

[Chap. 62.]

AN ACT to authorize Joseph Clinkenbeard 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 Joseph Clinkenbeard, his heirs or assigns, are hereby authorized to erect and keep a dam across Big Cedar, at a point where the said Clinkenbeard has commenced building a mill on said creek, in the county of Jefferson.

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. ^{Wilful injury misdemeanor.}

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 persons, 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. ^{Not to flow lands.}

Approved January 16, 1840.

[Chap. 63.]

AN ACT to establish a territorial road from Bloomington by Point Comfort, to the western line of Washington county.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That A. H. Haskell and Cyrus Cox, of Washington county, and James Edgington, of Muscatine county, be and they are hereby appointed commissioners to lay out and establish a territorial road from Bloomington, in Muscatine county, by point Comfort, two miles south of the mouth of English river, to the western line of Washington county, north of English river. ^{Commissioners. Route.}

SEC. 2. Said commissioners shall meet at the town of Bloomington, on the first Monday of July, eighteen hundred and forty, or at such time during the year eighteen hundred and forty, as the said commissioners shall agree.

Approved January 16, 1840.