

on each side of the river, the right to use and occupy said land: provided further, that said dam shall contain a sufficient lock as is required by the act incorporating said company, and shall be subject to all the foregoing liabilities and restrictions.

SEC. 4. Any future legislature may amend, alter, or repeal, this act, whenever they may see fit.

Approved, 14th February, 1844.

## CHAPTER 18.

### PUBLIC ROADS.

AN ACT to punish the obstructing of public roads, etc.

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

SECTION 1. **Obstruction of roads, streams, etc.; establishment of offensive trades, pollution of streams, etc. prohibited; penalty for; nuisance, how abated.** That if any person in this territory shall obstruct, or injure, or cause or procure to be obstructed or injured, any public [25] road or highway, or common street or alley of any town, or any public bridge or causeway, or public river or stream, declared navigable by law; or shall continue such obstruction so as to render the same inconvenient or dangerous to pass, or shall erect or establish any offensive trade, or manufactory, or business, or continue the same after it has been erected or established; or shall in anywise pollute any water course, lake, pond, marsh or common sewer, or continue such pollution so as to render the same offensive or unwholesome to the county, town, village, or neighborhood thereabout, every person so offending shall, upon conviction thereof, be fined not exceeding one hundred dollars; and every such nuisance may, by order of the district or proper court before whom the conviction may take place, be removed and abated by the sheriff of the proper county; and any inquest and judgment thereon had, under the provisions of any law authorizing a writ of *ad quod damnum*, shall be no bar to a prosecution under this act.

SEC. 2. **This act to be part of criminal law of the territory—duty of judges.** That this act shall be a part of the criminal code of this territory; and the judges of the district courts shall give the same in charge to the grand jurors of the several counties at each term of the court.

Approved, 14th February, 1844.

## CHAPTER 19.

### ROAD TAX.

AN ACT to amend certain acts relating to roads and highways.

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

SECTION 1. **Road tax, by whom and when levied, amount of, how to be applied; may be worked out on roads at \$1.00 per day.** That it shall be the duty of county commissioners of each county in this territory, at the time

they make a levy of a tax for territorial and county purposes, to fix a per centum of not less than five cents, nor more than fifteen cents on the hundred dollars valuation, on all property made taxable by the revenue laws of this territory, to be expended as provided for by an act entitled "An act to provide for levying a tax on real and personal property for road purposes," approved February 16th, 1842: provided, the said tax may be worked out on the public roads at the rate of one dollar per day.

SEC. 2. **Repealing clause.** That all laws contravening the provisions of this act be and the same are hereby repealed.

SEC. 3. **Time of taking effect.** This act to take effect from and after its passage.

Approved, 14th February, 1844.

## [26] CHAPTER 20.

### IMPRISONMENT FOR DEBT.

AN ACT to abolish Imprisonment for debt.

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

SECTION 1. **Imprisonment for debt abolished.** That no person shall, after the passage of this act, be arrested, held to bail or imprisoned, on any original, *mesne* or final process or execution, issued in any civil suit instituted in any court in this territory.

SEC. 2. **Not to affect proceedings in case of contempt.** That nothing in this act contained shall be so construed as to prevent the issuance and service of writs of attachment for contempts, as if this act had not been passed.

SEC. 3. **Repealing clause.** That an act entitled "An act concerning bail," approved January 25th, 1839; an act entitled "An act to abolish imprisonment for debt," approved February 8th, 1843, and all acts and parts of acts contravening the provisions of this act, be and the same are hereby repealed.

SEC. 4. **Time of taking effect.** This act to take effect from and after its passage.

Approved, 14th February, 1844.

## CHAPTER 21.

### REVENUE LAW.

AN ACT to provide for assessing and collecting public revenue.

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

OF THE ASSESSOR, HIS ELECTION, DUTIES AND POWERS.

[28] SECTION 1. **Assessor, when and how elected, and for what term.** That there shall be elected on the first Monday of April in each year, by the qualified voters in each township or precinct in this territory, one township or precinct assessor, who shall hold his office for one year from the day of his election, and until his successor is elected and qualified; and shall perform all duties that are or may hereafter be required of him by law.

SEC. 2. **His bond, to whom given, for what sum, by whom preserved.** Each assessor, before entering upon the duties of his office, shall give bond with