

[151] CHAPTER 95.

WARREN COUNTY.

AN ACT to provide for taking the census of a part of Warren county.

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

SECTION 1. Census—compensation. That the township assessors of township 77 north, of ranges 25, 24, 23, and so much of range 22 as lies in Warren county, be and they are hereby authorized to take the census of said township at the time of assessing the same in the year 1853, for which services they shall be allowed a reasonable compensation from the treasury of Warren county.

SEC. 2. Take effect. This act shall be in force from and after the first day of March, A. D., 1853.

Approved, January 24, 1853.

CHAPTER 96.

RECORDS.

AN ACT to amend section 106, chapter fifteen, of the code of Iowa.

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

SECTION 1. County judge—transcribe and index. That chapter fifteen of the code of Iowa, section one hundred and six, be and the same is hereby amended so as to authorize the county judge to have transcribed and indexed the records of his county, in manner and form as he may prescribe, not inconsistent with law.

Approved, January 24, 1853.

[152] CHAPTER 97.

ALAMAKEE.

AN ACT to re-locate the county seat of Alamakee county.

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

SECTION 1. Commissioners. That Clement Coffin, of Delaware county, John S. Lewis, of Clayton county, and Dennis A. Mahony, of Dubuque county, are hereby appointed and empowered as commissioners to re-locate the county seat of Alamakee county.

SEC. 2. Time and place of meeting—oath. Said commissioners, or a majority of them, shall meet at Columbus, the present county seat of said county, on or about the first Monday in March, 1853, and there take an oath or affirmation before some person authorized to administer oaths, to faithfully and honestly discharge their duty to the people of said county in the location of their county seat.

SEC. 3. Centre. Said commissioners shall locate the county seat of the county aforesaid as near the geographical centre as a due regard for the present and prospective interests of the county will appear to them just and proper; they shall also be influenced by the comparative eligibility of locations, and the conveniences of water, roads, and building materials, as also by the comparative facilities of acquiring for said county suitable building lots, or blocks, if the county seat should be located by them on private property.

SEC. 4. Name—notice—describe. As soon as said commissioners shall make the location hereby authorized, they shall name the same, and give notice to the county judge of their decision, indicating in their certificate, the fractional part of the section, range and township in which said location shall have been made.

SEC. 5. Contract. Should the location aforesaid be made upon private property, the commissioners are hereby authorized to make such a contract with the owner or owners for the purchase of suitable building lots for county buildings, as to said commissioners shall seem just and equitable, and such contract shall be binding upon said county.

SEC. 6. Notice of vote. As soon as the county judge of said county shall have [153] received information of the location aforesaid, he shall give notice to the electors of said county, that, at the succeeding April election, a vote of the qualified voters of said county would be taken for or against the adoption of the place selected by said commissioners as the county seat.

SEC. 7. Conducting election—decision—proviso. The election authorized by the foregoing section, shall be conducted as other elections for county officers are, except that the ballot of the electors shall have written or printed thereon the name chosen by the commissioners to designate the place selected for the county seat, or the word Columbus, the name of the present county seat; and that place having the greatest number of votes cast therefor, shall be thereafter the county seat: provided, that the county judge of said county shall re-convey to the proprietors of the town of Columbus, all lands and town lots which have been deeded to said county by said proprietors for county purposes; and if any such lands or town lots have been sold or disposed of by or for the benefit of said county, the said county judge shall pay over to said proprietors all monies he may have received on such sales; and also all amounts which he is to receive at such time or times as the same may become due.

SEC. 8. Removals. As soon, after the decision of the people, as suitable rooms can be procured, (if the decision should be in favor of the point selected by the commissioners.) the county officers shall remand all the records of said county, to the new county seat; and the county judge of said county is hereby authorized to make suitable arrangements at such new county seat for the preservation of said records, and for the accommodation of the county officers.

SEC. 9. Compensation. The commissioners hereby appointed shall receive as compensation for their services respectively, the sum of two dollars per diem, while employed or engaged in the discharge of their duties hereby enjoined and authorized, and they shall receive for their traveling expenses, two dollars for every twenty miles going to and returning from the point selected for the county seat, as before authorized, calculating the distance by the nearest route to said point, by way of the present county seat, from their respective places of residence; said compensation to be paid by the county for and on behalf [154] of said county; after having the amount audited as the other amounts against the county.

Sec. 10. Take effect. This act shall take effect and be in force from and after its publication in the Dubuque Democrat and Lansing Intelligencer: provided, said county of Alamakee shall be at the expense of said publication.

Approved, January 24, 1853.

CHAPTER 98.

SWAMP LANDS.

AN ACT appointing agents to superintend the making of levees and drains to reclaim certain swamp lands in the counties of Muscatine and Louisa.

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

SECTION 1. Agents—duty—oath. That William H. Miller, of Muscatine county; and John C. Lockwood, of Louisa county, in this state, be and are hereby appointed as agents to superintend the construction of the necessary levees and drains to reclaim the swamp lands situated on the Muscatine island, and on the borders of the Muscatine slough, within the said counties of Muscatine and Louisa. And the said William H. Miller and John C. Lockwood are hereby authorized, after subscribing an oath before the county judges of their respective counties, for the faithful performance of their duty, to proceed immediately to construct the necessary levees and drains for the reclaiming of said swamp lands.

SEC. 2. Proceeds of land expended. The proceeds of the sales of such swamp lands, on said Muscatine island and slough, as may be conveyed by the United States to the state of Iowa, in conformity with an act of congress, passed 28th September, 1850, or so much thereof as may be necessary, shall be applied to defray the expense incurred by said agents in their respective counties, in constructing the necessary levees and drains for the reclaiming of said swamp lands.

[155] **SEC. 3. Compensation.** The said William H. Miller and John C. Lockwood, shall receive such compensation for their services as the county judges of their respective counties may deem just to award them, to be paid out of the proceeds of the sales of said swamp lands.

SEC. 4. Take effect. This act to take effect from and after its publication in the "Muscatine Enquirer" and "Louisa County Times;" provided, that the state shall be at no expense for said publication.

Approved, January 24, 1853.

I certify that the foregoing act was published in the Muscatine Enquirer, Feb. 5, and Louisa County Times, Feb. 8, 1853.

GEO. W. McCLEARY,
Secretary of State..