

## CHAPTER 47.

## ACT LEGALIZED.

AN ACT legalizing the acts of Isaac Meyer a justice of the peace of Marshall county.

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

SECTION 1. **Official acts legalized.** That each and every official act performed by Isaac Meyer, as justice of the peace of Marshall county, be, and the same are hereby declared to be as legal and valid in law, as if the said justice had been eligible to be elected to said office, at the time of his election to said office of justice of the peace.

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

Approved, February 4th, 1851.

## CHAPTER 48.

## RIGHT OF WAY.

AN ACT granting the right of way for a graded or plank road from Muscatine to Iowa City.

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

SECTION 1. **Company—right of way.** That Joseph Bennett, Adam Ogilvie, Jacob Butler, John Lemp, John G. Gordon, H. W. Moore, James Weed, William Williams, Jonathan Neidig and —Hershey, and their associates, be, and they are hereby authorized to construct a graded or plank road from Muscatine, in Muscatine county, to Iowa City, in Johnson county, on such ground 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. **Roadway—private property.** The quantity of ground to be thus taken, shall be merely a road way not exceeding sixty feet in breadth, and where private property is thus taken a fair equivalent must be paid therefor, before the property can be appropriated by the said J. Bennett and his associates.

SEC. 3. **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 out of the road through his land, he must within 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 highest amount of damages offered him by the said J. Bennett and his associates; and on the payment or tender of which sum said J. Bennett and his associates, are entitled to a deed for the right of way.

SEC. 4. **Minors and others.** 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 said J. Bennett and his associates.