

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.

SEC. 9. Take effect. That this act shall be in force from and after its publication in the Capital Reporter, and Iowa Republican.

Approved, January 12th, 1853.

I certify that the foregoing act was published in the Capital Reporter, January 19th, and in the Iowa Republican January 22d, 1853.

GEO. W. McCLEARY,
Sec'y of State.

CHAPTER 13.

SWAMP LANDS.

AN ACT to dispose of the swamp and overflowed lands within this state and to pay the expenses of selecting and surveying the same.

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

SECTION 1. Swamp lands—granted to the counties. That all the swamp and overflowed lands granted to the state of Iowa by the act of congress entitled an act to enable the state of Arkansas and other states to reclaim the swamp lands within their limits, approved September 28th, 1850, be, and the same are hereby granted to the counties respectively in which the same may lie, or be situated, for the purpose of constructing the necessary levees and drains, to reclaim the same—and the balance of said lands, if any there be after the same are reclaimed as aforesaid, shall be applied to the building of roads and bridges, when necessary, through, or across said lands, and if not needed for this purpose, to be expended in building roads and bridges within the country.

SEC. 2. If sold by U. S. Whenever it shall appear that any of the lands granted to the state by the aforesaid act of congress, shall have been sold by the United States since the passage of that act, it shall be lawful for the said counties to convey said lands to the purchasers thereof.

Deed—located by warrants. The deed shall be made by the county court as such, and countersigned by the clerk of said court, with the official seal thereof affixed, and on delivering said deed to the purchaser, the county court shall take from him an assignment of all his rights in the premises, and as such assignee, the said court shall be authorized to receive from the United States the purchase money of said land; and whenever any lands embraced by the said act have been located by bounty land warrants, since the passage thereof, it shall be lawful for such county in which the same are situated, to convey the same, in manner aforesaid to the person, or persons, who located said warrant, and take an assignment of the same to the county court which shall thereupon be considered as grantee of the state, and as such may locate said warrant on any of the public lands belonging to the United States, within the limits of said county.

SEC. 3. Agents to examine and report. In all those counties where the county surveyor has made no examinations and reports of the swamp lands within his county, in compliance with the instructions from the governor, the county court shall at the next regular term thereof, after the taking effect of this act, appoint some competent person, who shall as soon as may be thereafter, after having been duly sworn for that purpose, proceed to examine said lands, and make due report, and plats, upon which the topography of the country shall be carefully noted, and the places where