

[Chap. 60.]

AN ACT for the relief of certain administrators.

Henley's administrators to sell estate.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That W. A. Richardson, of the county of Schuyler, and state of Illinois, administrator of the estate of the late Benjamin V. Henley, of the same county and state, is hereby authorized to dispose at public auction of all the estate real, situate in the town of Fort Madison, in this territory, belonging to the estate of the aforesaid Henley, deceased.

Clarke's administrators to sell.

SEC. 2. That the administrators of the estate of the late B. W. Clarke, of Scott county, in this territory, are hereby authorized to sell any portion, not exceeding one half, of the estate of the said Clarke, deceased, and to invest the proceeds of the same in good securities, at an annual interest not exceeding twenty per cent.

Approved January 16, 1840.

[Chap. 61.]

AN ACT to authorize John Troxell to erect a dam across Big Cedar, in Jefferson county.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That John Troxell, his heirs or assigns, are hereby authorized to erect and keep a dam across Big Cedar, at a point where the said Troxell has commenced building a mill on said creek, in the county of Jefferson.

Wilful injury misdemeanor.

SEC. 2. Any person who shall destroy or in any wise injure said dam, shall be deemed to have committed a trespass and shall be liable accordingly, and any person who shall wilfully or maliciously destroy or injure said dam, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined treble the amount of damages the owner may have sustained, or be imprisoned at the discretion of the court.

Not to flow lands.

SEC. 3. Nothing herein contained shall authorize the individual named in this act, his heirs or assigns, to enter upon and flow the lands of any person without the consent of such person, and they shall remove all such nuisances as may be occasioned by the erection of said dam, which may endanger the health of the vicinity of said mill.

Approved January 16, 1840.