

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.