

CHAPTER 11.

UNION COUNTY.

AN ACT to locate the seat of justice of Union county, and to organize the same.

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

SECTION 1. Organization. That the county of Union be, and it is hereby organized from and after the first day of March next, and the inhabitants thereof shall be entitled to all the rights and privileges to which by law the inhabitants of other counties of the state are entitled.

SEC. 2. Election—notice. That there shall be a special election held in said county, at Pisga, and such other place as the organizing sheriff may direct in his notice of said election, on the first Monday of April, 1853, which notice shall be posted at three of the most public places in each civil township, ten days previous to said election.

SEC. 3. Judges—clerks—oath. That when the electors shall have assembled at the polls pursuant to notice herein before mentioned, they shall proceed to choose from their number three persons who shall act as judges of election, also two persons who shall act as clerks of election. Said judges, before entering upon their duties, shall take the oath prescribed by law, which oath may be administered by one of the judges.

SEC. 4. Term. That the county and township officers elected under the provisions of this act, shall continue in office until their successors are elected and qualified as provided by law.

[27] **SEC. 5. Sheriff—duties.** That John Edgecombe be, and he is hereby, appointed sheriff of said county, and shall continue in office until his successor is elected and qualified; and shall 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 in relation to elections, until a clerk may be elected and qualified in said county, provided that he is not required to take to his assistance two justices of the peace in canvassing the election returns of said county.

SEC. 6. Commissioners. That A. J. Hanscom of Pottawattamie [county], Col. Mills of Cass county, and Lewis F. Perry of Clark county, be, and they are hereby, appointed commissioners to locate the seat of justice of said county.

SEC. 7. Time and place of meeting—location. That said commissioners, or a majority of them, shall meet at Pisga, in said county, on the first Monday in March next, or within ninety days thereafter, and after being duly qualified to the faithful performance of their duty, by some person having authority to administer oaths, shall proceed to locate the seat of justice for said county, at or as near the geographical centre of said county as a suitable site may be found, having due regard to the present as well as the future population of said county, and make a report to the sheriff of said county, describing the quarter section of land so selected, which report shall be placed upon the records of said county.

SEC. 8. Oath. The organizing sheriff of said county, before entering upon the duties of his station, shall take an oath for the faithful performance thereof.

SEC. 9. Fees. That the said commissioners shall receive as compensation for their services two dollars per day, for the time necessarily employed in the discharge of their duties, to be paid out of the proceeds of the first

sale of lots in said town, and that the organizing sheriff shall be entitled to the same fees as other sheriffs now receive for like services.

SEC. 10. **Take effect.** This act shall be in force from and after its publication in the Iowa Capital Reporter and the Western Bugle: provided, that said publication be made without expense to the state.

Approved January 12, 1853.

[28] CHAPTER 12.

NEW COUNTIES.

AN ACT in relation to new counties.

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

SECTION 1. **Counties attached.** That the unorganized counties in this state be, and are hereby, attached to organized counties, as follows, to wit: the county of Green to the county of Dallas. The county of Story, Risley, Yell, and Fox, and the counties north of Risley, Yell and Fox, to the county of Boone. The county of Mitchell, Howard, Floyd, Worth, and Franklin, to the county of Chickasaw. The county of Hardin to the county of Marshall.

SEC. 2. **Petition—order—notice—return—canvass.** Whenever the citizens of any unorganized county desire to have the same organized, they may make application by petition in writing, signed by a majority of the legal voters of said county, to the county judge of the county to which such unorganized county is attached: whereupon said county judge shall order an election for county officers in such unorganized county. Notice of said election must be given, the election conducted, and the returns thereof made to the organized county to which the same was attached, and canvassed in the manner prescribed by law for filling vacancies in county offices.

SEC. 3. **Bonds.** The bonds of the county officers shall be given to the new county and transferred to the proper officers as soon as they shall become legally qualified to act.

SEC. 4. **Change of names.** That the name of the county of Waukaw shall be changed to Woodbury, the name of the county of Risley shall be changed to Webster, and the name of the county of Fox to the county of Calhoun.

SEC. 5. **Location of county seat—commissioners.** That the majority of the citizens of any county, after becoming so organized, may petition the district judge in whose judicial district the same is situated, during vacation of the general assembly, whose duty it shall be to appoint three commissioners from three different adjoining counties, [29] who shall proceed to locate the county seat for such county, according to the provisions of this act.

SEC. 6. **Duty—centre.** Said commissioners within two months after receiving notice of such appointment, or two of them, shall locate the seat of justice for said county as near the geographical centre as may be, having due regard for the present, as well as the future population, and when thus located it shall be the permanent county seat of such county.

SEC. 7. **Fees.** And such commissioners shall be allowed two dollars per day, to be paid out of the first money of the sale of lots.

SEC. 8. **Chickasaw.** The county of Chickasaw is hereby attached to the county of Fayette, for election, revenue and judicial purposes.