

ens, and A. C. Price, be released from all liability on a Release upon certain recognizance entered into by them in July 1856, recognizance. before W. H. Keith, a justice of the Peace in and for Keokuk county, Iowa, for the appearance of Willis Clemens at the next term of the District Court of said county, and on which recognizance a judgment was rendered on the 27th day of November A. D. 1858, in said District Court; and the District Attorney of the 6th Judicial District of the State of Iowa, is hereby authorized to enter satisfaction in full of said judgment, provided the costs thereon shall first have been paid.

Sec. 2. This Act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Daily State Register and Des Moines Times.

This Bill having remained with the Governor three days (Sunday excepted,) the General Assembly being in session, has become a law this 19th day of March, 1862.

ELIJAH SELLS, Secretary of State.

I hereby certify that the foregoing Act was published in the Daily Register March 21st, 1862, and in the Des Moines Times, March 29th, 1862.

ELIJAH SELLS, Secretary of State.

CHAPTER 44.

BROWN AND ALLENDER.

AN ACT to provide for a full settlement of all claims, rights and liabilities between the State of Iowa and James A. Brown and George C. Allender.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That from and after the acceptance of the warrants provided for under this Act, by Jas. A. Brown and George C. Allender, of Van Buren County, Iowa, the entire interest of the State in any lands on the north or Bentonsport side of the Des Moines river in said County, held or owned by the State for the purpose of keeping up a water power at that place, be and the same is hereby released unto the said James A. Brown, his heirs and assigns; and the entire interest of the State in any lands on the south or Vernon side of said river at the same place held or owned by the State for the purpose of
 Release to Brown and Allender.

pose of keeping up a water power at that place, be and the same is hereby released unto the said George C. Allender and his heirs and assigns.

Sec. 2. That from and after the acceptance of the warrants provided for under this Act, the said State shall and does hereby release unto the said Brown and Allender the entire interest in the dam and water power now held by said State across said river at said point whether the same is now leased by said State to the said Brown and Allender, or any other person or persons, and all interest thereto not leased.

Locks and
Dams to be
kept in repair
by Brown
and Allender.

Sec. 3. The said Brown and Allender, their heirs and assigns, shall be and are hereby required to keep in repair the lock on the dam now built across said river at the point aforesaid, and keep the same in the same condition for the passage of boats as now provided for by law, or by any decree of court, or by any lease or leases now held by any person or persons from the State or any authorized agent thereof, and shall receive the same toll therefor as is now or may hereafter be provided for by law, from boats passing through said lock, and shall, after the first day of September next, be liable to any person injured by delay or damage caused to any boat by reason of their failure to comply with the provisions of this Act, and shall, in every respect, take the place of the State in keeping up the said dam and lock.

Reasonable
time given
for repairs.

Sec. 4. In case any serious breakage shall hereafter occur in said lock or dam, the said Brown and Allender, their heirs and assigns, shall not be held liable for any damage that may occur, until they shall have had a reasonable time for the replacing or repairing of the same, but they are required to keep the said lock and dam in as good condition as now required as aforesaid, and in case they shall fail to comply with any of the provisions or requirements of this Act to be by them performed, the General Assembly of the State of Iowa shall have the power by law to resume any interest herein released, and to provide for the removal of the said dam and lock, or keep the same in repair as may be deemed expedient without the intervention of a court, and without a claim against said State for damages.

Materials re-
leased to
Brown and
Allender.

Sec. 5. The said State of Iowa hereby releases to the said Brown and Allender any interest now held by said State in any materials now on hand at Farmington and Lowaville and undisposed of, prepared for the improvement of the navigation of said Des Moines river, so far as may be required to repair, and to keep in repair, said dam and locks.

SEC. 6. Upon the acceptance of the said warrants the lease to the said Brown is canceled, and the decree of the court in favor of said Allender is satisfied, and all claims of every kind, by lease, decree, deed, on account, or otherwise that the said Brown and Allender or either of them have had or may have had, or may have against said State are fully satisfied. They release all claims against the State.

SEC. 7. The said Brown and Allender shall have the right to sue for and recover rent under any lease now held by said State, and any portion of said water power, and shall be required to comply with all the requirements of any such lease now outstanding between said State and any third party, the same as if the lease was made between said party and the said Brown and Allender. May recover rent.

SEC. 8. There is hereby appropriated out of any moneys in the Treasury of the State, not otherwise appropriated, the sum of thirty thousand one hundred and forty-two dollars and sixty-three cents, and the Auditor of State is hereby required to draw warrants therefor upon the written application of the said Brown and Allender to the said Brown and Allender, one half to be payable in six months and the balance in equal parts in one and two years thereafter, with interest at the rate of six per cent.; and the taking and accepting of said warrants, or any part thereof, by the said Brown and Allender, shall be by them an assent to all the provisions of this bill in every particular, and shall bind them to perform all the requirements of the same, and shall authorize the General Assembly to resume the rights hereby granted or released, without reviving any of the rights of said Brown and Allender, as hereinbefore fully provided. \$80,142.68 appropriated to said Brown and Allender.

SEC. 9. The said Brown and Allender, before they or either of them shall be entitled to any warrant for any money appropriated by this Act, shall procure and file in the office of the Secretary of State, a release to the State of Iowa, by George Green, Willis N. Bragg, James Green, and Green, Bragg & Co., of all liabilities, demands or claims, which the said parties or either of them may hereafter have against the State of Iowa, under any contract or lease or sub-lease with the State of Iowa, or Brown and Allender, or other parties for the use of said water-power, and the said dam, hereinbefore referred to, at Bentonsport or Vernon on said Des Moines river; said release to be approved by the Attorney General of the State. Brown and Allender to file release of sundry persons.

SEC. 10. The written application for said warrants shall specify the amount of warrants that shall be issued

Written applications for Warrants.

50,000 acres of land not released.

in the name of Allender, and the amount of warrants in the name of Brown, and a copy thereof filed with the Secretary of State: and such application shall be made within thirty days from the time of the taking effect of this act, and any act conflicting herewith is hereby repealed.

SEC. 11. That nothing herein contained shall be construed as a release or relinquishment of any interest or claim of the State upon the fifty thousand acres of land above the Raccoon Fork of said River, which have heretofore been reserved and set apart for the payment of the debts of the Des Moines River improvement which were assumed by the State, and the State shall have the right to reimburse itself therefrom for the payment herein made, in the event of the State acquiring the title to such lands.

SEC. 12. This Act being deemed of immediate importance shall take effect and be in force from and after its publication in the Daily State Register and Des Moines Daily Times, papers published in the City of Des Moines Iowa, anything in the laws of Iowa to the contrary notwithstanding.

Approved March 20th, 1862.

I hereby certify that the foregoing Act was published in the Daily Iowa State Register and Des Moines Daily Times, March 22nd, 1862.
ELLJAH SELLS, Secretary of State.

CHAPTER 45.

BLIND ASYLUM AT VINTON.

AN ACT making further Appropriations for completing the Blind Asylum at Vinton.

Appropriating \$10,000 to complete building.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That there is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of ten thousand dollars, to complete the Blind Asylum at Vinton, in compliance with a contract entered into by the Commissioner of said Blind Asylum, approved by the Governor, with Messrs. Finkbine & Lovelace, of Iowa City, according to the provisions of section five, Chap. 144 of the laws of the 8th General Assembly.