

SEC. 4. Penalty for malicious injury—imprisonment. That if any person shall in anywise destroy or injure said dam or lock [he] shall be deemed to have committed a trespass, and shall be liable accordingly; and any person who shall wilfully and maliciously destroy or injure said dam or lock, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined treble the amount of damage the owners may have sustained, and be imprisoned at the discretion of the court.

SEC. 5. Not to flow lands of others—health endangered. That nothing in this act contained, shall authorize said company to enter upon or flow the lands of any person, without the consent of such person; and said company shall remove all such nuisances as may be occasioned by the erection of said dam, which may endanger the health of citizens in its vicinity.

SEC. 6. Notice for meeting of members—by-laws and arrangements—not to conflict with laws of U. S. That any member of said company, may at any time within one year from the passage of this act, by giving at least thirty days previous notice, call a meeting of its members; and said company when convened, shall call one of their number to preside, and may proceed to enact such by-laws, rules and regulations for its government, and such arrangements for the management and conduct of its business, as a majority of them may deem right and proper: provided, the same do not conflict with the laws of the United States, and of this territory and future state of Iowa.

SEC. 7. Creation of shares not to exceed. That the capital stock of said company, shall be divided into shares of one hundred dollars each, and as many such shares may be created as the company may direct: provided, they do not in the aggregate, exceed the sum of forty thousand dollars.

SEC. 8. To be altered, amended or repealed—liability of all debts. That the legislature of the territory or state of Iowa, may at any time alter, amend or repeal this act; each member of the Washington Manufacturing Company aforesaid, shall be personally liable for the payment of all debts due from the company.

SEC. 7. That this act shall take effect and be in force from and after its passage.

Approved January 28, 1842.

CHAPTER 29.

AN ACT to incorporate a college at Washington, in Washington county.

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

SECTION 1. Names ordained a body corporate—to sue and be sued—pleading, etc.—liability for all debts—common seal. That George Vincent, William G. Lee, Albert Sturgess, George B. Stover, Alexander Lee, John Cleaves, Henry F. McCully, and William J. Case, and their associates and successors, be and they are hereby ordained, constituted and declared a body corporate in law, by the name and style of the Washington College; and by that name they and their associates and successors, shall have perpetual succession, and [24] shall be capable of suing and being sued, pleading and being impleaded, answering and being answered, defending and being defended, against all manner of actions, suits and complaints, in any of the courts of this territory, and the board of directors of said corporation shall be jointly and severally bound for all debts contracted by said board, in the name of said corporation: pro-

vided, there be an insufficient quantity of property belonging to said corporation to satisfy such demands; and said corporation shall have a common seal, and shall have power to alter or change the same at pleasure.

SEC. 2. Place of meeting—record of vote and acceptance—election of president and directors—to fill vacancy. That said corporation shall meet at the court house, in the town of Washington, in Washington county, on the first Monday in June next, and after they shall have agreed to accept this charter, by a vote of two-thirds of the members present, which vote and acceptance shall be recorded by the secretary of said corporation, in a book to be by him kept for that purpose; and at the same time and place the members of said corporation shall proceed to elect from their number seven directors, a president, secretary, and treasurer of said corporation, who shall hold their offices for the term of two years, and until their successors are elected and qualified; and said corporation shall have power to fill vacancies in such manner as they may think proper.

SEC. 3. President to have no vote—secretary to keep a record—to give bond. That the president shall be ex-officio president of the board of directors, but shall have no vote in the proceedings of said board of directors, and present such matters to said board for their consideration as he shall think proper; and the secretary of said corporation shall keep a fair record of the proceedings of said board; and the treasurer shall receive and disburse all moneys and effects of said corporation, by order of said board, and prior to his entering upon the discharge of the duties of his said office, shall give bond with sufficient security, in such sum as said board may designate, to be approved by said board of directors, conditioned for the faithful discharge of the duties of his said office; said bond shall be made payable to the Washington College, and on a failure of said treasurer to fulfill the conditions of said bond, the secretary of said corporation shall cause suit to be instituted thereon in the name of the Washington College and proceed to final judgment as in other cases at law.

SEC. 4. By-laws and regulations—holding personal and real estate, and to sell. That the board of directors may make such by-laws, rules and regulations, for the government of the said corporation, not contrary to the constitution and laws of the United States, or of this territory, and shall be capable of purchasing and holding any real and personal estate, in the name and for the use and benefit of said college; and shall have power to sell and convey any real and personal estate in their corporate name and capacity, as aforesaid, and do and perform all other acts necessary for the advancement of said corporation.

SEC. 5. Process to be served on secretary. That all process against said corporation shall be served upon the secretary thereof, and all mortgages and deeds of conveyance of real estate made by said corporation, shall be signed by the president and at least four of said directors, and attested by the secretary of said corporation.

SEC. 6. Qualification for membership. That all persons who shall subscribe the sum of twenty dollars for the benefit of said college, shall be entitled to membership in said corporation, and shall be entitled to at least one vote.

SEC. 7. To alter or repeal. That any future legislature of this territory

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shall have power to alter, amend, or repeal this act at pleasure.