

[53] CHAPTER 23.

PLEASANT PLAIN VACATED.

AN ACT to vacate the town of Pleasant Plain.

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

SECTION 1. Town vacated. That the town of Pleasant Plain, in the county of Jefferson, as established by a survey made in the year 1841, be and the same is hereby vacated.

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

Approved January 21st, 1851.

CHAPTER 24.

PLANK ROAD COMPANY.

AN ACT granting the Burlington and Toolsborough plank road company the right of way.

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

SECTION 1. Right of way. That the Burlington and Toolsborough plank road company is hereby authorized to lay out their road, between the towns of Burlington and Toolsborough, on such grounds as may be deemed suitable for that purpose, including any portion of the public highway: provided, the traveling on such highway is not thereby interrupted.

SEC. 2. Width of road—private property. The quantity of ground to be thus taken, shall be merely a road-way, not exceeding sixty feet in breadth, and when private property is thus taken, a fair equivalent must be paid therefor, before the property can be appropriated by the company.

SEC. 3. Must apply for a jury—deed. When the proprietor of any land thus taken, is legally competent to act for himself, and has received personal notice of the laying of the road through his land, he must within [54] ten days after receiving such notice, apply to the sheriff of the county in which the land lies, for a jury to assess the amount of damages he may sustain, or he shall be held to have accepted of the largest amount of damages offered him by the company, and on the payment or tender of which sum, the company is entitled to a deed for the right of way.

SEC. 4. Minors. If the proprietor of the land is a minor or otherwise incompetent to act for himself, or if he has not been personally served with notice of the laying out of the road as aforesaid, the jury aforesaid must be called for by the company.

SEC. 5. Jurors—time and place and notice to parties. When called upon in either of the above methods, the sheriff must as soon as practicable, summon nine persons qualified to act as ordinary jurors, as between the parties, and who are not interested in a similar question. A time and place must be appointed for the meeting, and reasonable notice thereof given to the parties or agents or guardians, unless they are already acquainted with the facts.