

CHAPTER 66.

NEW COUNTIES.

AN ACT to establish new counties and define their boundaries, in the late session from the Winnebago Indians.

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

SECTION 1. County of Allamakee—boundaries. That the following shall be the boundaries of a new county, to be called Allamakee, to wit: Beginning at the main channel of the Mississippi river, on the line dividing townships ninety-five and ninety-six; thence west on said township line to the line dividing ranges six and seven; thence north on said range line to the northern boundary of the state; thence east on said state line to the main channel of the Mississippi river; thence down the middle of the main channel of said river to the place of beginning.

SEC. 2. County of Winneshiek—boundaries. That the following shall be the boundaries of a new county, to be called Winneshiek, to wit: Commencing at the southeast corner of township ninety-six north, range seven west; thence west on the line dividing townships ninety-five and ninety-six, to the line dividing ranges ten and eleven; thence north on said range line to the northern boundary of the state; thence east on said state line to the line dividing ranges six and seven; thence south on said range line to the place of beginning.

SEC. 3. Boundaries to be surveyed. That as soon as the treaty made with the Winnebago Indians shall have been ratified by the United States senate, and the [82] Indians removed from the late purchase, the board of county commissioners of Clayton county shall have the boundaries of said new counties surveyed and marked out, as near as may be, to correspond with the spirit and meaning of this act; which boundaries shall remain as the county boundaries until the country is surveyed by the United States, and that the township lines shall remain and be the county boundaries thereafter.

SEC. 4. Governor to appoint justices—justices' oath and bond—jurisdiction. That the governor of this state be, and he is, hereby authorized to appoint and commission as many justices of the peace in the new counties established by this act as he may deem expedient; and each justice so appointed and commissioned shall hold his office for the term of two years, and, before entering upon the duties of his office, shall take an oath and enter into bond in the same manner as is required of justices of the peace elected in organized counties, so far as applicable, which bond shall run in the name of the board of county commissioners, and be approved by, and filed in the office of the clerk of the district court of Clayton county; and, justices of the peace so appointed, commissioned and qualified, shall possess the same jurisdiction and power in all cases whatsoever throughout the county or district of country for which they may have been appointed, as justices duly elected and qualified in organized counties possess.

SEC. 5. Constables—oath and bond. That each justice so appointed, commissioned and qualified shall have the power of appointing two constables, who shall take an oath and enter into bond in like manner as is required of constables elected under the laws of the state, so far as applicable, which bond, when executed to the approval of the justice, shall be filed in the office of the justice making the appointment.

SEC. 6. Expenses of survey. And it shall be the duty of the counties, and they are hereby required, to refund all moneys that the county of Clayton may have expended in having their county boundaries surveyed.

Approved, February 20th, 1847.