

CHAPTER 32.

ROAD.

AN ACT to legalize the location of a certain territorial road.

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

SECTION 1. That a certain territorial road, located and surveyed by Thomas Hatfield and Robert Smith Jr., of Clinton county, and Samuel P. Higginson, of Cedar county, in the year A. D. 1841, leading from Camanche, in Clinton county, to Iowa City, in Johnson county, in accordance with the provisions of an act of the legislative assembly, entitled an act to establish certain territorial roads, approved January 7th, 1841, be and the same is hereby declared a territorial road, and as good and valid in law, to all intents and purposes as if the same had been located, surveyed and the plat and field notes returned [29] to the secretary's office within the time prescribed by the law regulating the laying out and opening territorial roads, approved December 29th, 1838.

SEC. 2. This act to take effect and be in force from and after its passage. Approved, 1st February, 1843.

CHAPTER 33.

ROAD.

AN ACT to establish a certain territorial road.

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

SECTION 1. **Names of commissioners, and route of road.** That William Maxon, Elisha Henry and Andrew Brisbine, be and they are hereby appointed commissioners to extend the road across the Wapsenonoc creek, in Cedar county, so as to intersect the Bloomington and Rockingham territorial roads, on the nearest and best route, in the direction to Iowa City and Bloomington.

SEC. 2. **When and where to meet—surveyors and assistants—their compensation.** That said commissioners shall meet at the house of Andrew Brisbine, in Cedar county, on the third Monday in March next, or on such other day thereafter as they may agree upon, and shall proceed to the discharge of their duties in accordance with the provisions of an act entitled an act for opening and regulating roads and highways, approved January 17th, 1840; provided, that said commissioners shall receive for their services one dollar and twenty-five cents for each day they shall be necessarily employed in the discharge of their duty, and provided further, all the expenses of establishing said road shall be paid by said petitioners.

Approved, 1st February, 1843.

[30] CHAPTER 34.

NASHVILLE SEMINARY.

AN ACT to establish a seminary of learning at the town of Nashville, in the county of Lee.

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

SECTION 1. **Names of corporators—name and style of association.** That there shall be established a seminary of learning at the town of Nashville, in

the county of Lee, for the instruction of young persons of both sexes in science and literature, to be called the Union Academy at Nashville, and that James Anderson, Elias Smith, Alfred Beall, Cyrus W. Wheelock, Samuel Brierly, John Spain, Tuther Fuller, Josephus Beall, W. W. Wills, Joseph Taylor, William Parish, Justict Sealy and their associates and successors are hereby declared a body politic and corporate in law, by the name of the Union Academy at Nashville.

SEC. 2. Powers to possess and sell property—to sue and be sued, to use a seal etc. And the corporation before named, shall have perpetual succession, and to acquire, possess, and retain, and enjoy property real and personal and mixed, and the same to sell, grant, convey, rent or otherwise dispose of at pleasure; and they shall have power to contract and be contracted with, to sue and be sued, plead and be impleaded, in all courts of justice, and they shall have and use a common seal with power to alter it at pleasure.

SEC. 3. Number of shares, same made personal property and transferable. The stock of said academy 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; provided, that the annual income of said corporation, not including tuition, shall not exceed the sum of two thousand dollars, and its funds, privileges and immunities shall be for no other purpose than that of education.

[31] **SEC. 4. Number of trustees, duty of—manner of election, and term of service—power to fill vacancies—notice of time and place of holding elections.** The corporation concerns of said academy shall be managed by a board of trustees, consisting of five members, three of whom shall constitute a quorum for the transaction of business. They shall be elected by the stockholders on the first Monday in May, annually, and shall hold their offices for the term of one year, and until their successors are duly elected. The election of trustees shall be by ballot, and each stockholder shall be entitled to one vote for every share owned by him to the amount of ten shares, and then, to one vote for every five shares over and above that amount. Any stockholder may vote in person or by proxy. Said trustees shall elect one of their number to be president of their board, and they shall have power to fill any vacancies in their own body. If an election shall not be made on the day designated in this act, such election may be held on any other day, provided a notice of the time and place of holding such election, signed by three stockholders, and to be affixed to the door of the most public house in Nashville, at least ten days before the election.

SEC. 5. Power to appoint subordinates—to make by-laws, with proviso. The board of trustees shall have power to appoint subordinate officers and agents, to make, ordain and establish such by-laws and ordinances, rules and regulations as they may deem necessary for the good government of said academy, its officers, teachers and pupils, and for the management of the property and officers of said corporation, to the best advantage; provided, that they shall not contravene the laws of the United States, or of this territory.

SEC. 6. Deeds, how, and by whom made. That all deeds and other instruments of writing, shall be made by order of the board of trustees, sealed with the seal of the corporation, signed by the president, and by him acknowledged in his official capacity.

SEC. 7. This act to take effect and be in force from and after its passage.

Approved, 2d February, 1843.