

as aforesaid, may be obtained in [23] writing over the hand and seal of such proprietor, or of his or her agent or guardian resident as aforesaid, and neither acknowledgment or recording shall be necessary to the validity of such grant: and if the owner of any land over which said road may be located shall refuse to grant the right of way for said road through his or her premises, the judge of the district court of the county in which such premises may be situated, shall on the application of either party appoint three (3) disinterested free holders of the county, whose duty it shall be to inspect said premises and assess the damages (if any) which such owner will sustain by the construction of said road and make report in writing to the clerk of said court who shall file and preserve the same, and if said company or their assigns shall at any time before they actually entered upon said land for the purpose of constructing said road, pay to said clerk for the use of said proprietor the sum so assessed and returned to him as aforesaid, they shall thereby be fully justified in constructing and maintaining their said road over and across said premises, doing no unnecessary injury to said land: provided, that either party dissatisfied with the decision of said freeholders, shall have the right of appeal to the district court of the county wherein said lands are situated, at any time within thirty days after said decision: but such appeal shall not delay the prosecution of work in said road: provided the company shall first have paid or tendered the amount so assigned by said freeholders, and in no case shall the company be liable for costs on appeal unless the appellant recover a greater amount of damages than first awarded, but the company shall in all cases pay costs made previously to an appeal.

SEC. 3. Non-resident. Be it further enacted, that if upon the location of said road it shall be found to run through the land of any non-resident proprietor, the said company or their assigns shall give four weeks notice to each proprietor, if known, and if not by a description of such land by publication in some newspaper printed in Iowa City and Davenport, that said road has been located through his or her lands and if such proprietors shall not apply to such district judge within thirty days thereafter to have the damages assessed in the mode [24] prescribed in the preceding section, said company or their assigns shall proceed in the same manner to have the damages assessed as in section third, subject to the same right of appeal and upon the payment of the damages so assessed, the company thereby shall acquire all rights, privileges and immunities mentioned in said third section.

Approved January 9th, 1851.

CHAPTER 5.

GUTTENBURGH.

AN ACT to change the name of the towns of Guttenburgh and Guthenberg to Prairie la Porte.

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

SECTION 1. Name changed by a vote. That the names Guttenberg and Guthenberg, of a recorded town, in the county of Clayton, be and the same is hereby changed to Prairie la Porte; providing that this change of name shall be approved by a vote of the legal voters of said town, at the annual election held on the first Monday in April next.

SEC. 2. **Recorded.** It shall be the duty of the judges of the said April election, to cause the result of the vote taken upon the change of name as directed in the foregoing section, to be recorded in the recorder's office in the county of Clayton.

SEC. 3. **Take effect.** This act shall take effect, from and after its publication, in the Du Buque newspapers providing that no expense for the printing of said law, shall be incurred by the state of Iowa.

Approved January 9 1851.

[25] CHAPTER 6.

JOHN WILLIAM BRANZON.

AN ACT to change the name of John William Branzon to William Allen Lett.

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

SECTION 1. **Name changed.** That the name of John William Branzon of the county of Delaware, be and the same is hereby changed, to William Allen Lett, and that he shall hereafter, be known and called by the name of William Allen Lett, which shall be his lawful name: provided such change shall not impair any of his legal rights.

SEC. 2. **Take effect.** This act shall take effect and be in force from and after its passage.

Approved January 9, 1851.

CHAPTER 7.

RAIL-ROAD COMPANY.

AN ACT for the relief of the Rock Island and Lasalle rail road company.

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

SECTION 1. **Depot.** That the Rock Island and Lasalle rail road company, in the state of Illinois, are hereby authorized to build a depot in the town of Davenport, at such place and under such regulations as the authorities of said town may authorize; and to carry freight and passengers to and from said depot across the Mississippi river between Rock Island and Davenport.

SEC. 2. **Western company may purchase.** That when a rail road shall be built, by any rail road company from Davenport towards the western part of this state, said company have the right to purchase said depot in the town of Davenport, and carry freight and passengers in pursuance of the first section of this [26] act, by paying to said company the original cost for said depot, and ten per cent interest thereon, from time of its completion.

Approved January 14th, 1851.