

have no personal interest either directly or indirectly in the location of the seat of justice for Wapello county, and that we will faithfully and impartially examine the situation of said county, taking into consideration the future as well as the present population of said county; also, to pay strict regard to the geographical centre of said county, and locate the seat of justice as near the centre as an eligible situation can be obtained;" which oath shall be administered by the [117] clerk of the district court, or justice of the peace of said county of Wapello; and the officer administering the same shall certify and file the same in the office of the clerk of the board of county commissioners of said county, whose duty it shall be to record the same.

SEC. 14. Duty of commissioners; to commit their decision to writing and sign it; where filed, recorded, and kept; the place there designated to be county seat. Said commissioners, when met and qualified under the provisions of this act, shall proceed to locate the seat of justice of said county, and as soon as they shall have come to a determination, they shall commit to writing the place so selected, with a particular description thereof, signed by the said commissioners, and filed with the clerk of the board of county commissioners in which such seat of justice is located; whose duty it shall be to record the same, and forever keep it on file in his office; and the place thus designated shall be the seat of justice of said county.

SEC. 15. Commissioners, compensation of; how paid. Said commissioners shall each receive the sum of two dollars per day while necessarily employed in the duties enjoined upon them by this act, which shall be paid by the county out of the first funds arising from the sales of town lots in said seat of justice.

SEC. 16. Kishkekosh and country west to be attached. That the county of Kishkekosh, and the territory west of said county, be and the same is hereby attached to the county of Wapello, for election, revenue and judicial purposes.

SEC. 17. Time of taking effect. This act to take effect and be in force from and after its passage.

Approved, 13th February, 1844.

CHAPTER 101.

DUBUQUE MINING COMPANY.

AN ACT to incorporate the Dubuque Mining Company.

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

SECTION 1. Organization of company; name, style and general powers of. That Timothy Fanning, George W. Cummins, William B. Smith, and their associates and successors, be and they are hereby created a body politic and corporate, under the [118] name of the "Dubuque Mining Company;" and by that name shall have perpetual succession, and shall have power to contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered, in all courts of competent jurisdiction; may have and use a common seal, and be vested with all the powers and privileges necessary to the object of their incorporation, not contrary to law and the rights of other individuals.

SEC. 2. Right to hold and sell property; limitation of amount. That said company shall have power and be capable of holding, purchasing, improving, selling, leasing, renting and conveying estate, real, personal and mixed, for

the use of said incorporation: provided, that the real estate owned by said company shall not at any one time exceed thirty thousand dollars in value.

SEC. 3. Shares \$50 each. That the capital stock of said company shall be divided into shares of fifty dollars each.

SEC. 4. First meeting within one year; majority may adopt rules for government of; restriction; first election when and how conducted; election to take place annually—Directors elected, one of their number to be president; electors how to vote; other officers how appointed; property and concerns of how managed. That the members of said company shall meet at any time a majority of them may agree upon, within one year from the passage of this act, and when so convened may proceed to enact such rules, regulations and by-laws, for the government and conduct of said company, and adopt such method and arrangement for receiving subscriptions to the capital stock thereof, as a majority of them may deem right and proper: provided, they do not conflict with the laws of the United States, of this territory, or of the future state of Iowa; and shall at the same time, and annually thereafter, elect by ballot five directors, in electing which each share of the capital stock shall be entitled to one vote; and the person receiving the highest number of votes shall be declared duly elected, to hold the office for one year and till his successor be chosen. The directors shall choose one of their number president of the company, and appoint such other officers and agents as a majority of them may think necessary for the management of the business of said company; and by said directors the property, stock and concerns of said institution, shall be managed, subject to the regulations and instructions of a majority of the stockholders. They shall have full power and authority to put into operation and execute all the designs and instructions of the stockholders, and all contemplated in this charter.

SEC. 5. Conveyances, how executed, etc.; how acknowledged, effect of. That all conveyances of real estate shall be signed by the president of the company, and by him acknowledged in his official capacity, and the seal of the company shall be thereto affixed; which conveyance, so executed and acknowledged, shall be binding on the company, according to the tenor and meaning of the same.

SEC. 6. Stock personal property, how transferred; restriction of indebtedness on transfers. That the stock of said company shall be deemed personal property, and assignable and transferable on the books of the company; but no subscriber indebted to said incorporation shall be permitted to make a transfer of stock until such indebtedness be adjusted to the satisfaction of the directors.

SEC. 7. Power to sink shaft and erect machinery in Dubuque county. That said corporation be and is hereby authorized to sink a shaft or shafts, for the purpose of discovering lead ore, in the mining district of the county of Dubuque, and put thereon machinery sufficient to work the same.

SEC. 8. Company becoming insolvent stockholders to be personally liable. That if said incorporation should become insolvent, and [119] fail thereby to meet any obligation against them, the stockholders thereof shall be personally liable therefor.

SEC. 9. Repealing power reserved. That this act may be amended or repealed by any subsequent legislature of this territory or state of Iowa.

SEC. 10. Time of taking effect. That this act shall take effect and be in force from and after its passage

Approved, 13th February, 1844.