

- Van Buren.** To Henry Heffleman, sheriff of Van Buren county, fifty dollars.
- Louisa.** To Martin Harless, sheriff of Louisa county, fifty dollars.
- Jackson.** To William A. Warren, sheriff of Jackson county, fifty dollars.
- Cedar.** To J. W. Tallman, sheriff of Cedar county, fifty dollars.
- Clayton.** To J. B. Griffith, sheriff of Clayton county, fifty dollars.
- Johnson.** To Samuel C. Trowbridge, sheriff of Johnson county, twenty-five dollars.
- APPROVED, January 25, 1839.

STEAM BOATS.

AN ACT to prevent disasters on steam boats, navigating the waters within the jurisdiction of the Territory of Iowa.

- Duties of masters, as regards officers, crew, boilers, engine, tackle, &c.** *SEC. 1. Be it enacted by the Council and House of Representatives of the Territory of Iowa.* That it shall be the duty of the owners, of steam boats, navigating on the rivers and lakes within the jurisdiction of this Territory, to have a competent master, officers, and crew on board, and to have a substantial and sufficient engine, boiler, or boilers, and to have the same, at all times, in good and safe order and condition, and have the vessel supplied with all necessary boats, tackle and furniture, and in every respect sea worthy.
- Boats, ascending and descending, how regulated, in passing each other.** *SEC. 2.* In ascending and descending navigation, the said boats shall conform to the following regulations: The descending boat shall keep the shore, or bar, she may be on, until the ascending boat passes, and, when both boats are running, the descending boat shall keep the middle of the channel, or in the deepest water, and, in all cases, when it is practicable, leave room for the ascending boat to pass on either side.
- Boats passing in narrow channels, and in the night, how managed.** *SEC. 3.* When two boats meet in a contracted part of the river, or in any narrow, or intricate channel, both boats shall stop their engines, or work them very slow, until they pass each other, and in the night time the descending boat shall not take any of the small chutes, but shall keep the main channel, in order to avoid the ascending boats.
- Duty of passengers, in the** *SEC. 4.* It shall be the duty of the masters, and officers of all steam boats, to keep their vessels, at

all times, well and steady trimmed, and particularly in coming to and departing from shore, and for that purpose the passengers and all others on board the boat shall strictly obey the directions of the master, or officers on watch, and keep the place, or position, they may be directed, and under such pecuniary fine, or penalties, as the rules and regulations of the boat, in that behalf, shall impose, which rules and regulations shall be constantly kept up, in at least five conspicuous and different parts of the boat.

observance of rules.

Rules kept up.

SEC. 5. The master, and owners, shall be severally and jointly responsible for all damages which any person may sustain by the neglect, or refusal to comply with the requisitions of the foregoing section.

Responsibilities of masters and owners.

SEC. 6. If any loss of life shall ensue, from any neglect, or refusal on part of the officers, the officers on watch and conducting the boat at the time, shall be deemed guilty of the crime of manslaughter, and upon conviction thereof, shall be punished accordingly.

Loss of life from negligence. &c.

Penalty.

SEC. 7. It shall not be lawful for steam boats to run races, for the trial of speed, or for any other purpose, and the owner and officers, severally and jointly, shall be liable and responsible for all damages which any one may sustain, from any accident, or casualty, which may happen during said race.

Racing prohibited, and accountability thus incurred.

SEC. 8. And, moreover, in case of loss of life, or lives in consequence of said racing, the master of the boat, or person, or persons, having command thereof for the time being, shall be deemed guilty of a high crime and misdemeanor, and, on conviction thereof, shall be fined in a sum not exceeding five thousand dollars, nor less than five hundred dollars, or imprisoned for any time not exceeding ten years.

Loss of life, occasioned by racing, and penalties here-by incurred.

SEC. 9. That, in landing passengers from steam boats, the master shall cause the vessel to be brought to shore, whenever practicable and convenient, and especially when females, or children, are to be landed; and whenever impracticable, or decidedly inconvenient so to do, may land the passengers in good, sufficient, and comfortable boats, to be at all times kept for that purpose, and managed by a sufficient number of civil, competent and careful men, and during the time of disembarking from the steam boat, into the small boat, and of leaving the vessel, the engine shall be stopped, and the speed of the vessel checked.

Landing of passengers, and duties of steam boat masters herein.

Penalties for a violation of the preceding section.

SEC. 10. Any neglect or refusal to comply with any of the requirements of the preceding section, shall subject the owners and masters of the boat to the payment of all damages that may result to any person, or persons, from such neglect, or refusal; and, in the event of loss of life thereby, the master or officer, in command of the boat for the time being, shall be deemed guilty of a high misdemeanor, and be punished as is provided for in the eighth section of this act.

Gunpowder as freight, how and where to be stored; and

SEC. 11. It shall be the duty of the master, and officers, of any steam boat carrying gunpowder, as freight, to store the same in the safest part of the vessel, and separate and apart from articles liable to spontaneous combustion, and where, in discharging the cargo, it will not be necessary to carry any lighted lamp, torch, or candle, and the master and officers failing to comply with the provisions of this section, shall forfeit one hundred dollars each, for every time the same shall be so neglected, which may be recovered by action of debt, the one-half to the person who shall sue for the same, and the other half to the use of the county, and shall, moreover, be liable for all damages which may happen to any person by reason of such neglect or failure.

penalties for neglect, or failure to comply herewith.

Duty of passengers, and others, as to gunpowder on steamboats.

SEC. 12. It shall not be lawful for any person, or persons, to put, or keep any gun powder on any steam boat, without first giving the master, or officers, notice thereof, and any person or persons, so offending, shall be liable to pay the sum of one hundred dollars, to and for the use of any person who may sue for the same, in an action of debt, before any court having jurisdiction thereof, and, moreover, the person or persons so offending, shall be liable for all damages, which may happen to any person thereby

Penalty and damages.

This act to be printed and put up in steam boats.

SEC. 13. Copies of this act shall be printed, and put up in frames, and kept publicly placed in the cabin, and steerage of each steam boat, navigating the rivers or lakes within the jurisdiction of this Territory, and a failure to comply with these provisions, shall subject the master and owners to a penalty of one hundred dollars for each day the same shall be omitted, to be recovered in an action of debt, before any tribunal having jurisdiction thereof, one-half to the use of the county in which the suit shall be brought; and the other to the use of the person, who may sue for the same.

Penalty for neglecting this requirement.

SEC. 14. Any complaint, suit, or indictment, under this act, may be commenced, found and maintained in any county along, or through which said steam boat, on her trip, usually passes.

Where suit may be brought under this act.

SEC. 15. This act to take effect from and after its passage.

When to take effect.

APPROVED, January 4, 1839.

COUNTY SURVEYORS.

AN ACT defining the duties of county surveyors.

SEC. 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That there shall be elected, in each county in this Territory, at the first general election, one county surveyor, and it shall be the duty of the Governor to commission such person, so elected, who shall continue in office two years from the time of his election: *Provided,* That an absence from the county six months, at any one time, shall be considered sufficient cause to declare the office vacant, unless the surveyor's family continue to reside in the county.

County Surveyors to be elected, commissioned, and continue in office two years. Absence from the county.

SEC. 2. Each and every surveyor shall, previous to entering on the duties of his office, take an oath, that he will faithfully and impartially discharge the duties of his office, to the best of his skill and judgment, without favor or affection, which oath may be administered by any judge or justice of the peace, in the county, and shall be endorsed on his commission.

Oath, and by whom it may be administered.

SEC. 3. Each and every county surveyor may appoint one or more deputies, who shall take an oath, similar to the one taken by the surveyor himself, and the surveyor shall be responsible for the official acts of his deputy.

Appointment of deputies.

SEC. 4. It shall be the duty of the said county surveyor to make all surveys, within the bounds of his county, that he may be called on to make, either by himself, or deputy, properly authorized by him, and competent to perform the same, within a reasonable time after application is made to him.

Duty of Surveyor.

SEC. 5. All chain men necessary shall be employed by the person wanting surveying done:—They shall be good and disinterested persons, to be approved of by the surveyor, and they shall be sworn by the surveyor to measure justly and exactly to the best of their knowledge.

Chainmen to be sworn.