

and regulations shall not be repugnant to the constitution or laws of the United States, or of this territory.

SEC. 2. Officers of the association—James N. Ball and others appointed officers until the first Tuesday in January next—officers to be chosen by members of corporation. And for the better carrying on the affairs of said corporation, there shall be a president, two vice presidents, one secretary, and one treasurer, of the corporation, who shall hold their offices from the time of their appointment, or election, until the first Tuesday of January then next, and until others shall be chosen in their places; and that the said James N. Ball is hereby appointed president, and the said Thomas Comb and Lewis Swafford, vice presidents, and the said Edward Lanning, secretary, and the said A. G. Adams, treasurer, until the first Tuesday of January next; and that said officers shall, on the first Tuesday of January next, and always thereafter, be chosen by the members of the said corporation in such manner; and afterwards at such time and places as shall be directed by the by-laws of said corporation, to be made for that purpose.

SEC. 3. Bond for the erection of seminary of learning—time—where to be erected—cost of seminary—certificate of claim to be given by territorial agent of lot on which seminary is built—deed of conveyance given—premises to be used for literary purposes alone. That in case the said corporation shall enter into good and sufficient bonds, to be approved by the territorial agent, and filed in the office of the secretary of the territory, conditioned that they will erect and finish a seminary of learning within two years from the passage of this act, on the south half of the reservation for school purposes, adjoining the park, in Iowa City, and known as the south half of the west half of block sixty, the aggregate cost of which seminary of learning shall not be less than one thousand dollars when finished, and shall fulfill the condition of said bond, then the territorial agent shall give to the corporation an official certificate of their claim to said lot of ground, and on the presentation to the secretary of the territory, it shall be the duty of said secretary to file the same in his office, and make out and deliver to said corporation a deed of conveyance of the premises described in said certificate; which deed shall be executed as other deeds for lots sold in said city, and be of equal force and validity: provided, that said deed of conveyance shall contain a clause that the premises so donated shall be occupied and used for literary purposes alone; and that the said deed shall be void, and the said premises revert to the territory, when the said premises shall be occupied or used by said corporation, or their successors or assigns, in any other way or manner, or for any other than literary purposes.

SEC. 4. President, vice presidents, etc., to receive donations. The president, vice presidents, secretary and treasurer of said corporation, shall be commissioners to receive subscriptions or donations for said institution, under such regulations and conditions as they may deem expedient.

[6] **SEC. 5. Members of corporation liable for performance of all contracts.** The members of said corporation shall be jointly and severally liable for the performance of all contracts and obligations entered into by said institution.

SEC. 6. This act shall take effect from and after its passage.

Approved January 4, 1842.

CHAPTER 5.

AN ACT to legalize the election of George L. Coe, as judge of probate in the county of Louisa.

Elected to fill a vacancy—required notice of a special election not given. Whereas, on the first Monday of August in the year eighteen hundred and

forty-one, George L. Coe was elected to fill a vacancy then existing in the office of judge of probate in the county of Louisa, in all respects in pursuance of law, except that there was not time between the happening of the vacancy aforesaid and the day of holding the general election to give the required notice of a special election. Therefore,

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

SECTION 1. Election as valid as if twenty days previous notice had been given. That the election of George L. Coe to the office of judge of probate, in and for the county of Louisa, on the first Monday of August in the year eighteen hundred and forty-one, and all official acts and proceedings of the said George L. Coe, as judge of probate aforesaid, shall be as valid in law to all intents and purposes, as if twenty days previous notice of said election had been given.

SEC. 2. This act to take effect and be in force from and after its passage.
Approved January 5, 1842.

CHAPTER 6.

AN ACT to locate a territorial road from Keokuk, in Lee county, to Fairfield in Jefferson county.

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

SECTION 1. Names of commissioners—route of road. That William A. Donnell of the county of Lee, and John Runnels of the county of Van Buren, and Ira Tillitson of the county of Jefferson, be and they are hereby appointed commissioners to locate and mark a territorial road from Keokuk, on the nearest and best route to Ambrosia, in Lee county; thence to Winchester, in Van Buren county; thence to Fairfield in Jefferson county: provided said commissioners shall, in all instances, choose the nearest and best routes between the several points specified.

SEC. 2. When and where commissioners to meet—in case of failure sheriff of Lee county to notify them in writing. The commissioners aforesaid, or any two of them, shall meet at Keokuk, in Lee county, on the first Monday in April next to proceed to the discharge of their duties, and may adjourn from day to day, as circumstances shall require; and in case said commissioners or any two of [7] them fail to meet on the day appointed, then the sheriff of Lee county is hereby authorized and required, on the application of any of said commissioners, either written or verbal, to notify in writing said commissioners of some other time at the place aforesaid.

SEC. 3. Compensation of commissioners, surveyors, etc. The commissioners shall be allowed two dollars and fifty cents per day, and shall employ one surveyor, whose pay shall be three dollars per day, and the necessary hands, who shall be allowed one dollar and fifty cents per day.

Approved January 11, 1842.