

the water is running over such dam, and of the most approved pattern. The warden shall personally superintend the construction of such fishway and shall certify the cost of the same to the state auditor who shall thereupon draw his warrant on the state treasurer for the amount thereof.

SEC. 5. **Appropriation—governor to approve.** There is hereby appropriated from any moneys in the state treasury not otherwise appropriated, a sufficient sum to pay the warrants herein authorized. But no money shall be expended for any purpose provided by this act until approved by the governor of the state who shall determine whether the amount fixed in the condemnation proceedings shall be paid or refused.

SEC. 6. **Injury or destruction of fishway—penalty.** Any person who shall wilfully injure or destroy the fishway so erected or maintained, shall be guilty of a misdemeanor and upon conviction thereof shall be subjected to the same penalties as are provided in section 2550 of the code.

SEC. 7. **In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 2, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader April 3, 1902.

W. B. MARTIN,
Secretary of State.

CHAPTER 202.

PORTRAIT OF JAMES HARLAN.

H. F. 454.

AN ACT making an appropriation for the purchase of a portrait of the late James Harlan for the gallery of portraits in the art gallery of the historical department at Des Moines, Iowa.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. **Amount appropriated—executive council to purchase.** There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of one thousand dollars, or so much thereof as may be required for the purpose, for the purchase of an oil portrait of Hon. James Harlan, senator from Iowa in the United States Senate from 1855 to 1865 and from 1867 to 1873, and the executive council is hereby created a commission to make the purchase of the same.

Approved April 12, 1902.

CHAPTER 203.

TO REIMBURSE F. M. POWELL OF GLENWOOD.

H. F. 148.

AN ACT to reimburse F. M. Powell for money paid by him to secure the vacation of a public road for the benefit of the institution for feeble-minded children at Glenwood.

WHEREAS F. M. Powell, of Glenwood, for the purpose of securing the vacation of a public road through the grounds of the institution for feeble-minded children at Glenwood, did, during the year 1901, pay the sum of one hundred sixty dollars (\$160.00) for a right of way for a public road in lieu of the one through the institution grounds; and

WHEREAS a public road was established over the right of way thus purchased and the one through the institution grounds was vacated to the great benefit, of the institution; therefore