

- and to be kept open for twenty days, or until all the shares are taken.
- This a public act. SEC. 16. That this act shall be taken and received in all courts of justice and by all officers as a public act, and all copies printed under the authority of the Council and House of Representatives of this territory, shall be admitted as good evidence thereof.
- May be repealed. SEC. 17. Nothing in this act contained shall be construed to prevent any future legislature from altering or repealing this charter for any misconduct, breach of faith or misuse whatever.
- Duration. SEC. 18. That this act shall continue and be in full force for the term of twenty years from the passage thereof.
- Approved January 13, 1840.

[Chap. 42.]

AN ACT for the relief of certain carriers.

- Lien. SECTION I. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That hereafter, when any person or persons, upon requestor by agreement, shall carry any goods or freight from any one point in this territory to another by land or water, for any commander or captain of any steamboat or other vessel, it shall be lawful for said carrier or carriers to retain the possession of said goods until payment or tender of payment is made according to the contract made in such case either by said commander or his agent.
- No action sustained until payment. SEC. 2. That no action of replevin, trover and conversion, or trespass, shall be commenced or sustained by any person against said carrier for said goods until after payment or tender thereof is made as aforesaid.
- Lien to continue thirty days only. SEC. 3. That said carrier or carriers shall not retain possession of said goods more than thirty days without commencing a suit for his pay, which may be done by the ordinary suit of attachment before the proper tribunal in the county in which such person may live. Said carrier shall keep said goods from being spoiled by exposure.
- Act not to effect existing right. SEC. 4. That this act shall not be so construed as to take away the right of any person to proceed by attachment against any boat or vessel as is now provided by law: *Provided,* That when any person has commenced suit one way, it shall be a bar to the

other until the one first commenced is duly discontinued.

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

Approved January 13, 1840.

[Chap. 43.]

AN ACT to incorporate the Tuscarora Steam Mill company.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That Jacob Beeler, Jeremiah McCollister, George Honnell and O. T. L. Martin, and their associates, be and they are hereby declared a body corporate and politic, under the name of the Tuscarora steam mill company, and by that name shall have succession, and shall have all corporate powers, sue and be sued, and use a common seal.

SEC. 2. The capital stock of said corporation shall be eight thousand dollars, to be increased at will, by a majority of the stockholders, to fifty thousand dollars.

SEC. 3. Said capital stock shall be divided into shares of fifty dollars each.

SEC. 4. Said corporation may purchase, hold and convey any estate, personal, real or mixed, for their own benefit: *Provided* such estate does not exceed in value the capital stock paid in.

SEC. 5. The corporation shall have power to erect mills, warehouses and other necessary buildings and improvements on lands purchased and owned by said company, and to erect and establish all kinds of machinery.

SEC. 6. The before mentioned persons are hereby appointed commissioners, and are hereby required to open books at the house of Jeremiah McCollister, on the first day of May, one thousand eight hundred and forty, for receiving subscriptions to the capital stock of said company, and to keep the same open until the whole amount shall be subscribed.

SEC. 7. The said commissioners are authorized, at their option, to receive subscriptions to said stock to be paid in labor for the benefit of said company, which labor shall be appraised by said commissioners, and the value thereof credited to the persons subscribing for said shares.

SEC. 8. Said corporation shall have lien on such shares, for any balance due thereon.