

men, shall be by leaving with the mayor, or in his absence with the clerk, a certified copy thereof; and in case of subpoena in chancery, a certified copy of the bill also.

Approved, February 17, 1842.

CHAPTER 90.

AN ACT relative to officers of the legislative assembly.

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

SECTION 1. Election for Secretary and Sergeant-at-arms for the council—for the house—oath. That at the commencement of each session of the legislative assembly, there shall be elected by ballot, one secretary, and one sergeant-at-arms, for the council; and one chief clerk, and one sergeant-at-arms, for the house of representatives; said officers when elected, shall be sworn by the presiding officers of their respective houses, faithfully and promptly to perform the duties of their offices.

SEC. 2. Duties of officers—employment of assistants. That it shall be the duty of the secretary and chief clerk, to keep the journals of their respective houses, and record them; they shall do the engrossing and enrolling also, of each house; they each shall be allowed (when the president of the council, or speaker of the house shall deem it necessary) to employ an assistant secretary or clerk, who shall be allowed three dollars per day; also an engrossing clerk, who shall be allowed two dollars per day.

SEC. 3. Sergeant-at-arms to act as door-keeper—employment of fireman—boy as messenger—duty of sergeant-at-arms. That the sergeant-at-arms in each house, shall, in addition to the duties of his office, perform those of door-keeper; he shall employ a trusty person as fireman, whose compensation shall not exceed one dollar and fifty cents per day; also an active, intelligent boy, as messenger, who shall be allowed one dollar per day. The sergeants-at-arms shall take care of the apartments of their respective Houses, keep them clean, and the furniture in order, and exercise a general supervision over the [81] conduct of the firemen and messengers, who shall act as their assistants when necessary.

SEC. 4. Control of officers. All the officers shall be under the direction of the presiding officer of their respective houses.

SEC. 5. Per diem. The secretary and chief clerk, shall each be allowed four dollars per day, in full for their services, and the sergeants-at-arms three dollars per day.

Approved, February 17, 1842.

CHAPTER 91.

AN ACT to incorporate the Cedar Rapids Manufacturing Company.

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

SECTION 1. Names of corporators—power of company to contract, to sue and be sued—use of common seal. That N. B. Brown, A. L. Roach, Harman Van Antwerp, S. H. Tryon, and their associates and successors, be and they

are hereby created a body politic and corporate, under the name of the "Cedar Rapids Manufacturing Company," and by that name shall have perpetual succession; and shall have power to contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered, in all courts of competent jurisdiction, may have and use a common seal, and be vested with all the powers and privileges necessary to the object of their incorporation, not contrary to law and the rights of other individuals.

SEC. 2. Power to hold, purchase, sell lease etc.—limit of real estate. That said company shall have power and be capable of holding, purchasing, improving, selling, leasing, renting, and conveying estate, real, personal, and mixed, for the use of said incorporation; provided, that the real estate owned by said company, shall not, at any one time, exceed thirty thousand dollars in value.

SEC. 3. Distribution of stock. That the capital stock of said company, shall be divided into shares of fifty dollars each.

SEC. 4. Meeting of members—receiving subscription—election of directors—term of office—authority to operate. That the members of said company, shall meet at any time a majority of them may agree upon, within one year from the passage of this act, and when so convened, may proceed to enact such rules, regulations, and by-laws, for the government and conduct of said company, and adopt such method and arrangement for receiving subscriptions to the capital stock thereof, as a majority of them may deem right and proper: provided, they do not conflict with the laws of the United States, of this territory or of the future State of Iowa; and shall, at the same time, and annually thereafter, elect by ballot five directors, and electing which, each share of the capital stock shall be entitled to one vote, and the person receiving the highest number of votes, shall be declared duly elected, to hold the office for one year, and till his successor be chosen: the directors shall choose one of their number president of the company, and appoint such other officers and agents, as a majority of them may think necessary, for the management of the business of said company; and by said directors, the property, stock, and concerns of said institution, shall be managed, subject to the regulations and instructions of a majority of [82] the stockholders; they shall have full power and authority to put into operation, and execute all the designs and instructions of the stockholders, and all contemplated in this charter.

SEC. 5. Conveyances of real estate. That all conveyances of real estate, shall be signed by the president of the company, and by him acknowledged in his official capacity, and the seal of the company shall be thereto affixed: which conveyance, so executed and acknowledged, shall be binding on the company, according to the tenor and meaning of the same.

SEC. 6. Stock, personal property, and transferable. That the stock of said company, shall be deemed personal property, and assignable and transferable on the books of the company; but no subscriber indebted to said incorporation, shall be permitted to make a transfer of stock, until such indebtedness be adjusted to the satisfaction of the directors.

SEC. 7. Authority to construct a dam—height of dam—lock—passage of boats—locks to be completed—good repair—free of toll. That said corporation be, and is hereby authorized to construct a dam across the Cedar river, in Linn county, at the rapids of said river; which dam shall not exceed four feet in height, above common low water mark, and shall contain a convenient lock, not less than one hundred and thirty feet in length, and thirty feet in width, or a sluice at least forty feet wide, for the passage of steam, keel, and flat-boats, rafts, and other water-crafts; which said dam and lock, or sluice, shall be completed within four years from the passage of this act;

and said lock or sluice shall, after completed, be kept in good repair, for the passage of all kinds of water-craft without delay and free of charge.

SEC. 8. Injury or malicious destruction—fine and imprisonment. That any person who shall destroy or in any wise injure either said dam or lock, shall be deemed to have committed a trespass, and shall be accordingly liable; and any person who shall wilfully or maliciously, in anywise injure or destroy said dam or lock, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined treble the amount of damage sustained by said company, or imprisoned at the discretion of the court.

SEC. 9. Insolvency of corporation. That if said incorporation should become insolvent, and fail thereby to meet any obligation against them, the stockholders thereof shall be personally liable therefor.

SEC. 10. That this act may be amended or repealed by any subsequent legislature of this territory, or State of Iowa.

SEC. 11. That this act shall take effect and be in force from and after its passage.

Approved, February 17, 1842.

CHAPTER 92.

AN ACT to re-locate a part of a territorial road, in Washington county.

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

SECTION 1. Point to be changed. That the territorial road which commences at a point where the military road crosses the north line of Washington county; thence to the north line of the State of Missouri, via Washington, Brighton, and Fairfield, be and the same is hereby changed, so as to [83] run from the fifteenth mile stake, on said road, to intersect a county road leading from Washington to Richmond, in said county, at a point one half mile north of the town plat of the said town of Washington; thence on said road to the public square in said town.

Approved, February 17, 1842.

CHAPTER 93.

AN ACT to authorize the establishment of poor houses.

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

SECTION 1. Power of county commissioners to erect poor houses—purchase of land—tax to defray—to pay over. That the county commissioners of each and every county within this territory, shall be, and they are hereby authorized, to erect and establish poor houses within their respective counties, whenever in their opinion, such a measure will be proper and advantageous, and for that purpose it shall be lawful for said commissioners, to purchase such lot or tract of land, as they may deem necessary for the accommodation of the institution: provided, that if the commissioners of any county shall think proper to purchase land, and erect a poor house under the provisions of this act, the expense of such purchase and erection, shall be de-