

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-

ual succession, and may purchase, take by gift or devise, hold, enjoy, dispose of, sell and convey, any estate, real, personal or mixed, for the use and benefit of said institute.

SEC. 2. Objects of. The objects of said institute are declared to be to improve the members thereof in literature, the sciences, arts and morals; for the establishment of a library, reading room, cabinets of geological, mineralogical, botanical, and other specimens; to endow and support a school for the education of the children of indigent mechanics and others, and to advance the social, intellectual and moral condition, of its members generally.

SEC. 3. Certain articles of property exempt from taxation and execution. The library and books, maps, instruments, models, scientific apparatus, museums, cabinets and furniture of said institute, shall be forever free from taxation by any law of this territory; nor shall the same be taken upon execution or held liable for the debt of any individual member of said institute.

SEC. 4. To be governed by their own rules and by-laws. The institute shall be governed by the constitution, by-laws and regulations, already established, but shall have power to alter and amend the same as provided for in its constitution, not incompatible with the laws of the United States and of this territory.

SEC. 5. How company to be proceeded against for violation of charter; charter, when forfeited. Whenever any person shall feel himself aggrieved by any violation of this charter by the corporators, he may file his complaint setting out such violation with the clerk of the district court of Des Moines county, who shall forthwith issue a *scira facias* against such corporation, returnable to the next term of the court thereafter, which process shall be served as is process in other suits against corporations; and if, upon the hearing of said complaint, a violation of this charter shall be found, the court shall adjudge and decree it to be forfeited.

SEC. 6. Suit by whom prosecuted and at whose expense. In case of such complaint or information being filed, it shall be prosecuted by the district attorney of said county, and at the expense of the county if a forfeiture shall be declared; but if the [73] court is satisfied that the complaint was wantonly or maliciously filed, the complainant shall be declared to pay all costs.

SEC. 7. Time of taking effect. This act shall take effect and be in force from and after its passage.

Approved, 25th January, 1844.

CHAPTER 55.

THOMAS SUMMERLIN.

AN ACT for the relief of Thomas Summerlin, collector for Van Buren county.

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

SECTION 1. Board commissioners to allow him further time to make return of tax list for 1843; limitation. That the board of county commissioners of Van Buren county be and they are hereby authorized to allow Thomas Summerlin, of said county of Van Buren, such time as they may deem reasonable for said collector to make a return of the tax list of said county, placed in his hands for collection, for the year 1843: provided, that said time shall not be extended beyond the first day of January, 1845.