

stock of any contributor in the property and buildings, in proportion to the amount of stock contributed: and provided also, that the provisions of this act be not construed to hinder the members of the said Congregational church of Burlington the election of their own spiritual officers, the worship of Almighty God, the exercise of church discipline, the instruction of Sabbath school, etc., etc., according to the practice of churches generally, in the use of said property and buildings, and according to the constitution, confession of faith, and covenant adopted by said church.

SEC. 4. Who competent to act at first meeting. The male church members, and the original contributors to the building of the church, shall be the only competent persons to act in forming rules and by-laws at the first meeting contemplated in the charter.

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

Approved, 12th February, 1844.

CHAPTER 93.

DAM.

AN ACT to authorize Hugh Boyle and Ralph Bissell to erect a dam across Skunk river.

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

SECTION 1. Dam, when to be constructed; lock, extent of; when to be constructed. That Hugh Boyle, of the county of Lee, [110] and Ralph Bissell, of the county of Henry, their heirs or assigns, are hereby authorized to construct a dam across Skunk river, in Henry county, in town 70 north, range six west, and at section No. twenty-five of said township, at the seat now owned by said Boyle and Bissell. Said dam shall contain a convenient lock, not less than one hundred and thirty-five feet in length and thirty-five feet wide: provided, that if said Boyle and Bissell shall construct a good and sufficient slope in said dam, 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, they shall have four years from the first day of February, 1844, to construct said lock.

SEC. 2. Not to obstruct navigation; if obstructed amount of penalty. It shall be the duty of the persons hereby authorized to build said dam to keep said lock or slope in good repair, so that persons navigating said river may be passed without toll or unnecessary delay. Any person who shall be unnecessarily detained, shall be entitled to recover of said owners double the amount of damages they shall prove to have sustained by reason of such detention.

SEC. 3. Injury to, how redressed, amount of penalty. Any person who shall destroy, or in anywise injure, either said dam or lock, shall be deemed to have committed a trespass, and shall be liable accordingly; and any person or persons who shall wilfully or 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 damages the owner or owners may have sustained, or be imprisoned at the discretion of the court.

SEC. 4. Not to interfere with rights of others. Nothing herein contained shall authorize the individuals named in this act, their heirs or assigns, to enter upon and flow the lands, or otherwise interfere with the rights and priv-

ileges of any person, without the consent of such 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. Power of repeal reserved. 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.

Approved, 12th February, 1844.

CHAPTER 94.

ROAD.

AN ACT to lay out and establish a territorial road, from Cedar Rapids, in Linn county, to the rapids on the Wabesipinicon river, in Buchanan county.

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

SECTION 1. Commissioners, appointment of; road to commence at Cedar Rapids, Linn co., route of. That John L. Shearer, Perry Oliphant and [111] A. L. Higgins, be and they are hereby appointed commissioners to lay out and establish a territorial road from Cedar Rapids, in Linn county, to Bartimus Megonegil's, and thence to the rapids on the Wabesipinicon river in Buchanan county.

SEC. 2. Commissioners, where and when to meet, and how to proceed. Said commissioners, or a majority of them, shall meet at the Cedar rapids, in Linn county, on the second Monday in April next, or on some subsequent day, and proceed to lay out and establish said road in accordance with the provisions of an act entitled "An act to provide for laying out and establishing territorial roads," approved December 29th, 1838.

SEC. 3. Commissioners, surveyor and others, compensation of. That the commissioners, surveyor and chain-carriers, shall receive compensation for their services as follows: commissioners two dollars per day; surveyor two dollars and fifty cents per day; chain-carriers one dollar and fifty cents per day, for each day they shall be necessarily employed in the discharge of their duties.

Approved, 12th February, 1844.

CHAPTER 95.

DEED.

AN ACT to authorize the administrators of John Jones, deceased, to make a title to certain real estate in Grandview, Louisa county.

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

SECTION 1. Deeds, by whom to be made; description of property; to be made to the trustees of the Grandview Seminary. That Thomas J. Jamison and Edward Jones, administrators of the estate of John Jones, deceased, of Grandview, Louisa county, are hereby authorized and empowered to make and execute good and sufficient deeds, in fee simple, for two lots of ground