

CHAPTER 19.

COUNTY SEATS.

AN ACT to locate the seats of justice of certain counties therein named.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Commissioners for Marshall county. That B. B. Berry, of the county of Mahaska, Manly Gifford, of the county of Jasper, and W. W. Miller, of the county of Dallas, be, and they are hereby appointed commissioners to locate and establish the seat of justice of the county of Marshall.

SEC. 2. Commissioners for Boone county. That David Sweem, of the county of Marion, S. K. Scovill, of the county of Dallas, and Samuel Hayworth, of [49] the county of Warren, be, and they are hereby appointed commissioners to locate and establish the seat of justice of the county of Boone.

SEC. 3. Commissioners for Guthrie county. That Isaac H. Walters, of the county of Marion, David Bishop, of the county of Madison, and Lewis Whitten, of the county of Polk, be, and they are hereby appointed commissioners to locate and establish the seat of justice of the county of Guthrie.

SEC. 4. Commissioners for Clarke county. That Beverly Terey, of the county of Lucas, James Graham, of the county of Warren, and S. D. Bishop, of the county of Monroe, be, and they are hereby appointed commissioners to locate and establish the seat of justice of the county of Clarke.

SEC. 5. Time of meeting—oath—filed. That said commissioners shall meet at some place in the county for which they are respectively hereby appointed, on the third Monday of April, A. D. 1851, or within six months thereafter, and after taking the following oath, shall proceed to locate and establish the seat of justice of said county: "we, A. B., C. D. and E. F. do solemnly swear (or affirm) that we have no personal interest directly or indirectly in the location of the seat of justice of the county of, (here insert the name of the county.) and that we will faithfully and impartially locate the same, according to the best interest of said county, taking into consideration the future as well as present population of said county," which oath or affirmation shall be administered by the clerk of the district court, or some other person authorized to administer oaths, of the county whose seat of justice said commissioners are appointed to locate; and the officer administering the oath, 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. 6. Locate—certificate—filed. Said commissioners when met and qualified, shall proceed to locate the seats of justice of the respective counties for which they are appointed, and as soon as they shall come to a determination, they shall make out a certificate, containing a particular description of the places so selected, naming therein the quarter, section, township and range upon which they have located such seat of justice; which shall be signed [50] by said commissioners and filed in the office of the clerk of the board of county commissioners of such county, whose duty it shall be to record the same; and the place thus designated shall be the seat of justice of said county.

SEC. 7. Fees. That said commissioners shall each receive the sum or two dollars per day, while necessarily employed in the discharge of their duties under the provisions of this act, and two dollars for every twenty miles

travel in going to and returning from said county, to be paid out of the funds arising from the sale of lots in said seat of justice.

SEC. 14. Take effect. This act shall take effect and be in force from and after its passage.

Approved January 21st, 1851.

CHAPTER 20.

PROBATE RECORDS.

AN ACT to authorize John H. Franklin to transcribe the records of the probate court of Jasper county.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Transcribe records. That John H. Franklin, of the county of Jasper, be, and he is hereby authorized, to transcribe the records of the probate court of Jasper county, into the bound record book procured by the county for that purpose.

SEC. 2. Fees. That the said John H. Franklin, shall receive the sum of eight cents for each and every one hundred words, transcribed into said record, to be paid out of the county treasury of the county of Jasper.

SEC. 3. To take effect. This act shall take effect and be in force from and after its passage.

Approved January 21, 1851.

[51] CHAPTER 21.

FAYETTE COUNTY.

AN ACT to locate the county seat of Fayette county.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Vote—points—majority—second vote— plurality elects—deed. That the legal voters of Fayette county, may vote, on the first Monday of April next, for the five following points, to wit: Centerville, at the centre of said county, Lightville, near Light mill on the Volga river, West Union, Auburn and Claremont, and if, upon canvassing the vote, it is ascertained, that any one point has received a majority of all the votes cast, then that shall be, and remain the permanent seat of justice of said Fayette county; but if no one point shall receive such majority, then the legal voters of said county, may vote, on the first Monday in May thereafter, for the two points, which received the highest number of votes at the April election, and also for such point, if there be any, that shall have received a like number of votes with either of the two highest as aforesaid; and the point receiving the highest number of votes, shall be, and remain, the permanent seat of justice of the county of Fayette; providing, that the owner or owners of such town or point, shall within ten days after the result of said