

under the name and style of the Navigation and Hydraulic Company of the Mississippi Rapids, for the purpose of constructing a canal around the lower rapids of the Mississippi river—Therefore, said company and their associates are hereby authorized to acquire the right of way for such canal, in the same manner and are vested with the same power now vested in the Boards of Public Works in obtaining lands adjacent to dams upon the Des Moines river, and in the assessment and payment of damages for such right of way: *provided*, that this act shall not extend to the said company the right to appropriate to or use the land or other property of any individual excepting only for the right of way.

SEC. 2. **Private property liable for debts.** The private property of the directors and stock holders shall be liable on debts of the company in all cases where such directors or stockholders have authorized the creation of the debt or liability.

SEC. 3. **Take effect.** This act to take effect from and after its publication according to law.

Approved, Jan. 15, 1849.

[121] CHAPTER 90.

STATE ROAD.

AN ACT to establish a state road from Drakesville in Davis county to Albia in Monroe county.

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

SECTION 1. **Viewers.** That Willis Faught and George L. Moots, of the county of Davis and Michael Lower, of the county of Monroe, be and they are hereby appointed commissioners to lay out and establish a State Road from Drakesville, in Davis county, to Albia, in Monroe county.

SEC. 2. **Where to meet.** Said commissioners or a majority of them, shall meet at Drakesville on the first day of October next, or within thirty days thereafter and proceed to lay out and establish said road according to law.

SEC. 3. **Employ surveyor.** *Provided, however,* that it shall be lawful for said commissioners to take to their assistance a competent surveyor, and other necessary hands, as the case may require, who shall receive such compensation as is provided by law.

Approved, January 15, 1849.

CHAPTER 91.

ACCEPTING PROPOSITIONS OF CONGRESS.

AN ACT AND ORDINANCE accepting the propositions made by Congress on the admission of Iowa into the Union as a state.

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

SECTION 1. **Propositions of congress accepted—proviso.** That the propositions to the state of Iowa on her admission into the Union, made by the

act of congress entitled "an act supplemental to the act for the admission of the States of Iowa and Florida into the Union, approved March 3, 1845, and which are contained in the sixth section of that act, are hereby accepted in lieu of the propositions submitted to congress by an ordinance, passed on the first day of November, eighteen hundred and forty-four, by the convention of delegates which assembled at Iowa City on the first Monday of October, eighteen [122] hundred and forty-four, for the purpose of forming a constitution for said state, and which were rejected by congress: *provided*, the general assembly shall have the right, in accordance with the provisions of the second section of the tenth article of the constitution of Iowa, to appropriate the five per cent. of the net proceeds of sales of all public land lying within the state, which have been or shall be sold by congress from and after the admission of said state, after deducting all expenses incident to the same, to the support of common schools.

SEC. 2. State not to interfere with the primary disposal of soil. And be it further enacted and ordained, as conditions of the grants specified in the propositions first mentioned in the foregoing section, irrevocable and unalterable without the consent of the United States, that the state of Iowa will never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations congress may find necessary for securing the title in such soil to the bona fide purchasers thereof; and that no tax shall be imposed on lands, the property of the United States; and that in no case shall non-resident proprietors be taxed higher than residents; and that the bounty lands granted, or hereafter to be granted, for military services during the late war with Great Britain, shall, while they continue to be held by the patentees or their heirs, remain exempt from any tax laid by order or under the authority of the state, whether for state, county, other purposes, for the term of three years from and after township, or the dates of the patents respectively.

SEC. 3. Duty of secretary. It is hereby made the duty of the secretary of state, after the taking effect of this act, to forward one copy of the same to each of our senators and representatives in congress, who are hereby required to procure the consent of congress to the diversion of the five per cent. fund indicated in the proviso to the first section of this act.

SEC. 4. Take effect. This act shall take effect from and after its publication in the weekly newspapers printed in Iowa City.

Approved, January 15, 1849.

Published in the Reporter, January 24th, and in the Republican, January 31st, 1849.

[123] CHAPTER 92.

REVENUE.

AN ACT to amend an act entitled "An act to provide for levying and collecting revenue for state and county purposes," approved Feb. 25, 1847.

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

SECTION 1. Commissioners to withhold land from sale. That the board of commissioners of the different counties of this state, be and they are hereby authorized to withhold from sale any lot, tract or parcel of land, upon which the taxes remain due and unpaid according to the provisions of the act to