

SEC. 2. To execute a deed to convey the rights of the heirs of James Hamilton. That upon the sale of the property aforesaid, said Rachael Hamilton shall make and execute to the purchaser or purchasers a good and sufficient deed in fee simple for the said property, which said deed shall convey all the interest, right and title, of the heirs of said James Hamilton to the said property, to the purchaser or purchasers.

SEC. 3. Proceeds of sale to be accounted for to the judge of probate within 20 days. That the proceeds of the sale of the property aforesaid shall be accounted for to the judge of probate of the proper county by the said Rachael Hamilton, as assets of said estate, within twenty days after said sale.

[70] **SEC. 4. Time of taking effect.** This act to take effect and be in force from and after its passage.

Approved, 17th January, 1844.

CHAPTER 52.

FERRY.

AN ACT to authorize David B. Anderson and Henry C. Anderson to keep a ferry across the Mississippi river, opposite the lower end of Burlington.

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

SECTION 1. Privilege of ferriage within certain limits. Duration of term 10 years; not to interfere with any existing rights enacted by the act approved 19th January, 1838. That David B. Anderson and Henry C. Anderson, their heirs and assigns, be and they are hereby authorized to establish and keep a ferry across the Mississippi river, opposite the lower end of Burlington, departing from the west bank of said river at any point below Washington street not exceeding one mile, to the east bank of the Mississippi river, in the state of Illinois, with the exclusive privilege within the above limits, for the term of ten years from and after the passage of this act: provided, that the said ferry, when so established, shall be subject to the same rules and regulations, and under the same restrictions, as other ferries are or may hereafter be by the laws of this territory fixing the rates of ferriage, and prescribing the manner in which licensed ferries shall be kept and regulated: provided further, that nothing herein contained shall be so construed as to impair, interfere with, or in any way affect, any right or rights now existing by virtue of an act entitled "An act to establish ferries across the Mississippi river, opposite the town of Burlington, in Des Moines county," approved January 19th, 1838.

SEC. 2. Right of purchase at appraisement reserved to city of Burlington; appraisers, how selected. If, at any time after the passage of this act, the corporation of the city of Burlington desires to procure, own and control, franchises and rights hereby conferred and granted, they shall select one appraiser, the said David B. Anderson and Henry C. Anderson, their heirs and assigns, another, and those two another appraiser, who shall appraise the value of any boats, tackle, or other machinery, which may be used and required for propelling said boat at their true cash value at the time of appraisement; and upon the payment of such appraisement to David B. Anderson and Henry C. Anderson, their heirs and assigns, all the rights, privileges and franchises, granted by this act, together with the boat or boats, tackle and apparatus aforesaid, shall vest absolutely in the city of Burlington; and said ferry and fer-[71]-ry privilege and franchise shall ever after be owned and controlled by said city of Burlington.

SEC. 3. **Upon failure of Anderson to select, city may select all.** If the said David B. Anderson and Henry C. Anderson, their heirs and assigns, shall fail to select an appraiser as aforesaid, when notified so to do, the said city shall select all of said appraisers.

SEC. 4. **Ferry to go into operation within 9 months.** That the said David B. Anderson and Henry C. Anderson, their heirs and assigns, shall, on or before the expiration of nine months from and after the passage of this act, procure and constantly keep for said ferry a good and sufficient horse boat, or other sufficient water craft, with a suitable number of hands, to carry all persons and their property across said river, when passable, without delay.

SEC. 5. This act to take effect and be in force from and after its passage.
Approved, 19th January, 1844.

CHAPTER 53.

W. B. PECK AND A. M. PECK.

AN ACT to change the name of William B. Peck and Ann M. Peck.

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

SECTION 1. **William B. Peck changed to William F. Telford, change not to affect right or liabilities.** That the name of William B. Peck, of Lee county, in said territory, be and the same is hereby changed to William Frederick Telford, and that he shall hereafter be known and called by the name of William Frederick Telford: provided, that such change of name shall in no way affect the collection of debts owing to, or due from, the said William B. Peck, or in any way affect his legal rights or liabilities.

SEC. 2. **A. M. P. changed to A. M. Telford.** That the name of Ann M. Peck, wife of the said William B. Peck, be and the same is hereby changed to Ann M. Telford, and that she shall hereafter be known and called by the name of Ann M. Telford, which shall be her lawful name.

SEC. 3. **Time of taking effect.** This act to take effect and be in force from and after its passage.

Approved, 19th January, 1844.

[72] CHAPTER 54.

MECHANICS' INSTITUTE.

AN ACT to incorporate the Burlington Mechanics' Institute.

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

SECTION 1. **Organization of, name and style of; general powers of.** That George Temple, James McKell, Silas A. Hudson, Anthony W. Carpenter, Morgan Evans, John L. Crose, Jacob K. Field, and their associates and successors, be and they are hereby declared to be a body politic and corporate, by the name and style of "The Burlington Mechanics' Institute," and by that name may sue and be sued, may have a common seal, shall have contin-