

city, as an action for debt, with costs of suit, and such fine shall be paid to the person making the complaint.

SEC. 2. This act to take effect from and after its publication in the Council Bluffs Bugle, and Chronotype, without expense to the State.

Approved Jan. 28, 1857.

CHAPTER 180.

HOWARD COUNTY.

AN ACT legalizing the organization of Howard county.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the organization of Howard county, and the official acts of the county and township officers, elected under the present organization of said county, be, and the same are hereby legaliz^{Legalizing.}ed and declared valid to the same extent as if said organization had been in all respects regular.

Approved Jan. 28, 1857.

CHAPTER 181.

STATE ROADS.

AN ACT to establish certain State roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That James B. Cutler, of Winneshiek county; J. P. McKinny, of Winneshiek county; and John G. Pratt, of Allemakee county, be, and they are hereby appointed commissioners, to locate a State road from the residence of J. W. Flint, in section two, T. ninety-eight north, range six west, thence as direct as practicable to the residence of Hon. J. T. Atkins on section twelve, township ninety-seven north, range seven west, thence direct as practicable to the residence of Hon J. D. McKay on section —, ^{Flint's to Bradford.}

township ninety-seven north, range seven west, thence to or near the residence of A. P. Rosa on section seven north, range west, thence direct as practicable to Ft. Atkinson in Winneshiek county, thence direct as practicable to the town of Bradford in Chickasaw county.

Capital to Sac
City.

SEC. 2. That Thomas Cavanaugh, of Polk county; Jas. H. Phillips, of Dallas county; and J. Orr, of Green county, be, and they are hereby appointed commissioners, to locate a State road from Ft. Des Moines in Polk county to Sac City in Sac county, by way of Heirs Grove on Bears Creek, to Buffalo Grove in Boone county, thence by way of the town of Rippley, Jefferson, the county seat of Green county, to the mouth of Cedar Creek, thence on the best route to Lake City in Calhoun county, thence on the best route to Sac City in Sac county.

Capital to Af-
ton.

SEC. 3. That Wm. M. Locke, of Union county; Aaron Hiatt, and David Downs, of Madison county, be, and they are hereby appointed Commissioners to locate a State road from Ft. Des Moines, in Polk county, to St. Charles, in Madison county, thence on the most practicable route to Peru, in Madison county, thence on the best and most practicable route to Atton, in Union county.

Granville to
Newton.

SEC. 4. That E. E. Herbert, of Mahaska county, and Andrew Currier and John R. Sparks, of Jasper county, be and they are hereby appointed commissioners to locate a State road from Granville, in Mahaska county, thence on the nearest and most practicable route to Newton, in Jasper county.

Lewis to Quin-
cy.

SEC. 5. That Westley Spurlock, of Cass county; Charles E. Bell, of Montgomery county, and B. B. Lockwood, of Adams county, be and they are hereby appointed commissioners to locate a State road from Lewis, Cass county, thence to Smith and Bell's mill, on the west branch of the Nodaway river, in Montgomery county, thence to Quincy, in Adams county.

Winterset to
Oceola.

SEC. 6. That B. F. Brown and E. R. Guiberson, of Madison county, and Oliver Perry, of Clark county, be, and they are hereby appointed commissioners to locate a State road from Winterset, in Madison county, to Peru, in said county, and thence to the best and most practicable route to Oceola, in Clark county.

SEC. 7. That L. S. Case and D. Elliott, of the county of Capital to Mar-
 Polk, and M. Barker, of Marshall county, be, and they are shita.
 hereby appointed commissioners to locate and establish a
 State road from Des Moines city, in Polk county, commencing
 at the junction of ninth and Demoine streets, and running
 with the last named street to corporation limits, thence
 on the most practicable route to the bridge across Four
 Mile Creek, in Delaware township, Polk county, thence to
 the county seat of Marshall county, on the most direct and
 practicable route.

SEC. 8. That Aaron Coppuck, Andrew Hubbard and Capital to Bear
 David Bowles, Sen'r, be, and they are hereby appointed Grove.
 commissioners to locate a State road from a point near the
 mouth of Raccoon river, at Fort Des Moines, in Polk
 county, thence in a westerly direction on the south side of
 Coon river, and on the north side of North river, the nearest
 and most practicable route (via) Pennsburg to Dalmanutha,
 at Bear Grove, in Guthrie county Iowa.

SEC. 9. That Dr. A. E. Smith, of Hopkinton, Delaware Dyersville to
 county; Mr. Whipple, county surveyor of Benton county, Capital.
 be, and are hereby appointed commissioners to locate a State
 road from the village of Dyersville, in Delaware county,
 and locate same via Hopkinton, in Delaware county, and
 Vinton in Benton county, to Fort Des Moines, in Polk
 county.

SEC. 10. That James C. Gibbs and Robert Wilson, of Osceola to Sum-
 Adair county, and Thomas C. Clark, of Osceola, in Clark merset.
 county, be, and they are hereby appointed commissioners
 to locate a State road from Osceola, in Clark county, thence
 to William Schroear's mill, in Adair county, thence to
 Summerset, in said Adair county.

SEC. 11. That Evan Jay and Samuel M. Holland, of Mt. Pleasant to
 Henry county, and A. D. Hurley, of Louisa county, be, Wapello.
 and they are hereby appointed commissioners to locate a
 State road from Mt. Pleasant, in Henry county, to Wapello,
 in Louisa county.

SEC. 12. That Hiram Russell, S. M. Lockhart, and John Center Point to
 F. Wilson, be, and they are hereby appointed commissioners Independence
 to locate a State road from Center Point, in Linn county,
 Iowa, to the town of Independence, in Blackhawk
 county, Iowa.

- Montezuma to Toledo.** SEC. 13. That James C. Marshall, of Tama county; and Henry Broadbrooks and Washington Hardin, of Poweshiek county, be, and they are hereby appointed commissioners to locate a State road from Montezuma in Poweshiek county via Brooklin in said county, thence to a point near Enoch's School House in said county, thence on the most direct and practicable route to Eureka in Tama county, thence to Toledo in Tama county.
- Waterloo to Ft Dodge.** SEC. 14. That John W. Lane, of Webster county; C. B. Rosencrans, of Hamilton county; and George Wilson, of Webster county, be, and they are hereby appointed commissioners to locate a State road, from Waterloo in Blackhawk county via Hazle Green, Wheelers or Skunks Grove, Webster City, to Fort Dodge in Webster county.
- Centre Point to Waterloo.** SEC. 15. That Henry G. Whipple, Lewis W. Bryson, and Wm. Bngles, be, and they are hereby appointed commissioners to locate a State road from Centre Point in Linn county, Iowa, via Marysville in Benton county to Brandon, thence to Waterloo in Blackhawk county, Iowa.
- Capital to Leon.** SEC. 16. That Samuel Forrey, of the county of Decatur; John Clark, of the county of Clark; and John McClintock, of the county of Warren, be, and they are hereby appointed commissioners to lay out and establish a State road from Fort Desmoines in Polk county, thence on the most practicable route to Pleasant Plain in Decatur county via Indianola in Warren county, Ocola in Clark county, and Linn in Decatur county.
- Alden to Chain Lakes.** SEC. 17. *Be it enacted by the General Assembly of the State of Iowa,* That N. A. McClure, of Hardin county; H. A. Henderson and Wm. H. Ingham, of Kossuth county, be, and they are hereby appointed commissioners to locate a State road from Alden in Hardin county, running thence to Twin Lakes in Hancock county, thence to Algona in Kossuth county, thence to Chain Lakes in Emmett county.
- Ashton to Dunham Grove.** SEC. 18. That Y. J. Campete, of Crawford county; Hugh Little, of Monona county; and Thomas Howels, of Monona county, be, and they are hereby appointed commissioners to locate a State road from Ashton, Monona county, through Denison, Crawford county, to intersect the State road from Fort Desmoines to Sioux City at Dunham Grove in Crawford county.

SEC. 19. That James H. Brush, of Howard county; E. ^{N. Hampton to} R. Gillett, of Chickasaw county; and George W. Schofield, ^{Odessa.} of Howard county, be, and they are hereby appointed commissioners to locate a State road, from New Hampton in Chickasaw county to the Minnesota line near the village of Odessa.

SEC. 20. That Gurly Baker, Jesse Scott, and Jas. Gray, ^{Sigourney to} Wapello county, be, and they are hereby appointed ^{Ottumwa.} commissioners to locate a State road from Sigourney in Keokuk county via Martinsburgh and Delonega to Ottumwa in Wapello.

SEC. 21. That Thomas B. Davis, of Howard county; James Harvey, of Allemahee county; and N. B. Burdick, ^{Lansing to} of Winneshiek county, be, and they are hereby appointed ^{Howard Cen-} commissioners to locate a State road, from Lansing in Allemahee county, thence as direct as practicable to the residence of J. W. Flint, on section twenty-four, township ninety-eight, range six west, thence as direct as practicable to Freeport in Winneshiek county, thence as direct as practicable to Decorah in said county, thence as direct as practicable to the county seat of Howard county or Howard Centre in the aforesaid county.

SEC. 22. That Riley Sanders, Clark county; H. S. ^{Pleasant Plain} Lasy, of Cass county, and J. Chaprion, of Adair county, ^{to Osceola.} be, and they are hereby appointed commissioners to locate a State road from Pleasant Plain, on the Missouri line, where the State road from Brunswick, Missouri, via Trenton and Princeton, Missouri, ends, and run thence north by way of Leon, to Osceola, in Clark county.

SEC. 23. That Dr. Morrison, of Cass county, and ^{Hickory Pole} George B. Wilson, of Adair county, and William Easton, ^{to Dr. Morris-} of Adair county, be, and they are hereby appointed ^{son's.} commissioners to locate a State road as follows: Commencing at a certain hickory pole, in section 36, township 77, range 31, at a point where the State road leading from Fort Des Moines to Plattsburgh, in Adair county, where the Winterset, and Council Bluffs road intersects the run on said road, to a stake near George B. Wilson's, called Wahtawah, thence west to or near James Ray's, on the nearest and best route, thence on the most practicable route to Dr. Morrison's in Cass county, there to intersect the State road

leading from Fort Des Moines to Wahtawah, in Adair county, where the Winterset and Council Bluffs road intersects, to run on said road to a stake near George B. Wilson's, called Wahtawa, thence west to or near James Kay's, on the nearest and best route, thence on the most practicable route to Dr. Morrison's, in Cass county, there to intersect the State road leading from Ft. Des Moines to Council Bluffs, and disannul so much of the State road leading from Winterset to Council Bluffs, by way of Wahtawah, from the above described hickory pole, to Alfred Jones', in Adair county, Iowa

Brighton to
Oskaloosa.

SEC. 24. That Manning B. Mills, of Washington county; William Effner, of Keokuk county, and John Cunningham, of Mahaska county, be, and they are hereby appointed commissioners to locate a State road from Brighton, in Washington county, thence by the nearest and best route to Richland, in Keokuk county, thence the nearest and best route to Oskaloosa, in Mahaska county.

Sec. 5. T. 77, R
8, W. to Mus-
catine.

SEC. 25. That Marcus Hull, of Washington county, is hereby appointed a commissioner to locate a State road from the north-west corner of the N. E. quarter of the N. E. quarter section 5, township 77 north, range No. 8 west of the 5th P. M., southwardly, to intersect the State road running from Wassonville, in Washington county, to the city of Muscatine, and that so much of the State road as lies on the section line between the counties of Washington and Johnson, and being west of the north-west corner of the north-east quarter of the north-east quarter of section five, township seventy-seven north, of range No. eight west of the fifth P. M., be, and the same is hereby declared vacated.

Wassonville to
Iowa City.

SEC. 26. That Marcus Hull, of Washington county, and Isaac V. Dennis, of Johnson county, be, and they are hereby appointed commissioners to re-locate and establish that part of the State road from Wassonville to Iowa City, commencing at a point where the road as now located, leaves the road from Wassonville to Muscatine, running thence north-easterly, with said Wassonville and Muscatine road, to the east line of section six, township 77 north, range 8 west of the 5th P. M., thence north with the section line, to intersect the route of the road first aforesaid, as now located.

Camanche and
Anamosa.

SEC. 27. That the location of the Camanche and Anamosa State road, be so changed as to run from the point where said road now diverges from the east line of the south-west quarter of section thirty-four, township eighty-two north, range five east of the fifth principal meridian, directly north to the north-east corner of the south-west

quarter of said section, thence west till it intersects the line of said road as now located.

SEC. 28. That Robert A. Venable, Allen Pearson, and Luther Burt, of Marion county, be, and they are hereby appointed commissioners to locate a State road from the city of Knoxville, to Gosport, in Marion county.

SEC. 29. That Broomfield Long and Joseph Davis, of Marion county, and S. S. Walker, of Lucas county, be, and they are hereby appointed commissioners to locate a State road from Bellefontain, in Mahaska county, via Attica and Gosport, to Chaiton, in Lucas county.

SEC. 30. That Robert Wharton, Noah Whittock and Levi Clearwater, be, and they are hereby appointed commissioners to locate a State road from the ferry landing on the west side of the Des Moines river, at Eddyville, thence following the road now travelled until it reaches Coal Creek, near Esquire Harriot's, thence on the line between sections No. twelve and thirteen, in township No. 74 north, of range No. 17 west of the 5th principal meridian, and following said line westward, crossing Cedar Creek near A. B. Lyman's in township No. 74 north, of range No. 18 west, and continuing on said line westward, until it intersects the road leading from Marysville to Attica, via Benj. S. Davis' and Joseph B. Davis', to Attica, in Marion county.

SEC. 31. That John Carenall, of Wapello county, Henry Bowman, of Marion county, and John Grun, of Warren county, be, and are hereby appointed commissioners to locate a State road from Eddyville, in Wapello county, and running by Attick and Lewis Harlan's to Indianola, in Warren county.

SEC. 32. That the commissioners above appointed to locate each respective road, or a majority of them, shall meet on the first Monday in July, A. D. 1857, or within six months thereafter, at the first point mentioned in each proposed road, or some other point, if agreed upon, and taking to their assistance a surveyor and the necessary chainmen and markers, and after having been sworn to the faithful discharge of their duties respectively, shall proceed to perform the same according to law.

SEC. 33. The commissioners, surveyors and hands to be

Knoxville to
Gosport.

Bellefontain to
Chaiton.

Eddyville to
Attica.

Eddyville to
Indianola.

Meeting.

Compensation.

paid as provided by the law in such cases made and provided; but the State shall in no case be liable for any part of the expense incurred in the location of said roads.

SEC. 34. This act shall take effect and be in force from and after its passage.

Approved January 28, 1857.

CHAPTER 182.

RAILROAD GRANT.

AN ACT supplement to an act entitled an act to accept the grant and carry into execution the trust conferred upon the State of Iowa by an act of Congress, entitled an act making a grant of land to the State of Iowa in alternate sections, to aid in the construction of railroads in said State, approved May 15th, 1856, which said act of the Legislature of Iowa was approved July 14, 1856.

Disposition of lands. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the said companies may make such disposition of the lands granted by the act to which this is a supplement, by mortgage or deed of trust, as may be deemed proper for the purpose of securing any amount of construction bonds necessary for the completion of such roads; which may bear such rate of interest not to exceed ten per cent per annum, and may sell the same for the best price that can be procured. Said companies, nor either of them, shall ever be allowed to plead that such bonds are usurious or invalid: *Provided,* that the monies realized from the sale of the bonds aforesaid shall be applied exclusively to the construction and equipment of said roads.

Lien of Mortgage. SEC. 2. Any mortgage or deed of trust made upon the lands, roads, or the property of either, shall bind and be a valid lien upon all the property mentioned in such deed or mortgage including rolling stock; and the purchasers under a trustees sale or foreclosure of mortgage, shall have and enjoy all the rights of a purchaser on execution sale: *Provided further,* that nothing contained in this act shall be so construed as in any manner to inrerfere with, change or modify the rights of this State or of the United State to any lands granted by Congress to this State and by this State to