

SEC. 4. Imprisonment as for misdemeanor. Any person who shall destroy, or in anywise 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 owners may have sustained, or be imprisoned, at the discretion of the court.

SEC. 5. Not to overflow other lands without the consent of owners—nuisances must be removed. Nothing in this act shall be so construed as to authorize the persons, named in this act, to enter upon and flow the lands of any person, without the consent of the owner. 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. 6. This act to take effect and be in force from and after its passage.

Approved, 13th February, 1843.

[67] CHAPTER 68.

DAMS.

AN ACT authorizing the construction of Slopes in mill dams in Skunk river.

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

SECTION 1. Owners of dams holding charters may construct slopes—act extended to certain counties on. That all persons in the counties of Jefferson, Henry, Lee, and Des Moines, that are owners of mill dams in Skunk river, that passes through the above named counties, that have obtained charters for the construction of dams and locks in their respective mill dams, may construct and put in slopes.

SEC. 2. Time of construction and dimensions of slopes—those complying may have further time to comply with their charters granted. Those constructing good and sufficient slopes in said mill dams, within twelve months from the passage of this act, that will admit the passage of flat boats, rafts, and other water-crafts, at all times, with safety, when the river is in a good stage for safe navigation, shall have a further time of five years to comply with the provisions of their charters in constructing their locks.

SEC. 3. Forfeiture for failure to comply. Any owner or owners of mill dams, in the above named portion of said river, that have or have not, by any act of the legislature of this territory, obtained a charter for the construction of a lock, should fail in complying with the above provisions of this act, in the construction of good and sufficient slopes, and keep the same at all times in good repair, for the passage of flat boats, and other water-crafts, shall forfeit and pay any person the amount of damages they may prove to have sustained by reason of such detention, before any court having competent jurisdiction of the same.

SEC. 4. This act to take effect from and after its passage.

Approved, 13th February, 1843.