

or refuses to pay damages and costs, it shall be the duty of the court before whom such judgment was rendered to imprison the defendant not less than ten days nor more than two months.

SEC. 4. That hereafter if any person knowingly enter on the lands belonging to another person, fall, box, bore, or carry away any timber, stone, or stone-coal, or minerals of any description, the person so offending shall forfeit and pay double the value of such timber, stone, stone-coal, or minerals, to be recovered, together with costs of suit by the person injured, before any justice of the peace or any court having jurisdiction thereof. ^{On other lands, penalty}

SEC. 5. That all persons heretofore and now living and who have made improvements on the sixteenth section or school lands, shall be entitled to the use of such timber as is necessary to keep up fences, repair buildings, fire-wood, &c: *Provided however* They shall not be allowed by the trustees to make use of timber in any other way than for repairing their improvements on the sixteenth section. A departure from the above provision by any occupant on the sixteenth section, shall subject him or her to the same penalties as other trespassers on the sixteenth section or school lands. ^{Occupants to have firewood}

SEC. 6. That if any person or persons shall, without proper authority, cut down, injure or destroy any living ornamental tree or trees either planted or preserved, standing or growing on any commons or public ground, or any street, alley, sidewalk, avenue, or promenade, every such person or persons so offending, shall, on conviction thereof, be fined in any sum not exceeding two hundred dollars, and shall moreover be liable to the action of the party injured in double damages. ^{Trespass on public grounds, penalty.}

SEC. 7. This act to take effect and be in force from and after its passage.

Approved January 17, 1840.

[Chap. 79.]

AN ACT to authorize the keeping of certain Ferries therein mentioned.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That the persons herein named and their heirs and assigns respectively, be and they are hereby authorized to keep ferries at the places hereinafter designated for

the term of twenty years from and after the passage of this act, to wit:

SEC. 2. Angus M. Anderson, a ferry across the St. Peter's river at its mouth, with the exclusive privilege for the distance of two miles up and along said river.

SEC. 3. Joseph R. Brown a ferry across the Mississippi river at the place called Massey's Landing, opposite Rejection in Wisconsin territory, with the exclusive privilege for the distance of one mile along the same each side of said ferry.

SEC. 4. Henry C. Mencke a ferry across the Mississippi river, above and near the Falls of St. Anthony, with the exclusive privilege for the distance of five miles up the river above said falls: *Provided*, That each of the persons hereinbefore named shall, within one year after the passage of this act, provide and keep at their respective ferries above specified good and sufficient flat boats for the transportation of all persons and their property without delay.

To keep boats

Subject to
general law.

SEC. 5. And provided further, that the said ferries shall be under the same restrictions and subject to the same regulations as other ferries by the laws of this territory fixing the rates of toll and prescribing the manner in which licensed ferries shall be kept and regulated.

SEC. 6. This act to be in force from and after its passage.

Approved January 17, 1840.

[Chap. 80.]

AN ACT defining the duties of supervisors of roads and highways.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That all male persons between twenty-one and fifty years of age, who have resided one month in this territory, and who are not a county or township charge or otherwise exempt by law, shall be liable yearly and every year to do and perform three days work on the public roads, under the direction of the supervisor within whose district they may respectively reside.

Persons liable
to labor.

Delinquent—
penalties.

SEC. 2. That it shall be duty of every supervisor to order out every such person resident as aforesaid, between the first days of April and October annually, to do and perform the work aforesaid on the public roads within his district; and if any such resident