

which this is amendatory, whenever in their opinion the sale thereof would be prejudicial to the best interest of the county or State.

SEC. 2. To give notice to Treasurer. The said boards of commissioners shall at least five days before the commencement of the advertisement provided for in the 46th section of the act to which this is amendatory; give notice under their hands to the county treasurer, what lots, tract, or parcels of land he shall omit in the [sale] aforesaid, and it shall thereupon be and is hereby made the duty of the county treasurer to omit said parcels of land from sale aforesaid.

SEC. 3. May order sale subsequently. That if after such withholding from sale the taxes shall still continue unpaid on said lands so withheld, the said board of commissioners may at any subsequent tax sale, order said parcels of land to be sold in the same manner as other lands [are], or may hereafter be sold for taxes.

SEC. 4. Treasurer to omit lands in advertisement. That when any parcels of land are so as aforesaid withheld from sale, it shall be the duty of the treasurer to omit them in his advertisement—in his report to the district court, and in all his proceedings touching the delinquent list for the year that they are so withheld: *provided, however*, that nothing in this act shall be so construed as to prevent the treasurer from receiving the taxes and interest due upon such withheld lands, at any time previous to their being finally sold.

SEC. 5. Notice given under the hands of a majority of the board. The notice provided for in the first section of this act, may be given under the hands of the whole or a majority of the board, and the board shall enter a copy of such notice on their records at their next meeting after such notice, provided they are not in session at the time of giving said notice.

SEC. 6. To withhold lands after advertised. If after such advertisement is made, the said board should deem it for the best interest of the county and state to withhold any [124] parcels of land so advertised they may do so in the same manner as is above provided for withholding from sale, before advertisement.

SEC. 7. Take effect. This act to take effect from and after its publication. Approved, Jan. 15, 1849.

CHAPTER 93.

STATE ROAD.

AN ACT to establish a state road from the west line of Johnson county, to the west line of Dallas county.

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

SECTION 1. Commissioners. That Jesse Rickman of the county of Jasper, and John Wright, of the county of Dallas, be and they are hereby appointed commissioners to locate and establish a State road commencing at a point where the west line of Dallas [Johnson] county crosses Old Man's creek, section 31, township, 79, north range 6 west, thence on the nearest and best route to Montezuma, in Poweshiek county, thence to Newton, in Jasper county, thence to Fort Des Moines, in Polk county, thence to Penoach, in

Dallas county, and thence to the west line of Dallas county, in the direction of Council Bluffs, on the Missouri river.

SEC. 2. **To meet.** That said commissioners or a majority of them shall meet at the town of Montezuma, on the first day of April next, or within three months thereafter and proceed to locate and establish said road according to law.

SEC. 3. **Employ surveyor.** Said commissioners shall take to their assistance a competent surveyor, and other necessary hands who together with the commissioners shall receive such compensation and in such manner as is provided by law.

Approved, Jan. 15, 1848.

[125] CHAPTER 94.

STATE ROAD.

AN ACT to locate a state road from Eddyville, in Wapello county, to Haymaker's mill, in Marion county.

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

SECTION 1. **Commissioners.** That John B. Gray, of Monroe county, Daniel Hoover, of Wapello county, and Henry Haymaker, of Marion county, be, and are hereby appointed commissioners to lay out and establish a State road, commencing on the west side of the Des Moines river, opposite Eddyville, thence, by the nearest and best route, to intersect the State road leading from Clarksville, in Monroe county, to Racoon Fork, at or near Haymaker's mill.

SEC. 2. **Where to meet.** That said commissioners shall meet at Eddyville, in Wapello county, on the first Monday of April, or within three months thereafter, and upon taking to their assistance the necessary help, shall proceed to lay out and establish said road according to law.

SEC. 3. **Compensation.** That said commissioners and assistants shall be entitled to such compensation as is allowed by law.

SEC. 4. **Take effect.** That this act shall be in force from and after its publication according to law.

Approved, Jan. 15, 1849.

CHAPTER 95.

STATE ROAD.

AN ACT to establish a state road from Oskaloosa to Montezuma.

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

SECTION 1. **Commissioners.** That John White and Gideon Wilson, of Mahaska county, and James Wilson, of Powesheik county, be, and they are hereby, appointed commissioners to locate and establish a State road commencing at the town of Oskaloosa, thence, on the nearest and best route, to the town of Montezuma, in Powesheik county.