

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.

SEC. 2. Board may postpone sale of lands on delinquent list of 1843; limitation. That said board of commissioners may, in their discretion, postpone the sales of any lands or town lots in said county, which, under the existing laws of this territory, may be subject to sale for delinquent taxes accruing for the year 1843, to such time as they may deem proper, provided such postponement does not extend beyond the first Monday of December, 1844.

SEC. 3. Not to release collector from obligation of bond. That nothing herein contained shall be so construed as to release the said collector, or his securities, from the obligation of the bond filed by him for the faithful performance of his duties as such collector.

SEC. 4. If time extended collector may distrain for taxes of 1843; limitation. That said collector, provided said board of commissioners extend the time for collecting the taxes of said county as herein allowed, shall have full power to collect, by distress or otherwise, the amount of all unpaid taxes for the year 1843, up to the time allowed him by the said board of commissioners: provided, the time so allowed does not extend beyond the first day of January, 1845, as aforesaid.

SEC. 5. Board to fix day of tax sale, notice to be given by collector, sale and effect of. That the board of commissioners of said county shall fix a day for the sale of all lands and town lots on which the taxes for the year 1843 may remain due and unpaid; and the said collector shall give the same notice for the sale thereof, and conduct the sale of the same in the [74] same manner that is now required by law; and the sale so made shall be as legal and valid as though the same had been held on the day provided by the existing law.

SEC. 6. Time of taking effect. This act to be in force from and after its passage.

Approved, 25th January, 1844.

CHAPTER 56.

LEGALIZING ACT.

AN ACT to legalize the acts of John A. Drake and Samuel B. Ayres, acting justices of the peace.

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

SECTION 1. Appointment of Drake and Ayres, and their acts as justices of the peace declared valid. That the appointment of John A. Drake and Samuel B. Ayres, to the office of justice of the peace in the county of Lee, in Fort Madison and West Point townships, by the board of county commissioners of said county, is hereby made good and valid; and that all acts had and done by the said John A. Drake and Samuel B. Ayres, as justices of the peace, by reason of said appointment, as if they had been elected and duly qualified as provided for by law providing for the election of justices of the peace.

SEC. 2. Time of taking effect. This act to take effect and be in force from and after its passage.

Approved, 25th January, 1844.