

[36] CHAPTER 37.

MILL DAM.

AN ACT to authorize David Sterritt, his heirs and assigns to build a dam across the Pittsburg chute of the Iowa river, and a mill race from thence to Wapello.

Be it enacted by the General Assembly of the State of Iowa,

SECTION 1. **Mill race and dam authorized.** That David Sterritt, of the county of Louisa in said state, his heirs and assigns, are hereby authorized to construct a canal or mill race, not exceeding in width one hundred feet, from any eligible point of the Pittsburg chute of the Iowa river, on the best practicable route to intersect the said Iowa river at a point in or near England's addition to Wapello in said county, running through a part of block number seventeen, and the northern part of Water street, in said England's addition to Wapello, with the privilege of constructing a dam across said Pittsburg chute, and the right to use the water power acquired thereby, and the right of way into and upon any lands along the line of said race, for the purpose of constructing and keeping the same in repair.

SEC. 2. **Damages to lands.** If the proprietor of any land through which said race is to pass, or on which any part of the said dam may be located, shall refuse to consent to the same, such refusal shall not prevent the construction of the said dam or race; provided, the said Sterritt, his heirs or assigns, shall pay the damages occasioned thereby, to be determined by the district court of said county, in like manner as other cases are tried and determined.

SEC. 3. **Act may be altered.** This act may be altered or repealed at any time by the general assembly of Iowa, and shall take effect from and after its publication.

Approved, January 24, 1848.

CHAPTER 38.

EDWARD FOSTER.

A BILL for the relief of Edward Foster.

Be it enacted by the General Assembly of the State of Iowa,

SECTION 1. **Debt remitted.** That the balance of the debt due the state of Iowa, from Edward Fos-[37]ter, for the purchase of lot No. seven (7,) in block No. seventy-nine, (79,) in Iowa City, is hereby remitted.

SEC. 2. **When to take effect.** This act to take effect and be in force from and after its publication.

Approved, January 24, 1848.