

CHAPTER 23.

AN ACT to incorporate the Fairfield Lyceum.

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

SECTION 1. Style of lyceum—names of persons incorporated into a body politic—authority to acquire and hold property, etc.—to have seal. That there shall be established a seminary of learning for the instruction of youth of both sexes in arts, science, and literature, to be known by the name and style of the "Fairfield Lyceum;" and that Samuel Shuffleton, Jeremiah S. Waugh, E. B. Fitch, Charles D. Jones, Henry Temple, James F. Rice, Richard Irwin, William M. Lyons, Charles E. Emery, L. W. Sanders, David Laughery, J. L. Scott, J. F. Chambers, J. P. Check, C. W. David, G. M. Fox, T. G. H. Gray, and their associates and [18] successors, are hereby declared a body politic and corporate, in law and in fact, by the name and style of the "Fairfield Lyceum," and by that name shall have perpetual succession, and power to acquire, possess, retain and enjoy, mixed, personal, and real property; and the same to sell, grant, convey, rent, or otherwise to dispose of at pleasure; and they shall have power to contract and be contracted with, sue and be sued, plead and be impleaded, in all courts of law or equity; and they shall have and use a common seal.

SEC. 2. Shares of stock \$10 each—stock transferable. The stock of said Lyceum shall consist of shares of ten dollars each, which shall be deemed personal property, and shall be transferable on the books of said corporation in such manner as may be prescribed by the board of trustees.

SEC. 3. Annual income limited—capital stock not to exceed \$50,000—funds to be used only for education. The annual income, exclusive of tuition, shall not exceed two thousand dollars, and that the total capital stock of said institution shall not exceed fifty thousand dollars; and that its funds, privileges, and immunities, shall be used for no other purpose than that of education.

SEC. 4. Board of trustees to be elected—duties of trustees—stockholders authorized to elect other officers—stockholders to vote in proportion to amount of stock by them owned. The stockholders of said Lyceum shall, on the first Monday in June next, and on the same day annually thereafter, elect by ballot, a board of trustees, consisting of five members, (three of whom shall constitute a quorum,) whose duties shall be to transact and perform, or cause to be performed, all the functions, concerns, and business of said Lyceum; and said stockholders shall elect or appoint such other officers as may in their opinion be requisite, and shall give such directions to the board of trustees as may in their estimation be of importance to the corporation; and each stockholder shall be entitled to one vote for every share owned by him to the amount of five shares, and then to one vote for every three shares over and above that amount; any stockholder may vote in person or by proxy.

SEC. 5. Trustees to appoint officers—power to fill vacancies—of by-laws, rules, etc.—proviso. The board of trustees shall, on their first meeting after elected, appoint from their number a president, vice president, secretary and treasurer; and they shall have power to fill vacancies in their own body until the annual election; they shall have power to appoint subordinate officers, and to make, ordain, and establish, such ordinances, regulations, rules and by-laws, as they may deem necessary for the interests and good government of said Lyceum in its several departments and functions: Provided, however, That such rules and regulations shall not contravene the laws of the United States, or of the Territory (or future State) of Iowa.

SEC. 6. Board of trustees to execute all instruments of writing, etc. All deeds or other instruments of writing, or conveyance, shall be made by order of the board of trustees, sealed with the seal of the corporation, signed and acknowledged by the president in his official capacity, in order to render them good and valid in law.

SEC. 7. Power to repeal reserved. That the Legislature shall have power, at any time, to alter, amend, or repeal this act.

SEC. 8. When to take effect. This act shall take effect and be in force from and after its passage.

Approved December 31, 1840.

[19] CHAPTER 24.

AN ACT supplementary to an act for the benefit of settlers, etc., on the Half Breed lands, approved December 6, 1839.

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

SECTION 1. Each settler authorized to select one section of land—proviso—ib. That it shall be lawful for any settler on the Half Breed lands, to select not to exceed one section of land in said tract, a part of which may be prairie and a part timber: Provided, he has an interest in or a title to said land, by paying a tax on the same: And provided further, That he shall not, in his selection, interfere with the claim of any other settler on said land.

SEC. 2. Settler to consult his convenience as to amount inclosed—receipts for taxes evidence of title. And in order that the settler may hold his claim peaceably, quietly and undisturbed, until the perfect title is ascertained and settled by the due course of law, it shall not be deemed necessary for him to enclose more of said land than may suit his convenience; and his receipt for taxes, from the proper officers, shall be regarded as sufficient evidence of title and ownership as to authorize him to commence and sustain his action for any wrongs or trespasses committed upon his claim, as set forth in the first section of this act.

SEC. 3. Proviso. Provided, however, That if any settler shall neglect or refuse to pay the tax on his claim for one year, then and in that case his title shall not be regarded further than his improvements and possession extend.

SEC. 4. Of actions to be commenced under this act. All actions commenced under the provisions of this act, shall be by action of forcible entry and detainer, or by action of trespass, as the case may require.

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

Approved December 31, 1840.

CHAPTER 25.

AN ACT to district the county of Linn for the election of county commissioners.

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

SECTION 1. Duty of county commissioners—county to be districted in proportion to population—classification of districts. That the board of county