

county, may, if they think proper, grant licenses to any person or persons, to keep a ferry or ferries across English river in said county, without compelling such person or persons to pay license; such ferry or ferries shall be in all other respects regulated according to the provisions of the law regulating ferries.

SEC. 2. This act to be in force from and after its passage.

Approved, 10th February, 1843.

## CHAPTER 52.

### HENRY COUNTY.

AN ACT authorizing the election of an additional justice of the peace and constable in Centre township, Henry county.

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

SECTION 1. **Authority to elect additional justices of the peace and constables given—Time and manner, and place of election.** That the voters of Centre township, Henry county, be and they are hereby authorized to elect on the first Monday [47] of April next, and at each annual meeting thereafter, an additional justice of the peace and constable, in and for said township, the said election to be conducted in every particular the same as that of other township elections.

SEC. 2. This act to take effect and be in force from and after its passage.

Approved, 10th February, 1843.

## CHAPTER 53.

### DAM.

AN ACT to authorize Isaac R. Campbell and others, to construct a dam across the Des Moines river, in the county of Lee.

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

SECTION 1. **Isaac R. Campbell and others to erect a dam across the Des Moines river—location, dimensions of dam and lock—time of completion of same.** That Isaac R. Campbell and company be and they are hereby authorized to construct a dam across the Des Moines river, in the county of Lee, so far as the jurisdiction of the territory of Iowa extends on said river, on the southeast quarter of section one, in township sixty-six north, range seven west, in the county of Lee: provided, the said Isaac R. Campbell and company shall, before they proceed to construct said dam, erect a good and sufficient lock for the purpose of letting boats of all kinds through said dam safe without delay. Which dam shall not exceed five feet above low water mark, and shall contain a convenient lock not less than one hundred and thirty feet in length, and thirty-five feet in width, for the passage of boats, rafts and water crafts of all kinds. The said dam shall be completed within the term of two years from the passage of this act.

SEC. 2. **Lock to be kept in good repair and free of toll—penalty for detention.** It shall be the duty of the said Isaac R. Campbell and company to keep the lock and dam in good repair, and they, at all times, shall pass any water craft above mentioned through, free of toll, without delay; and any person, who shall be unnecessarily detained, shall be [48] entitled to recover of the owners double the amount of damages they shall prove to have sustained by reason of such detention.

SEC. 3. **Penalty for trespass or injury.** Any person who shall destroy, or in any wise injure either said dam or lock, shall be deemed to have committed a trespass and shall be liable accordingly. Any person who shall wilfully and maliciously destroy or injure said lock or dam, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined treble the amount of damage the owners may have sustained, or be imprisoned, at the discretion of the court.

SEC. 4. **Not to overflow other lands—nuisances must be removed.** Nothing herein contained shall be construed to authorize the individuals named in this act, their heirs or assigns, to enter upon and flow the lands of any 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.

SEC. 5. This act to take effect and be in force from and after its passage.

Approved, 10th February, 1843.

#### CHAPTER 54.

##### LAUREL SUMMERS.

AN ACT for the relief of Laurel Summers.

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

SECTION 1. **Certain claim to be paid by territorial treasurer.** That the treasurer of the territory of Iowa, be required to pay to Laurel Summers the sum of one hundred and seventy dollars, out of any moneys not otherwise appropriated: provided, the said Summers shall produce to the treasurer aforesaid the certificate of the secretary of the territory, that the account of A. C. Donaldson, for carrying the mail between Davenport and Dubuque, during the session of the territorial legislature of A. D. 1838-'9, has been disallowed by the proper auditing officer at Washington.

SEC. 2. This act to take effect and be in force from and after its passage.

Approved, 10th February, 1843.

#### [49] CHAPTER 55.

##### WALTER BUTLER.

AN ACT for the relief of Walter Butler.

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

SECTION 1. **Allowance of money.** That there be allowed to Walter Butler the sum of one hundred and seventy-five dollars, for the use of library room, storage room, and for removing furniture, as per contract with the secretary; and that the secretary of the territory be required to pay the same out of any moneys, in his hands, not otherwise appropriated.

SEC. 2. **To be paid by the secretary of territory.** And that the sum of one hundred and fifty dollars be allowed him for rent of Secretary's office, to be paid out of any moneys, in the secretary's hands, not otherwise appropriated.

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