

SEC. 20. Property released—how property treated. Property seized by virtue of such execution shall only be released from the effects of the law by either:

First—Pointing out sufficient company property whereon to levy; in which case the costs thus far made shall be added to the amount to be collected from the company by the execution—or,

Second—By making and filing in the clerk's office an affidavit that the funds of the company are exhausted, and by informing the officer who made the levy of the same. In this case the officer shall forthwith make return of that fact to the court from whence the execution was issued. He shall thereupon suspend all further proceedings under the execution, and the property levied upon shall be treated as though held by virtue of a writ of attachment until the further order of the court.

SEC. 21. As to plaintiff—issue. The plaintiff may direct a release of the property thus taken in execution, or he may appear before the district court at the return day of the execution, or as early as practicable afterwards, and, in answer to a rule to show cause why the property should not be released, may allege such matters as will render the private property of the members of the company liable. Issue shall thereupon be joined, to be tried by a jury.

SEC. 22. Trial—judgment. Upon such trial it shall be necessary for the company to exhibit their books and papers, if required, and explain by those, or by some other means, the fairness and regularity of their business transactions. The judgment of the court shall be in accordance with the finding of the jury.

SEC. 23. Claim of member. Whenever the private property of one member of the company is thus held, he shall have a claim for indemnity against the company.

SEC. 24. Member may sue. Any of the members may sue the company at law for a private demand against the same.

SEC. 25. Winding up concerns. All corporations whose charter shall expire by their own [104] limitations, or shall be annulled by forfeiture or otherwise, shall nevertheless be continued bodies corporate for the term of ——— years after the time when they would have been so dissolved, for the purpose of prosecuting and defending suits by or against them, and of enabling them gradually to settle and close their concerns, to dispose of and convey their property, and to divide their capital stock, but not for the purpose of continuing the business for which such corporation or corporations have been, or may be, incorporated.

SEC. 26. Private property liable. The private property of each stockholder shall be liable for all the debts of the corporation, to the amount of stock owned by said stockholder at the time when such debts were contracted, and also to the amount of stock owned by said stockholder at any subsequent time.

Approved, February 22d, 1847.

CHAPTER 82.

DUBUQUE.

AN ACT to incorporate and establish the city of Dubuque.

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

SECTION 1. Boundaries of Dubuque—a body corporate—seal—city council. That all that part of the state of Iowa included within the following limits, to wit: Beginning at a point in the middle of the main channel of the Missis-

Mississippi river, eastwardly and in line with the south boundary of the town of Dubuque, as surveyed and laid out by the commissioners appointed in pursuance of an act of congress, to lay off the towns of Fort Madison, Burlington, Dubuque, etc.; thence south sixty-seven degrees thirty-nine minutes west, to a stone planted in the ground; thence on the westerly boundary, north twenty-two degrees thirty minutes west, to a stake and stone; thence on the north boundary, north sixty-seven degrees thirty minutes east, to the middle of the main channel of the Mississippi river; thence down said river, with said channel, to the place of beginning; shall be and is hereby declared to be a city, and the inhabitants thereof are created a body corporate and politic, with perpetual succession, by the name and style of the city of Dubuque; and as such, by that name, shall be capable in law of contracting and being contracted with, of suing and being sued, pleading and being impleaded, answering and being answered unto, in all courts and places in all matters whatsoever; and also of purchasing, using, occupying, enjoying and conveying real, personal and mixed estate; and may have and use a corporate seal, and may change, alter and renew the same at [105] pleasure; and shall be competent to have, exercise and enjoy all the rights, immunities, powers and privileges, and be subject to all the duties and obligations incumbent upon and appertaining to a municipal corporation. And for the better ordering and governing said city, the exercise of the corporate powers of the same, hereby and herein granted, and the administration of its fiscal, prudential and municipal concerns, with the conduct, direction and government thereof, shall be vested in a mayor and aldermen, consisting of seven members, to be denominated the city council, together with such other officers as are hereinafter mentioned and provided for.

SEC. 2. Property invested in said city. That the said city of Dubuque shall be, and hereby is, invested as the lawful owner and proprietor, with all the real, personal and mixed estate, and all the rights and privileges thereof, together with all the property, funds and revenues, and all moneys, debts, accounts and demands, due and owing, or in any wise belonging to said city, or which by or under the authority of any former act or acts, have been acquired, vested in, or is or may be owing or belonging to the city of Dubuque, together with all rights, interests, claims and demands in favor of or against said city, may be continued, prosecuted, defended and collected in the same manner as though this act had never been passed.

SEC. 3. Annual election—city council—quorum—journal—when to meet—to take oath. That the qualified electors of said city shall, on the first Monday in April, Anno Domini, eighteen hundred and forty-seven, and annually on the same day thereafter, elect a mayor, who shall have resided in said city three years; and the qualified electors of said city shall at the same time elect six aldermen, who shall have resided in said city two years; and the mayor and aldermen so elected, when assembled together and duly organized, shall constitute the city council, a majority of whom shall be necessary to constitute a quorum for the transaction of business; they shall be the judges of the election returns and qualification of their own members, and shall continue in office for the term of one year, and until their successors shall be chosen and qualified. They shall determine the rules of their proceedings, and keep a journal thereof, which shall be open to the inspection and examination of every citizen; and may compel the attendance of absent members in such manner and under such penalties as they may prescribe; and they shall meet at some convenient place in said city, on the second Monday in April, and after taking the oath of office before some officer qualified to administer oaths, shall elect from their own body a president *pro tempore*.

SEC. 4. Treasurer's duties—officers. That there shall be elected by the qualified electors of said city, on the first Monday of April annually, a treasurer, who shall hold his office for the term of one year, and until his successor

shall be elect-[106]-ed and qualified. He shall perform such duties and exercise such powers not herein specified, as may be lawfully required of him. There shall also be elected by the qualified voters of said city, on the first Monday of April annually, a recorder, city marshal, and assessor of said city, who shall hold their offices for the term of one year, and until their successors shall be chosen and qualified, and who shall perform such duties and exercise such powers as may be lawfully required of them by the ordinances of said city.

SEC. 5. Proclamation—duty of judges—proviso—failure to elect—mayor's duty—elections. That in all elections for city officers, it shall be the duty of the mayor to issue a proclamation to the qualified voters of said city, setting forth the time of such elections, the place or places where the same shall be holden, the officer or officers to be chosen, and cause such proclamation to be posted up in three of the most public places in said city, at least ten days previous to such election. And every such election shall be opened between the hours of eight and ten o'clock in the forenoon and continue open until four o'clock in the afternoon, and shall in all things be conducted agreeably to the laws regulating township elections for the time being; and it shall be the duty of the judges of said elections, within two days thereafter, to make and direct the returns thereof to the mayor of said city at his office, in the same manner that election returns are required to be made by the township trustees for the time being; provided, that in all elections for mayor, the returns shall be made and directed to the president *pro tempore* of the city council; and the mayor or president *pro tempore* of the city council, as the case may be, shall within five days after any such election, open the returns which shall have been made as aforesaid, and shall make an abstract of all the votes and file the same with the city recorder, who shall make a record thereof in a book to be kept by him for that purpose, and the person or persons having the highest number of votes shall be declared duly elected: but if from any cause the qualified voters of said city, or any of the respective wards, as the case may be, should fail to effect any election at the time and in the manner herein provided, the mayor shall forthwith issue his proclamation for a second or other election, which in all things shall be notified, conducted, regulated, and the returns thereof made, as in and by this act is prescribed, and the person or persons who shall be chosen at any such second or other election, shall hold their offices until the next ensuing annual election, and until their successor or successors in office shall be elected and qualified; and it shall be the duty of the mayor or president *pro tempore* of the city council, immediately to notify such person or persons who may be elected as aforesaid, of his or their election, by causing a written notice thereof to be served upon him or them by the city marshal; and every person so [107] chosen or elected as aforesaid, shall within ten days after his election, cause himself to be qualified to enter upon the duties of his office, and in default thereof, the office to which he shall have been elected shall be deemed and considered in law to be vacated; and it shall be the duty of the city council to prescribe the time and manner, and provide the place or places of holding all elections in said city for city officers, and of making the returns thereof, not herein otherwise directed and prescribed; and the said city council shall appoint judges and clerks for all city elections.

SEC. 6. Qualified voters—oath. That each and every white male citizen above the age of twenty-one years, who shall have been a resident in said city six months immediately preceding any election for city officers, shall be deemed a qualified voter of said city, and shall be entitled to vote in the same, or in the ward where he may reside, for mayor, alderman, recorder, treasurer, city marshal, assessor, and such other officers as are in and by this act directed to be chosen by the qualified voters of said city or of the respective wards therein, and all others which by public ordinance may be required to be chosen or elected; and when any person shall present himself to give his vote, and either

of the judges shall suspect that such person does not possess the requisite qualifications of an elector, or if his vote shall be challenged by an elector who has previously given his vote at such election, the judges of said election shall tender to such person an oath or affirmation in the following form, to-wit: I, A. B., do solemnly swear, (or affirm, as the case may be,) that I am a citizen of the United States, and that I have been a resident of this city six months immediately preceding this election; am a resident of this ward, (if wards have been established,) and to the best of my knowledge and belief, have attained the age of twenty-one years, and that I have not voted at this election.

SEC. 7. Eligibility. That no member of the city council shall be eligible to any office within the gift of the city council during the year for which he may have been elected, nor shall any member of the city council be interested, directly or indirectly, in the profit of any contract or job for work or services to be performed for the city.

SEC. 8. Duty of mayor—to have a casting vote. That it shall be the duty of the mayor to be vigilant and active at all times in causing the laws and ordinances of said city to be put in force and duly executed. He shall sign all by-laws and ordinances adopted and passed by the city council, and see that the same are published six days before they go into effect. He shall preside when present at the meetings of the city council and be denominated president of the same, and when there is a tie, shall give the casting vote. He shall do and perform such other duties as the city council may pre-[108]-scribe and determine, not inconsistent with the provisions of this charter.

SEC. 9. Oaths of officers—bond—compensation—duty of recorder. That the treasurer, marshal, recorder, assessor, and all other officers under the government of said city, shall, before entering upon the duties of their respective offices take an oath or affirmation to support the constitution of the United States, and faithfully and impartially to perform the several duties of the offices to which they may be respectively elected or appointed, and when required, shall give such bond to the city, with good and sufficient security, in such sum or sums, and with such conditions thereto, as the city council may from time to time direct; and in all cases not herein provided for, shall respectively be allowed and receive such fees and compensation for their services, and be liable to such fines, penalties and forfeitures, for negligence, carelessness, misconduct in office, and positive violation of duty, as the said city council shall order and determine. And it shall be the duty of the said recorder to keep the seal of said city, and all the records, papers and official documents thereunto belonging; he shall keep fair books wherein shall be kept the accounts of the city, shall attest all orders issued by the city council for the payment of money, and enter the same, in numerical order, in a book to be kept for that purpose, and shall perform such other duties as shall be required of him by ordinance.

SEC. 10. Duty of council—term of office. That the city council shall provide for the times and places of holding their meetings not herein otherwise provided for, which shall at all times be open to the public; they shall provide by ordinance for the election, by the qualified voters of said city, of such other city officers, whose election is not herein otherwise provided for, as shall be necessary for the good government of said city and the due exercise of its corporate powers, and which shall have been provided for by ordinance. And all city officers whose term of service is not prescribed, and whose powers and duties are not defined in and by this act, shall perform such duties, exercise such powers, and continue in office for such term of time, not exceeding one year, as shall be prescribed by ordinance.

SEC. 11. Vacancies—sickness or absence of mayor. That whenever the office of mayor, councilmen, treasurer, marshal, recorder, or any other officer, in and by this act specified and provided for, shall become vacant by death, resigna-

tion, removal from the city, or otherwise, it shall be the duty of the council, as soon as may be, to appoint some suitable person having the requisite qualifications, to fill such vacancy, and the person so appointed shall continue in office during the remainder of the term for which his predecessor was elected; and in case of sickness or temporary absence of the mayor, the duties of his office, during such sickness or temporary absence, shall be discharged by the president *pro tem.*, who shall be obeyed and respected accordingly.

SEC. 12. Further powers and duties of council. That the said city council shall have power, and it is hereby made their duty, to make and publish from time to time, all such ordinances as shall be necessary to secure said city and the inhabitants thereof against injuries by fire, thieves, robbers, burglars and all other persons violating the public peace; for the suppression of riots and gambling, and indecent and disorderly conduct; for the punishment of all lewd and lascivious behavior in the streets and other public places in said city; they shall have power from time to time to make and publish all such laws and ordinances as to them shall seem necessary to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort and convenience of said city and the inhabitants thereof; to impose fines, forfeitures and penalties on all persons offending against the laws and ordinances of said city, and provide for the prosecution, recovery and collection thereof; and shall have power to regulate by ordinance the keeping and sale of gun-powder within the city.

SEC. 13. Fire companies—wharfage, etc. That the city council shall have power to establish and organize all fire companies and provide them with proper engines, and such other instruments as shall be necessary to extinguish fire and preserve the property of the inhabitants of said city from conflagration, and they shall have power to establish and constitute landing places, wharves, docks and basins in said city, at or on any of the city property, and fix the rates of landing, wharfage and dockage of all steamboats, boats, rafts, and other water crafts, and of all goods, wares, merchandise, produce and other articles that may be moored at, landed on, or taken from any landing, wharf, dock, or basin belonging to said city.

SEC. 14. Security against fire. That, for the purposes of more effectually securing said city from the destructive ravages of fire, the said city council shall have power and authority on the application of three-fourths of the whole number of owners and proprietors of any square or fractional square in said city, to prohibit in the most effectual manner, the erection of any building or the addition to any building before erected more than ten feet high in any such square or fractional square, except the outer walls thereof shall be composed entirely of brick or stone and mortar, and to provide for the most prompt removal of any building or addition to any building which may be erected contrary to the true intent and meaning of this section.

SEC. 15. To regulate taverns, etc.—public shows—ferries—license to retail liquors—exhibitions—auctions. That the city council shall have power, and it is hereby made their duty to regulate by good and wholesome laws and ordinances all taverns, ale, beer, cider and porter shops, and places where spirituous liquors are sold in less quantities than one gallon, and all other houses of public entertainment in said city; all theatrical exhibitions and public shows, and all exhibitions of whatever name or nature to which admission is obtained on the payment of money or any other reward; to license and establish ferries across the Mississippi river from said city to the opposite shore, to fix the rates of the same, and to impose reasonable fines and penalties for the violation of any such laws and ordinances. And the city council shall have full and exclusive power to grant or refuse license to tavern keepers, inn holders, retailers of spirituous liquors by less quantities than one gallon, keepers of ale, porter,

cider, beer houses and shops, and all other houses of public entertainment, showmen, keepers, and managers of theatrical exhibitions, and other exhibitions for money or other reward, auctioneers for the sale of goods, wares and merchandise, horses and other animals at public auction, keepers of billiard tables, ball and ten pin alleys, and keepers of ferries from said city across the Mississippi river to the opposite shore; and in granting any such license it shall be lawful for said city council to exact, demand and receive such sum or sums of money as they shall think reasonable and expedient; to annex thereto such terms and conditions in regard to time and place and other circumstances under which such license shall be acted upon, as in their opinion the peace, quiet and good order of society and said city may require, and for the violation of said terms and conditions as aforesaid, the city council shall have power to revoke or suspend any such license whenever the good order and welfare of said city may require it, in such manner as shall be provided by ordinance.

SEC. 16. Nuisances—stagnant water—sale of lots—proviso. That the city council shall have power, and they are hereby authorized, to require and compel the abatement and removal of all nuisances within the limits of said city, under such regulations as shall be prescribed by ordinance; to cause all grounds therein where water shall at any time become stagnant, to be raised, filled up, or drained, and to cause all putrid substances of either animal or vegetable to be removed; and to effect these objects, the said city council may, from time to time, give order to the proprietor or proprietors, or to his, her, or their agent or agents, and to the non-resident proprietors who have no agents therein, notice by publication in one or more of the newspapers printed in said city, for the period of two weeks, of all or any ground subject at any time to be covered with stagnant water, to fill up, raise or drain such ground at their own expense, and the said city council shall designate how high such grounds shall be filled up and raised, or in what manner they shall be drained, and fix some reasonable time for [111] filling up, raising or draining the same, and if such proprietor or proprietors or agents shall neglect or refuse to fill up, raise or drain such grounds in such manner and within such time as the said city council shall have designated and fixed, they shall cause the same to be done at the expense of the city, and assess the amount of the expenses thereof on the lot or lots of ground so filled up, raised or drained as aforesaid, and place the assessment so made as aforesaid, in the hands of the city collector, who shall proceed to collect the same by the sale of such lot or lots, if not otherwise paid, in such manner and under such restrictions and regulations as may be prescribed by ordinance: provided, the proprietor or proprietors shall have the privilege and right to redeem such lot or lots within one year after such sale, by paying to the purchaser or purchasers the amount by them paid, together with ten per cent. interest thereon.

SEC. 17. As to streets and highways—hogs, etc., running at large—carts and drays. That said city council shall have the exclusive power of appointing supervisors and other officers of the streets and highways within the said city, and if collected in money or labor, any sum not exceeding one dollar annually, as a road tax, from each and every person liable by law to pay such tax or labor on the highways; they shall have the power whenever the public convenience or safety shall require it, to prohibit hogs, cattle, horses and all other animals from running at large in the streets, lanes, alleys, commons and other public places in said city; they shall have power to license and regulate all carts, wagons and drays, and every description of two and four wheeled carriages which may be kept in said city for hire, and all livery stables, brokers and loan offices.

SEC. 18. Public schools. That said city council shall have power, whenever they deem it expedient, to provide for the establishment and support of public schools within said city, and to pass all ordinances necessary and proper for the good government of the same.

SEC. 19. Moneys, where paid—how drawn—duty of council as to claims, etc.—to pass laws. That all moneys raised, recovered, received or collected by means of any tax, license, penalty, fine, forfeiture, or otherwise, under the authority of this act, or which may belong to said city, shall be paid into the city treasury, and shall not be drawn therefrom except by order or under the authority of the city council; and it shall be the duty of the city council to liquidate and settle all claims and demands against said city, and to require all officers, agents or other persons intrusted with the disbursement or expenditure of the public money, to account to them therefor, at such time and in such manner as they may direct; and they shall annually publish, for the information of the citizens, a particular statement of the receipts and expenditures of all public moneys belonging to said city, and also, of all debts due and owing [112] to and from the same. And the city council shall have power to pass all such laws and ordinances as may be necessary and proper to carry into effect the powers herein and by this act granted.

SEC. 20. To be published. That every law or ordinance of said city, before it shall be of any force or validity, or in any manner binding on the inhabitants thereof, or others, shall be signed by the mayor and published in one or more newspapers in said city at least six days.

SEC. 21. Term owner. That, for the purpose of opening or improving any street, lane, alley, market space, public landing or common, or other purposes, the term owner or owners, used in this act, is hereby declared to mean any person or persons who may own any lease upon lands for any term not less than ninety-nine years, renewable forever, on any freehold estate, either for life or otherwise, upon any ground to be affected by partition; and tax levied shall be a lien upon the real estate upon which it may be assessed, from the time of filing such petition until it shall be fully paid and satisfied.

SEC. 22. Powers of council as to wharfs, etc. The city council shall have exclusive power to establish and regulate the grade of wharfs, streets and banks along the Mississippi river, within the corporate limits of said city.

SEC. 23. Powers and duties of justices—offenders liable for costs when paid by the corporation—style of process—how executed—commitment to jail—duty of jailer—expenses, how paid—fees. Any justice of the peace within said city shall have full power and authority, and it is hereby made their respective duties, at such times as complaint and application shall be duly made before either of them, to issue all needful process for the apprehension of offenders against any of the by-laws, ordinances or regulations of said city, and to hold a court for the trial of all offenses within the said city, and the same to fine, imprison or discharge, as the by-laws, ordinances and regulations of said city and the facts of the case may require; and for that purpose, they and each of them are authorized and required to cause to come before them, when necessary, a jury of six citizens of said city, who shall be qualified voters of said city. And all such offenders, on conviction, shall be liable for the costs of prosecution, and judgment shall go accordingly; and in cases of acquittal, the same shall be paid by the corporation, having first been allowed by the city council; and all process in behalf of said city shall run in the name of the state of Iowa, for the use and benefit of said city, and shall otherwise conform to the requisitions and provisions that may be made by the city council, and shall be executed and returned by the marshal or any constable within said city; and until other provisions shall be made by the city authorities, it shall be lawful to commit all offenders against said by-laws, ordinances and regulations, on conviction, to the jail of Dubuque

county. And in case where a portion or all of the punishment shall be imprisonment, the keeper of said jail is hereby required to receive [113] such person or persons, on the proper warrant of the justice of the peace, into his custody, in the same manner as in ordinary cases; and all expenses of such imprisonment, in cases where the same cannot be collected from the person or persons convicted and imprisoned, shall be paid out of the city treasury. The fees of the justices of the peace, marshal, constables, or jurors, in such cases, shall be the same as are allowed by the statute in similar cases for the state of Iowa.

SEC. 24. Trials—fines, etc., over \$20. That all trials for the violation of the by-laws, ordinances and regulations, shall be in a summary manner, and that no person shall for any offense be deprived of his or her liberty, or be fined in any sum greater than twenty dollars, unless convicted by a jury of six citizens of said city, qualified to vote as aforesaid.

SEC. 25. As to property of the city—proviso as to selling. That the said city council shall have the custody, care and management of all real, personal and mixed estate, and other corporate property of said city, and all the real, personal and mixed estate, money, funds and resources which, from time to time, may be owned by, or of right belonging to said city, with full power to purchase, hold, possess, use and occupy, and to sell and convey the same for the use and benefit of the said city and the inhabitants thereof: provided, that the city council shall not have power to sell any real estate belonging to the said city of Dubuque, unless the qualified voters thereof, in pursuance of ten days' previous notice given by order of the city council and published in one or more of the newspapers printed in said city, setting forth the time, place and purpose of voting, and there shall be a majority of written or printed ballots given expressing their assent thereto.

SEC. 26. Taxes—proviso as to amount—tax on dogs, etc.—improvement of streets, etc. That, to defray the current expenses of said city, the city council shall have power to levy and collect taxes on the real and personal property therein: provided, that the amount of taxes shall not in any one year exceed the sum of twenty-five cents on each one hundred dollars worth of property taxed. They shall also have power, whenever in their opinion the interests of said city shall require it, to levy and collect a tax on dogs or other domestic animals not included in the list of taxable property for territorial [state] and county purposes, which said taxes shall be collected by the city collector and paid into the treasury in such a manner and under such restrictions and regulations as may be prescribed by ordinance; the city council shall have power to cause to be opened, paved or re-paved, or improved, any street, lane, alley, market space or public landing on petition of not less than two-thirds of the number of owners of any square or parts of square of said city, boundary or abutting on such street, lane, alley, market space or public landing so to be opened, paved, re-paved or improved; and to levy and collect a special tax for defraying the costs and expenses of the [114] same, by an equal assessment on the first front boundary and abutting as aforesaid.

SEC. 27. As to borrowing money. That whenever, in the opinion of the city council, it is expedient to borrow money for any public purpose, the question shall be submitted to the citizens of Dubuque, the nature and object of the loan shall be stated, and a day fixed for the electors of said city to express their wishes; the like notice shall be given as in cases of election, and the loan shall not be made unless two-thirds of all the votes polled at such election shall be given in the affirmative.

SEC. 28. This act to be evidence. That this act shall be taken and received in all courts, and by all judges; magistrates and other public officers, as a public act, and all printed copies of the same which shall be printed by or under the authority of the senate and house of representatives, shall be admitted as good authority thereof without any other proof whatsoever.

SEC. 29. Repealing section. That all acts and parts of acts heretofore passed relative to the incorporation of said city of Dubuque, and coming within the purview of this act, be, and the same are hereby repealed.

Approved, February 24th, 1847.

CHAPTER 83.

COUNTY BOUNDARIES.

AN ACT to establish the boundaries of certain counties therein named.

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

SECTION 1. Ringgold county. That the following shall be the boundaries of a new county to be called Ringgold, to-wit: Beginning at the northwest corner of Decatur county; thence west, to the northwest corner of township seventy north, of range thirty-one west; thence south to the north boundary of the state of Missouri; thence east to the southwest corner of Decatur county; and thence north to the place of beginning.

SEC. 2. Taylor county. That the following shall be the boundaries of a new county to be called Taylor, to wit: Beginning at the northwest corner of Ringgold county; thence west, to the northwest corner of township seventy north, of range thirty-five west; thence south to the north boundary of the state of Missouri; thence east to the southwest corner of Ringgold county; and thence north to the place of beginning.

SEC. 3. Page county. That the following shall be the boundaries of a new county to be called Page, to wit: Beginning at the northwest corner of Taylor county; thence west to the northwest corner of township seventy north, of range thirty-nine west; thence south to the north boundary of the [115] state of Missouri; thence east to the southwest corner of Taylor county; thence north to the place of beginning.

SEC. 4. Fremont county. That the following shall be the boundaries of a new county which shall be called Fremont, to wit: Beginning at the northwest corner of Page county; thence west to the western boundary of the state of Iowa; thence south, along said boundary line, to the north boundary of the state of Missouri; thence east to the southwest corner of Page county; and thence north to the place of beginning.

Approved, February 24th, 1847.

CHAPTER 84.

NEW COUNTIES.

AN ACT for the organization of Pottawatamie and other counties.

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

SECTION 1. Pottawatamie county may be organized. That the country embraced within the limits of what is called the Pottawatamie purchase, on the waters of the Missouri river, in this state, be, and the same may be, temporarily organized into a county, by the name of Pottawatamie, at any time when, in the opinion of the judge of the fourth judicial district, the public good may require such organization.

SEC. 2. Special election. That there shall be a special election held in said county, at such time as may be appointed by the judge of the fourth judicial