

time for any deceit, malpractice, or other gross misconduct, and each attorney and counsellor of law for any deceit, malpractice, or other gross misconduct, shall be liable in damages to the party injured thereby, and to such other punishment as may be provided by law: *Provided always*, That every attorney, before his licence shall be revoked, or before he shall be suspended from practising as aforesaid, shall receive a written notice from the clerk of the court, stating distinctly the grounds of complaint, or the charges exhibited against him, and he shall, after such notice, be heard in his defence, and be allowed reasonable time to collect and prepare testimony for his justification.

Approved January 16, 1840.

[Chap. 72.]

AN ACT to establish a university at the town of Mt. Pleasant, in Henry county.

Trustees. SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That there shall be established at the town of Mount Pleasant, in the county of Henry, a university for the purpose of education of youth, the style, name and title whereof shall be the Iowa university; and the said university shall be under the management of twenty-one trustees, to wit: Charles Mason, J. H. Randolph, E. Killpatrick, Revd. Samuel Hutton, Robert Caulk, George Miller, jr., John S. Stephenson, Lyman Chase, Aaron Street, sen., Joseph B. Teas, Elisha Bell, Joseph Forbes, T. Y. Qualls, D. J. M. Robertson, Revd. Alexander Ewing, Samuel C. Reed, Isham Keith, Samuel Shuffleton, Edward Thomas, Philip Viele, William R. Ross, and they and all further trustees shall continue in place during the pleasure of the legislature, and all vacancies which may occur from time to time be supplied by the legislature.

Name. SEC. 2. The said trustees and their successors shall forever hereafter be and they are hereby established and declared to be a body politic and corporate, with perpetual succession in deed and in law to all intents and purposes whatsoever, by the name, style and title of the trustees of the Iowa University, by which name and title they and their successors shall be capable at law and in equity of suing and

being sued, holding property real, personal, and mixed, of buying and selling and otherwise lawfully disposing of property, and shall have power to make and use a common seal, and to alter the same at their pleasure. Eleven of the said trustees shall be a quorum for the purpose of disposing of the property and fixing of compensations, and any seven of said trustees shall be a quorum for all other purposes.

SEC. 3. It shall and may be lawful for the trustees from time to time, to apply such part or parts of their estate and funds in such manner as they may think most conducive to the promotion of literature and the advancement of useful knowledge within this territory: *Provided always*, That when grants shall be made to them for certain uses and purposes therein expressed and declared, the same shall not be applied either in whole or in part to any other uses without the consent of the grantor.

SEC. 4. The said corporation shall appoint by ballot, a treasurer and secretary, to continue in office during the pleasure of the corporation; the treasurer shall give bonds to the trustees in such sum and with such securities for the faithful performance of the duties of his office as the said corporation may direct, and shall keep fair and true accounts of all moneys by him received and paid out; the secretary shall keep a fair journal of the meetings and proceedings of the said corporation, with the yeas and nays on all questions when required, and to all the books and papers of the corporation every trustee shall always have access and shall be permitted to take copies of them.

SEC. 5. The said trustees may from time to time establish such school or schools preparatory to the organization of said university as they may think proper, and as the funds of the corporation will permit; and it shall be the duty of the said trustees to visit and inspect said school or schools, to examine into the state and system of education and discipline therein, and to make a yearly report thereof to the legislature, to make such by-laws and ordinances not inconsistent with the laws of the United States or of this territory, as they may judge most expedient for the government of such school or schools, or for the accomplishment of the trust hereby reposed in such trustees, to appoint a president, professors, instructors and other officers, to fix their compensa-

tion, and to remove them when such trustees think proper, and also confer such degrees as are usually conferred by universities established for the education of youth. It shall be lawful for the said trustees to elect a president of the university at any time and without waiting until the state of the funds will allow the establishment of a college, and the president shall always be ex-officio a member of the corporation.

May be repealed.

Repeal not to divert property.

First meeting.

SEC. 6. This law may be repealed or modified by the legislature of this territory or state, (as the case may be): *Provided*, That such power of repeal shall never extend to direct to any other purposes than those expressed therein, if any shall be expressed in any grant of property to such corporation, but such property, in the event of the dissolution of such corporation, or in case such grant shall be disapproved of by the legislature, shall revert to the grantor or his heirs.

SEC. 7. The first meeting of the trustees under this act, shall be held on the second Monday in May next, and they shall have power to adjourn from time to time and to regulate their own meetings, and if a quorum shall not attend at any meeting, the trustees present may adjourn from time to time until a quorum shall attend.

Approved January 16, 1840.

[Chap. 73.]

AN ACT to establish a system of common schools.

When districts formed, notice.

All voters to be notified.

Neglect to serve notice, forfeiture.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, [That] Whenever any school district shall be formed in any township by the board of school inspectors, it shall be the duty of said board to deliver a notice in writing describing the boundaries of said district, and the time and place of the first meeting, to a taxable inhabitant of such district.

SEC. 2. It shall be the duty of such inhabitant to notify every qualified voter of such district, either personally or by leaving a written notice at his place of residence, of the time and place of said meeting, at least six days before said meeting.

SEC. 3. Whenever such inhabitant shall neglect or refuse to serve notice as required, he shall forfeit to the district, for the use of its library, the sum of