION 1. Ferry to be kept at Lyons—exclusive privilege—proviso. That Augustus Phelps, his heirs and assigns, are hereby authorized to keep a ferry across the Mississippi river, at the town of Lyons, in Clinton county, within the following limits: beginning one-half mile above said town of Lyons, and extending down said river to the southern line of said town; and that the said Augustus Phelps, his heirs and assigns, have the exclusive privilege of ferrying within the above named limits for the term of five years from and after the passage of this act: *provided*, that the said ferry shall be subject to the same regulations and restrictions as other ferries are, or may be hereafter, by law, in this state, fixing the rates of toll, and prescribing the manner in which licensed ferries shall be kept.

SEC. 2. Horse boat to be kept. That the said Augustus Phelps, his heirs and assigns, shall keep, or cause to be kept, at the place aforesaid, a good horse ferry boat, with a sufficient number of hands and horses to work the same, for the transportation of all persons and their property across said river, when passable, without delay.

SEC. 3. Proviso. *Provided, also*, that nothing in this act shall be so construed as to interfere with the right that any individual may have to the lands on either side of said river.

SEC. 4. Repealing section. That any future general assembly may have the right to alter, amend, or repeal this act.

This bill having remained with the governor three days, (Sundays excepted,) and the legislative assembly being in session, it has become a law this 15th day of January, 1849.

JOSIAH H. BONNEY, Secretary of State.

[93] CHAPTER 77.

JONES COUNTY.

AN ACT to preserve the records of Jones county.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Manuscript records to be bound. That the board of commissioners of the county of Jones, be and they are hereby required to have all the manuscript records, in the office of the recorder of Jones county, bound in a substantial manner.