

SEC. 7. Deeds and other instruments how executed. All deeds and other instruments of conveyance shall be made by order of the trustees, sealed with the corporate seal, signed by the president, and be by him acknowledged in his official capacity.

SEC. 8. Time of taking effect. This act take effect and be in force from and after its passage.

Approved, 7th February, 1844.

CHAPTER 79.

MANUFACTURING COMPANY.

AN ACT to incorporate the Toolesborough Manufacturing Company.

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

SECTION 1. Organization, name and style of, general powers of, limitation of capital. That William Shepherd, Daniel West, H. D. Smith, Ezra F. Dennison, Jonathan Parsons and William L. Toole, 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 "Toolesborough 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 corporation; and shall have power to erect mills and buildings for manufacturing purposes: provided, the value of said corporation shall not exceed forty thousand dollars.

[99] **SEC. 2. Right to take water from Iowa river; place specified; right to cut race; not to interfere with rights of others.** That the said company shall have the power to take from the Iowa river sufficient water for their purposes at a point on said river nearly opposite Iowa town, in the county of Louisa, in said territory, and convey the same over or through any suitable ground by means of a canal, race or water way, of such capacity as may be deemed sufficient, to any point which may be selected by said company at or near Toolesborough, in said county: provided, that said company shall not enter upon any lands not owned by the said company for the purpose of making a canal, race, or water way, or for any other purpose, without the consent of the owner of said land.

SEC. 3. Trespass upon property of, how redressed; penalty for. That if any person shall in any wise destroy or injure any of the works belonging to said company, such person shall be deemed to have committed a trespass, and shall be liable accordingly; and any person who shall wilfully and maliciously destroy or injure any of the works of said company 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. Capital stock divided into shares of \$100. each. 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 said company may direct, provided they do not in the aggregate exceed the sum of forty thousand dollars.

SEC. 5. First meeting of company, how called and organized; its powers and capacities. 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 members 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, not inconsistent with the laws of the land.

SEC. 6. Duration of charter. That the charter hereby granted shall continue for the term of twenty years.

SEC. 7. Time of taking effect. That this act shall take effect from and after its passage.

Approved, 7th February, 1844.

CHAPTER 80.

ROAD.

AN ACT to locate a territorial road from the old boundary line, in Des Moines township, in Jefferson county, via Agency City, to the seat of justice of Mahaska county.

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

SECTION 1. Appointment of commissioners, commencement of road, route of. That John Spurlock, William B. Street [100] and E. Fish, be and are hereby appointed commissioners to locate and establish a territorial road, from a point on the old Indian boundary line, in the Des Moines township, in Jefferson county, where a territorial road from Fort Madison, in the county of Lee, passing through the counties of Van Buren and Jefferson counties, terminates on said boundary line, on the nearest and best route to Agency City, in the county of Wapello; thence to Dahlonga, in said county, and from thence to the county seat of Mahaska county.

SEC. 2. Commissioners where and when to meet. The said commissioners, or a majority of them, shall meet at the place of the commencement of said road, on the second Monday of the month of June next, or as soon thereafter as a majority of said commissioners may agree, and proceed to locate said road agreeably to the provisions of the laws of this territory, and make their returns to the counties through which said road passes, on or before the first day of October next.

SEC. 3. Commissioners, surveyor and others, how paid. That said commissioners, surveyor, and the hands employed in locating said road, shall receive for their services the compensation allowed by law, to be paid by the respective counties through which the said road passes, in proportion to the length of road in each county.

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

Approved, 7th February, 1844.