

SEC. 9. That the House, when so organized, shall appoint a committee of elections, by ballot or viva voce, as a majority present shall determine, to consist of five members, who shall forthwith proceed to examine the credentials of the members and all contested elections, (if any,) and report the same to the House.

SEC. 10. That after the decision of all cases of contested elections, the House shall proceed to elect a speaker, chief clerk, and other officers to continue during the session.

Approved January 16, 1840.

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[Chap. 67.]

AN ACT to authorize Adam Ritchie to erect a dam across Crooked Creek, in Henry county.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That Adam Ritchie is hereby authorized to erect a dam across Crooked Creek, in Henry county, in said territory, at a point on section six, township seventy-three north, range five west, which shall not exceed eight feet above low water mark.

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.

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 person, 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.

Approved January 16, 1840.