

CHAPTER 57.

DELAWARE COUNTY.

AN ACT to attach Delaware to Dubuque county, for judicial purposes.

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

SECTION 1. That the county of Delaware be and the same is hereby attached to the county of Dubuque for judicial purposes.

SEC. 2. This act to be in force from and after its passage.

Approved, 13th February, 1843.

CHAPTER 58.

WASHINGTON MANUFACTURING COMPANY.

AN ACT to amend an act, entitled an act to incorporate the Washington Manufacturing Company.

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

[55] SECTION 1. **Names of corporators—name and style—powers—to sue and be sued, to purchase or sell real and personal estate—amount of same limited.** That James H. Gower, Robert Gower, Jackomyer Baldwin and Peter Dilts, and such other persons as may associate themselves with them, be and they are hereby created a body politic and corporate to be known by the name and style of the Washington Manufacturing Company, and by that name shall have perpetual succession, may sue and be sued, in all courts of law or equity, and shall be capable in law, of purchasing, holding, selling, leasing and conveying estate, real, personal or mixed, so far as may be necessary for the purposes herein named, and for all other purposes necessary to consummate the objects of this incorporation; provided, the value of said property shall not exceed forty thousand dollars.

SEC. 2. **Authorized to construct a dam across Cedar river—location, dimensions of same, with lock—sluice for the passage of boats, rafts, etc., to be constructed—dimensions of same, time of completion—to be kept in good repair.** That said James H. Gower, Robert Gower, Jackomyer Baldwin and Peter Dilts, their associates and successors, be and they are hereby authorized, to construct a dam across the Cedar river, at Washington ferry, in Cedar county, which said dam shall not exceed five feet in height, and shall contain a convenient lock, at least one hundred and twenty-five feet in length, and at least thirty-five 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 crafts without delay and free of charge.

SEC. 3. **Penalty for injury to works.** That if any person shall in any wise destroy or injure said dam, lock, or sluice, [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, lock or sluice, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined

treble the amount of damages the owners may have sustained, and be imprisoned at the discretion of the court.

SEC. 4. Dam not to flow other lands without consent of owners—nuisances must be removed. That nothing in this act contained, shall authorize said [56] 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. 5. Notice for meeting of members for election of officers—power to make by-laws, proviso. 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. 6. Division of shares—aggregate amount of same not to exceed \$40,000. 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. 7. Act may be amended or repealed—personal liability of stockholders for debts of company. That the legislature of the territory of Iowa, 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. 8. Dam obstructing navigation, privileges to be forfeited thereby. That said company shall, by said dam, in no case obstruct the free passage of any steam boat, flat boat, keel boat, or other water-craft, free of charge. In case of any violation of the above provisions, said company shall be liable to the owner or owners of any boat or water-craft, so obstructed, for damages in treble the amount sustained by such owner or owners.

SEC. 9. Certain sections of original act repealed. That in case said dam shall be found to present obstructions to the navigation of said river, then the privileges conferred by the provisions of this act, shall cease and be forfeited.

SEC. 10. That the third section of the act, to which this is amendatory, together with so much of the provisions of said act as contravenes the provisions of this act, be and the same are hereby repealed.

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

Approved, 13th February, 1843.

[57] CHAPTER 59.

DENMARK ACADEMY.

AN ACT to incorporate an Academy in Denmark, Lee county.

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

SECTION 1. Name and style of association—names of corporators—made trustees, with term of office. That there shall be and hereby is estab-