

[7] CHAPTER 8.

AN ACT authorizing Walter Terrill to build a mill dam across the Iowa river, near Iowa City.

Be it enacted by the Council and House of Representatives of the Territory of Iowa:

SECTION 1. Construction of dam authorized—dam to be completed in three years. That Walter Terrill is hereby authorized to construct a dam across the Iowa river, in Johnson county, at a point on the southwest quarter of section number three, in township number seventy-nine north, and range number six west, which dam shall not exceed five feet above the ordinary low water mark; and provided said dam be completed within the term of three years from the passage of this act.

SEC. 2. Penalty for injury done to dam. Any person who may injure or destroy 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 and imprisoned at the discretion of the court.

SEC. 3. Lands, etc., of others not to be injured. Nothing herein contained, shall authorize the individual named in this act, his heirs or assigns, to enter upon and flow the lands or mill wheels of any person, without the consent of such person; 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 of said dam.

SEC. 4. Right to repeal reserved. The Legislature of this Territory reserve to themselves the right to alter or amend this act, so as to provide for the navigation of said river by lock or otherwise.

Approved December 15, 1840.

CHAPTER 9.

AN ACT to divorce Elizabeth Jones from her husband, Berry Jones.

Be it enacted by the Council and House of Representatives of the Territory of Iowa:

SECTION 1. That the marriage contract heretofore existing between Elizabeth Jones and Berry Jones, be and the same is hereby dissolved; and that hereafter she be called and known by the name of Elizabeth Massengill.

Presented to the Executive, December 16, 1840.

[8] CHAPTER 10.

AN ACT supplementary to an act defining the duties of county surveyors, approved December 25, 1838.

Be it enacted by the Council and House of Representatives of the Territory of Iowa:

SECTION 1. Duty of county surveyors. That it shall be the duty of all county surveyors of this Territory to furnish themselves with a good compass of Rittenhouse construction, the needle of which shall be not less than five