

CHAPTER 16.

AN ACT for the relief of Daniel Hess.

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

SECTION 1. **Acts legalized.** That the official acts of Daniel Hess, a justice of the peace of Lyons township, in Clinton county, Iowa, be and the same are hereby made valid and binding in law, so far as the same would have been legal, had there been no irregularity in the returns of the election of said justice of the peace and in his qualification as such officer.

Approved January 18th, 1851.

[46] CHAPTER 17.

DUBUQUE.

AN ACT to amend an act entitled an act to incorporate and establish the city of Dubuque, approved February twenty-fourth, 1847.

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

SECTION 1. **Levy special tax to pay interest.** That the twenty-sixth section of an act entitled an act to incorporate and establish the city of Dubuque, approved February 24th, 1847, be so amended, as to empower the city council to levy annually a special tax, to pay the interest on such loans as are authorized by the twenty-seventh section of said act.

SEC. 2. **Take effect.** This act shall take effect and be in force from and after its passage.

Approved January 18th, 1851.

CHAPTER 18.

COUNTY SEAT.

AN ACT to provide for the location of the seat of justice, of the several counties, therein named.

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

SECTION 1. **Commissioners for Decatur county—time and place of meeting.** That Wareham G. Clark, of the county of Monroe, Henry Allen, of the county of Lucas, and F. N. Sales, of the county of Appanoose, be, and they are hereby appointed commissioners, to locate and establish the seat of justice of the county of Decatur; said commissioners or any two of them, shall meet at the house of H. B. Notson, in said county of Decatur, on the first day of February next, or at such other time, within sixty days thereafter, as a majority of them may agree, in pursuance of their duties under the provisions of this act.

SEC. 2. Commissioners of Wayne county—time and place of meeting. That George W. Perkins, of the county of Appanoose, William Davis, of the county of Decatur, and Lamaster M. [47] Boggs, of the county of Monroe, be, and they are hereby appointed commissioners, to locate and establish the seat of justice of the county of Wayne; said commissioners, or any two of them, shall meet at the house of Isaac McCarty, in said county of Wayne, on the first Monday of May next, or at such other time within said month, as a majority of them may agree, in pursuance of their duties under the provisions of this act.

SEC. 3. Commissioners for Fremont county—time and place of meeting. That William L. Berge, of the county of Page, R. McGavren, of the county of Pottawattamie, and John A. Sloan, of the county of Jefferson, be, and they are hereby appointed commissioners, to locate and establish, the seat of justice of Fremont county; said commissioners, or any two of them, shall meet at the house of James Babbitt, in said county of Fremont, on the first Monday of May next, or at such other time within said month as a majority of them may agree in pursuance of their duties under the provisions of this act.

SEC. 4. Commissioners for Page county —time and place of meeting. That Benjamin Rector, of the county of Fremont, William Smith, of Pottawattamie county, and Charles Wright, of Madison county, be, and they are hereby appointed commissioners, to locate and establish, the seat of justice of the county of Page; said commissioners, or any two of them shall meet at the house of William L. Berge, in said county of Page, on the first Monday of June next, or at such time, within said month as a majority of them may agree, in pursuance of their duties under the provisions of this act.

SEC. 5. Oath—by whom administered—filed. That said commissioners shall before entering upon the duties of their office, take and subscribe the following oath, to wit: "we 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 Decatur, (or Wayne, or Fremont, or Page as the case may be), 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 the present population of said county;" which oath or affirmation, shall be administered by the clerk of the district court, notary public, or justice of the peace of the county whose seat of justice said commissioners are appointed [48] to locate; and the officer administering the same, shall certify and file the same in the office of the clerk of the board of county commissioners of such county, whose duty it shall be to record the same.

SEC. 6. Locate and make out a certificate—filed and recorded. That said commissioners, when met and qualified, under the provisions of this act, shall proceed to locate the seat of justice of the respective counties, for which they have been appointed, and as soon as they shall have come to a determination, they shall make out a certificate, containing a particular description of the place so selected; which shall be signed 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 in his office; 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 of 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.

Approved January 18th, 1851.