

**SEC. 2. In force from passage.** This act to be in force from and after its passage.

Approved, January 9th, 1846.

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CHAPTER 46.

TREASURER, AUDITOR AND WARDEN.

AN ACT requiring certain officers therein named, to make their annual reports to the executive of the territory of Iowa.

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

**SECTION 1. Treasurer, auditor and warden of penitentiary to report annually to the governor.** That the territorial treasurer, territorial auditor, and warden of the Iowa penitentiary, are hereby required to make their annual reports, containing a correct synopsis of all the important matters pertaining to their respective offices, with such suggestions as they may deem proper, to the executive of the territory, on or before the first day of November in each year.

**SEC. 2. Repealing clause.** All acts conflicting with this act, be and the same are hereby repealed.

**SEC. 3. Act in force from passage.** That this act shall take effect and be in force from and after its passage.

Approved, January 9th, 1846.

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[46] CHAPTER 47.

KEOKUK COUNTY.

AN ACT to provide for the appointment of commissioners, to re-locate the county seat of Keokuk county.

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

**SECTION 1. Commissioners to relocate county seat.** That Joseph Foster, of the county of Van Buren, Joshua Owens, of the county of Lee, and John Brophy, of the county of Clinton, be and they are hereby appointed commissioners, to relocate the county seat of Keokuk county.

**SEC. 2. Commissioners to meet at Sigourney.** Said commissioners or a majority of them, shall meet at the town of Sigourney, in said county, on the second Monday of May next; or at such other time thereafter, as a majority may agree upon, and before entering upon the discharge of their duties, shall take and subscribe before some justice of the peace of said county, or other person authorized by law to administer the same, the following oath—"You do solemnly swear or affirm, that you are not, either directly or indirectly interested in the location of the county seat of said county, that you are not, directly or indirectly interested in any land, or lands, or land claims of any description, within the limits of the same; and that you will faithfully and fully discharge the duties incumbent upon you, without

favor or affection, to the best of your judgment," which oath so taken and subscribed, shall be filed in the office of the clerk of the board of county commissioners in said county.

**SEC. 3. Duty of commissioners.** Said commissioners when qualified as aforesaid, shall proceed to select a suitable site for the county seat of said county; taking into consideration, the relative advantages, and disadvantages, of different points, the present and future interest and convenience of the population of said county; and among the several points, so examined, including the town of Sigourney: they shall select such point as they may deem most suitable, for the county seat of said county.

**SEC. 4. To name the new location.** That as soon as said commissioners shall agree upon such point, for the county seat of said county, they shall reduce a proper and particular description of the same to writing, giving said point a name, [47] which description, properly certified as the point selected, shall be filed with the clerk of the board of county commissioners.

**SEC. 5. Electors to decide between the two points.** That if the commissioners shall determine that the town of Sigourney is a proper and suitable point, for the county seat of said county said decision properly certified, shall be reduced to writing, and filed with the clerk of the board of county commissioners of said county, and the same shall be and remain the county seat of said county, as provided by law; but if any other point should be selected, as aforesaid, then, the clerk of the board of county commissioners, shall give at least twenty days' notice, by posting up the same in at least four of the most public places in said county, that at the next August election, a poll will be opened, for the qualified electors of said county, to determine by ballot, which of the two points, the one so selected by the commissioners, or the town of Sigourney, shall be the county seat of said county. Those voting for the town of Sigourney, shall write the word "Sigourney" on their ballots. Those voting for the point selected by the commissioners as aforesaid, shall write on their ballots the name agreed on by the commissioners, for the new location, and whichever point shall receive a majority of votes, cast at said election shall be, and remain forever afterwards, the county seat of Keokuk county.

**SEC. 6. Compensation of commissioners.** Said commissioners shall receive two dollars per day, for each day necessarily employed in the discharge of the duties of their appointment, and two dollars for every twenty miles travel, in going and returning, to be paid out of any moneys in the treasury of Keokuk county, not otherwise appropriated.

**SEC. 7. Action of county commissioners.** That if the qualified electors, shall decide at said election, in favor of the new location, made by the commissioners aforesaid, then, the commissioners of said county, shall immediately proceed to make a survey of said new location; and as soon as the plat of the survey of the new location is filed, and recorded in the office of the clerk of the board of county commissioners, the said commissioners shall make such indemnity to the lot holders of the town of Sigourney, as they may have sustained, to reimburse them for any loss, or losses sustained, by the removal of the county seat: provided, that any person aggrieved, by the decision of the board of county commissioners, under and by virtue of this act, may take an appeal to the district court, as in other cases.

**SEC. 8. In force from passage.** This act to take effect and be in force from and after its passage.

Approved, January 9th, 1846.