

CHAPTER 129.

TOWN OF DAVENPORT.

AN ACT to amend an act entitled, "An act to incorporate the town of Davenport."

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

SECTION 1. **Warrant first process, nature of punishment, limitation of imprisonment.** That the first process for the recovery of fines for violations of any by-law or ordinance passed by the mayor [150] and aldermen of said town, may be a warrant returnable forthwith; and on conviction of any offender for any such violation, the punishment may be fine or imprisonment of such offender, at the discretion of the court or justice trying the same: provided, such imprisonment shall not exceed seventy-five days for any one offense.

SEC. 2. **Tax, how and by whom laid, how applied.** That the mayor and aldermen of said town are hereby authorized to lay a tax on all the lots situated on any street in said town, for the improvement of such street, or of the side walks thereof, upon the petition of the owners of two-thirds of the lots on such street.

Approved, 15th February, 1844.

CHAPTER 130

MOUNT PLEASANT COLLEGIATE INSTITUTE.

AN ACT to incorporate the Mount Pleasant Collegiate Institute.

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

SECTION 1. **Organization of; name and style; general powers.** That Palmer C. Tiffany, John P. Grantham, Nelson Lathrop, Samuel Nelson, Jonathan C. Hall, Ephraim Killpatrick, and their associates, are hereby declared a body corporate, by the name of the "Mount Pleasant Collegiate Institute," with power of perpetual succession, to sue and be sued, to implead and be impleaded, in any of the courts of this territory, and do all acts necessary to carry out the objects of their incorporation.

SEC. 2. **Object of incorporation.** That the objects and purposes of said incorporation shall be wholly confined to the acquiring of sufficient real estate, erecting suitable buildings, endowing professorships, establishing a library, and sustaining an institution of learning, designed and kept open for the education of all denominations of white citizens.

SEC. 3. **Specific powers; to make by-laws, elect officers, etc.; validity of, restriction.** That said incorporators, and their associates, shall have power to organize in such manner as they may see proper, appoint such officers as they may deem fit, and make such rules, by-laws and regulations, to govern themselves, and dispose of their property, as they may deem advisable; and after they shall have adopted such rules, by-laws and regulations, the same shall be valid and binding, and shall be received and enforced in the several courts of this territory: provided, no rules, by-laws or regulations, adopted by said incorporation, shall have any effect, except over the members of said [151] incorporation; and in no case shall they be made to inflict any penalty on any member thereof, or contravene the laws of this territory.

SEC. 4. Legal process, how served. Legal process may be served upon any officer of said incorporation, and in case there are no officers, then upon any member thereof.

SEC. 5. Institution, where to be situated. That said institution shall be situated within five miles of the town of Mount Pleasant, in Henry county.

SEC. 6. Power to authorize any member to sell or convey real estate of incorporation; effect of such conveyance. That said incorporators and their associates may make rules by which any one or more of their number can sell and convey, or mortgage, any real estate, of which said incorporation may become possessed; and all conveyances so made, shall be valid in law and equity.

SEC. 7. Power to receive conveyance of the real estate and effects of the Mount Pleasant Collegiate Institute. The present association, known as the "Mount Pleasant Collegiate Institute," are hereby authorized to transfer to the said incorporation, such real and personal property as has been vested in them for the purposes of establishing said institution of learning; and said property shall, when so transferred, be wholly vested in said incorporation.

SEC. 8. Repeal power reserved. Any future legislature may repeal, alter, or amend this charter.

SEC. 9. Time of taking effect. This act to take effect and be in force from and after its passage.

Approved, 15th February, 1844.

CHAPTER 131.

ROAD.

AN ACT to locate and establish a territorial road from Wilson's mills, in Henry county, to Glasgow, in Jefferson county.

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

SECTION 1. Commissioners, appointment of; road to commence at Wilson's mill, in Henry county. That Samuel D. Woodworth and Henry Hackett, of Henry county, and Daniel Seares, of Jefferson county, be and they are hereby appointed commissioners, to view, mark, locate and establish, a territorial road, from Wilson's mills in Henry county, to Glasgow, in Jefferson county.

SEC. 2. Commissioners, when and where to meet; power to employ surveyor and other hands; route of road. Said commissioners, or a majority of them, shall meet at Wilson's mills on the third Monday in March next, or within three months thereafter, and take to their assistance one surveyor and two [152] chain carriers, and one marker, and proceed to locate and establish said road on the nearest and best route to Watson's mills, on Big Cedar, from thence the nearest and best route to Glasgow, in Jefferson county, and there to intersect and terminate on the road leading from Fort Madison to Fairfield, in said county.

SEC. 3. Commissioners and others, how paid. Said commissioners, chain carriers and marker, shall receive the compensation allowed by law; and the said Woodworth shall perform the duties of surveyor, and shall receive a compensation for his services as such (and not as commissioner.) to be audited and paid by each of said counties in proportion to the length of the road in each county.