

CHAPTER 8.

ORGANIZATION OF COUNTIES.

AN ACT organizing certain counties therein named.

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

SECTION 1. Commissioners—Adams. That William Davis, of Mills county, James B. Campbell, of the county of Taylor, and John Buckingham, of the county of Page, be, and they are hereby appointed commissioners for the purpose of locating the seat of justice of the county of Adams.

[22] **SEC. 2. Commissioners—Cass.** That Robert McGaven, of the county of Pottawattamie, Thomas G. Palmer, of the county of Mills, and Milton Richards, of the county of Fremont, be, and they are hereby appointed commissioners to locate the seat of justice of the county of Cass.

SEC. 3. Commissioners—Harrison. That Abram Fletcher, of the county of Fremont, Charles Wolcott, of the county of Mills, and A. D. Jones, of the county of Pottawattamie, be, and they are hereby appointed commissioners to locate the seat of justice of the county of Harrison.

SEC. 4. Commissioners—Shelby. That William Lovelady, of the county of Fremont, James Hardy, of the county of Mills, and Solomon Wheeler, of the county of Pottawattamie, be, and they are hereby appointed commissioners to locate the seat of justice of the county of Shelby.

SEC. 5. Commissioners—Wahkaw. That Charles Wolcott, of the county of Mills, Thomas L. Griffith, of the county of Pottawattamie, and Ira Perdu, of the county of Harrison, be, and they are hereby appointed commissioners to locate the seat of justice of the county of Wahkaw.

SEC. 6. Meet—time—oath—centre. That said commissioners, or a majority of them, shall meet respectively, as follows: Those for the county of Adams, at McCalpin's mills, in Page county; those for the county of Cass, at Indian town, in said county; those for the county of Harrison, at the house of A. D. Jones, in the county of Pottawattamie; those for the county of Shelby, at the house of Mansel Wicks, in Shelby county, on the first Monday in March next; and those for the county of Wahkaw on the second day of July next, or within thirty days thereafter, and after being fully sworn to the faithful performance of their respective duties by some person authorized to administer oaths, shall proceed to locate and establish the seats of justice for said counties, as near the geographical centre of said counties, respectively, as a suitable site may be found, having due regard to the present, as well as the future population of said counties, and make return thereof to the organizing sheriff, describing the tract of land so selected, which shall be and remain the permanent seat of justice for said counties.

[23] **SEC. 7. Fees.** That the said commissioners shall receive for their compensation two dollars per day, for the time necessarily employed in the performance of their respective duties, under the provisions of this act, to be paid out of the proceeds of the sales of lots in said towns.

SEC. 8. Organization. That the counties of Adams, Cass, Harrison, Shelby, and Wahkaw, be, and the same are hereby organized, from and after the first Monday in March next; and the inhabitants of said counties shall be entitled to all the rights and privileges, to which by law the inhabitants of other counties in this state are entitled.

SEC. 9. Election. That there shall be a special election held in all the above counties, except Waukaw, on the first Monday of April A. D. 1853, at which time there shall be elected county and township officers as provided for by law.

SEC. 10. Townships. That the county of Cass shall be composed of three civil townships for the present organization, that is, all the territory embraced in Cass county shall constitute one civil township; that which lies in the county of Audubon shall constitute one civil township, and all that which lies in the county of Adair shall constitute one civil township, the three for revenue, election and judicial purposes, constituting the county of Cass. The first election to be held at Broshaws' store, in Cass county, at Mr. Hamlin's, in Audubon township, at the house of Alfred Jones, in Adair township.

SEC. 11. Counties attached. That for election, revenue and judicial purposes, the counties of Montgomery and Union, are hereby attached to Adams, each constituting a civil township, and hold their first election at Pisga, in Union county, and at the house of Amos Lowe, in Montgomery county, and make return thereof to the organizing sheriff of Adams county.

SEC. 12. Counties attached. That for revenue, election and judicial purposes, the county of Monona is hereby attached to the county of Harrison, and there shall be two places named by the organizing sheriff at which elections shall be held in said county.

SEC. 13. Counties attached. That for revenue, election and judicial purposes, the counties of Crawford and Carroll are hereby attached to the county of Shelby, and that there shall be two places named by the organizing sheriff at which elections shall be held in said county.

[24] **SEC. 14. Counties attached.** That for revenue, election and judicial purposes, the counties of Ida, Sac, Buena Vista, Cherokee, Plymouth, Sioux, O'Brien, Clay, Dickinson, Occola, and Buncombe, are hereby attached to Waukaw, and the election for said county shall be held at Sargeant's Bluffs, and as many other places as the organizing sheriff may designate in his notice of election.

SEC. 15. Organizing sheriffs—notice—canvass. That William S. Townsend, of the county of Cass, shall be the organizing sheriff of said county; Amos Lowe for the county of Adams; Robert McKinny for the county of Harrison; Collins Cutler, of Pottawattamie, for the county of Shelby; and Thomas L. Griffith for the county of Waukaw; who shall, after being qualified to the faithful performance of their duties, give at least ten days' notice of election, by posting notices in each of the civil townships in their respective counties. To grant certificates of election, administer the oath of office, and in all respects discharge the duties required by law to be performed by county clerks: provided, it shall not be necessary for them to take to their assistance two justices of the peace, in opening and canvassing the polls of said election.

SEC. 16. Judges—clerks—returns. The electors, when assembled at the polls pursuant to notice herein mentioned, shall proceed to choose three persons from among their number who shall act as judges of said election, also two persons who shall act as clerks of said election. Said judges and clerks, before entering upon the discharge of their respective duties, shall take the oath prescribed by law in such cases, which may be administered by one of said judges, who shall make return as required by law in organized counties as near as may be.

SEC. 17. Term. That the county and township officers elected under this act, shall hold their offices until the time fixed by law for filling their respective offices, and until their successors are chosen and qualified.

SEC. 18. District. That the counties of Cass, Harrison, Shelby, and Waukaw shall constitute a part of the Pottawattamie senatorial and representative district.

SEC. 19. Ringgold. That the county of Ringgold shall be, and is hereby attached to the county of Taylor for revenue, election, and judicial purposes.

[25] **SEC. 20. Name.** That the county seat of Harrison shall be called Magnolia, that of Shelby, Shelbyville, that of Waukaw, Sargeant's Bluffs, that of Cass, Lewis, and that of Adams, Quincy.

SEC. 21. Take effect. This act to be in force from and after its publication in the Western Bugle.

Approved, January 12th, 1853.

CHAPTER 9.

PAGE COUNTY.

AN ACT supplemental to an act to locate the county seat of Page county.

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

SECTION 1. That the act to which this is supplemental, entitled, "an act to locate the seat of justice of Page, shall be in force from and after its publication in the Capital Reporter and Western Bugle.

Approved, January 12th, 1853.

CHAPTER 10.

MILLS COUNTY.

AN ACT to locate the seat of justice of Mills county.

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

SECTION 1. Location of county seat. That the seat of justice for the county of Mills, be, and the same is hereby located upon the south-west quarter of section twelve, and north-west quarter of section thirteen in township seventy-two north, of range forty-three west, at the town of Coonville, the name of which is hereby changed to that of "Glenwood:" provided, the proprietors of said town shall secure to the county judge of said county, [26] or his successors in office, free of all expense, for the perpetual, and exclusive use of said county, one-third of all the lots in the limits of said town, together with a public square of not less than two acres for the purpose of public buildings.

SEC. 2. Take effect. That this act shall take effect, and be in force from and after its publication in the Capital Reporter and the Western Bugle.

Approved, January 12th, 1853.