

[Chap. 22.]

AN ACT in relation to that portion of Country which is attached to the several organized Counties in this Territory for judicial purposes.

SECTION I. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That all the country that is at present, or may hereafter be attached to any of the organized counties in the Territory, be, and the same is hereby attached for revenue, election and judicial purposes, and the inhabitants thereof shall be entitled to and enjoy all the rights and privileges of the county or counties to which they are attached that they would be entitled to were they citizens proper of some organized county.

Inhabitants to enjoy rights common to citizens of organized counties.

Proviso.

SEC. 2. *Provided,* That nothing herein contained shall be so construed as to authorize the authorities of any county in this Territory to lay out or open any public road or highway, or to make any public improvement whatever beyond the line to which the Indian title to the land has been or may hereafter be extinguished.

SEC. 3. This act to take effect from and after its passage.

APPROVED, July 28, 1840.

[Chap. 23.]

AN ACT to authorize Peter Brewer, his heirs or assigns, to erect a Dam across Skunk River.

SECTION I. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That Peter Brewer, his heirs or assigns, are hereby authorized to construct a Dam across Skunk River at or near the mouth of Long Creek, in Des Moines county; said Dam shall contain a convenient lock not less than seventy-five feet in length, and not less than fifty feet wide, for the passage of steam, keel, and flat boats, and rafts and other water crafts.

To erect dam.

Lock to admit steam boats, &c.

Owner to pass boats through free.

SEC. 2. It shall be the duty of the person authorized in the preceding section of this act to build said Dam, at all times to keep the lock in the same in good repair, and he shall at all reasonable times pass all steam, keel, and flat boats, rafts and other water crafts, through free of toll without any unnecessary delay. Any person who shall be unnecessarily

detained shall be entitled to recover of said owner or owners double the amount of damages they shall prove to have sustained by reason of such detention.

Penalty of detention.

SEC. 3. Any person or persons who shall destroy or in any wise injure said Dam or lock 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 or lock, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined treble the amount of damages the owner or owners may have sustained, or be imprisoned, at the discretion of the court, *Provided* such imprisonment does not exceed six months.

To injure said dam deemed a trespass; to wilfully destroy, a misdemeanor; how punished.

SEC. 4. Nothing herein contained shall authorize the individual named in this act, his heirs or assigns, to enter upon and flow the land or lands, of any person without the consent of such person or persons, and he shall remove all such nuisances as may be occasioned by the erection of said dam which may endanger the health of the vicinity.

Not to flow lands without consent; and to remove all nuisances.

SEC. 5. The Legislature of the Territory (or State) may at any time alter or amend this act so as to provide for the navigation of said river, *Provided* nothing in this act contained shall authorize the individual, his heirs or assigns, to in any wise injure the mill of Levi Moffitt, his heirs or assigns, by back water.

Right of repeal reserved.

APPROVED, July 29, 1840.

[Chap. 24.]

AN ACT for the relief of William W. Hadden.

SECTION I. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That the county commissioners of Van Buren county are hereby authorized to investigate the claims of the said William W. Hadden, on the quarter section of land selected for county purposes, taking into consideration the advantages as well as the disadvantages accruing to the said Hadden by said selection, and the location of the county seat thereon, and deal with the subject as justice and equity seem to require, all the circumstances therewith connected duly and impartially considered.

Commissioners to investigate.

APPROVED, July 29, 1840.