

Counties.

CHAPTER 11.

AN ACT to define the Boundaries of certain Counties.

Be it enacted by the Legislative Assembly of the Territory of Dakota:

§ 1. BOUNDARIES OF BURLEIGH COUNTY DEFINED.] The county of Burleigh shall be bounded and described as follows: Beginning at the southeast corner of township one hundred and thirty-seven, between ranges seventy-three and seventy-four; thence north to the eleventh standard parallel; thence west along said parallel to the west bank of the Missouri river; thence south along the west bank of said river to a point where the range line between ranges eighty-three and eighty-four produced would intersect said river; thence south to the southwest corner of township one hundred and thirty-seven, range eighty-three; thence east along the ninth standard parallel to the place of beginning.

§ 2. EMMONS COUNTY.] The county of Emmons shall be bounded and described as follows: Beginning at a point on the east bank of the Missouri river where the seventh parallel line intersects said river; thence east along said parallel to the tenth meridian guide; thence north along said meridian to the ninth standard parallel; thence west along said parallel to the Missouri river; thence southerly along the east shore of said river, at low water mark, to the place of beginning.

§ 3. MORTON COUNTY.] The county of Morton shall be bounded and described as follows: Beginning at the mouth of the Cannon Ball river where said river empties into the Missouri river; thence up said river westerly and along the boundary of the Big Sioux reservation to the one hundred and second degree of west longitude; thence north along the said degree [of] longitude to the tenth standard parallel; thence east along said parallel to the west boundary of Burleigh county; thence south along the west line of Burleigh county to the southwest corner thereof; thence east to the

west bank of the Missouri river, at low water mark; thence south down said river to the place of beginning.

§ 4. STARK COUNTY.] The county of Stark shall be bounded and described as follows: Beginning at a point on the north boundary of the Sioux reservation where the one hundred and second degree of west longitude intersects said reservation; thence north to the forty-seventh degree of latitude; thence west to the one hundred and third degree of longitude; thence south to the forty-sixth degree of latitude; thence east to the place of beginning.

§ 5. BILLINGS COUNTY.] The county of Billings shall be bounded and described as follows: Beginning at a point on the west boundary of the Territory of Dakota where the forty-seventh degree of latitude intersects said boundary line; thence east to the northwest corner of the county of Stark; thence south to the southwest corner of said county; thence west to the west line of the Territory of Dakota; thence north to the place of beginning.

§ 6. COMMISSIONERS OF MORTON COUNTY MAY LOCATE COUNTY SEAT.] The county commissioners of Morton county are hereby authorized to relocate the county seat of Morton county, temporarily, the same as is provided for the organization of counties under the laws of this Territory.

§ 7. This act shall take effect from and after its passage and approval.

Approved, February 10, 1879.

CHAPTER 12.

AN ACT to define the Boundaries of certain Counties and to combine and consolidate others, and for other Purposes.

Be it enacted by the Legislative Assembly of Dakota Territory.

§ 1. BOUNDARIES OF M'COOK COUNTY DEFINED.] All of that district of country included within the following boundary lines shall be and the same is hereby made, constituted and declared the county of McCook, viz: Beginning at the southwest corner of the county of Minnehaha and running thence north and along the west boundary of said Minnehaha county to the northwest corner of the same; thence west along the first standard parallel to the northeast corner of township number 104, north of range number 56 west; thence south and along the line between ranges number 56 and 57 west, to the southwest corner of township number 101 of range number 56 west, and thence east and along the south boundary of township number one hundred and one to the place of beginning; and the organization of said McCook county shall continue until changed according to law.

§ 2. HUTCHINSON COUNTY.] All that district of country included within the following boundary lines shall be, and the same is hereby made, constituted and declared the county of Hutchinson, viz: Beginning at the southeast corner of township number ninety-seven, north of range number 56 west, and running thence north and along the line between ranges number 55 and 56 to the base line, the south boundary of township number one hundred and one; thence west and along said base line to the northwest corner of township number one hundred, north of range number 61 west; thence south and along the line between ranges number 61 and 62 west, to the line of the Yankton Indian reservation; thence along the boundary line of said reservation southeastward and southwestward to the south boundary of township number ninety-seven, and thence east and along the line between townships number 96 and 97 to the place of beginning; and the organization of said Hutchinson county shall continue according to

law, except as provided in the succeeding section; and the jurisdiction of Hutchinson county shall upon the taking effect of this law immediately take effect and extend over all the district embraced in the above boundaries.

§ 3. WHO SHALL BE OFFICERS OF HUTCHINSON COUNTY.] The county commissioner of Hutchinson county now in office, whose term expires the first Monday in January, in the year 1882, shall continue in said office for said term as provided by law; and the county commissioner of Hutchinson county now in office, whose term expires the first Monday in January, 1880, shall continue in said office for said term as provided by law; and Fred Heiser of said county is hereby appointed county commissioner for said county for the term ending the first Monday in January, 1880, and shall qualify as such officer according to law, upon the day this act takes effect. All other officers of Hutchinson county, except the county commissioner, whose term expires the first Monday in January, 1880, shall continue in office until succeeded according to law. All justices of the peace and all constables within and for the county of Armstrong, in office as such when this act takes effect, shall continue by virtue of their election as justices of the peace and constables, within and for Hutchinson county for the remainder of their terms, as well as those now holding such offices in Hutchinson county.

§ 4. HUTCHINSON COUNTY TO ASSUME ALL DUTIES AND OBLIGATIONS OF ARMSTRONG COUNTY.] Immediately upon the taking effect of this act, all process and business of every kind within said district of country shall run in the venue of and be transacted in the corporate name of Hutchinson county, and the county of Hutchinson shall collect, receive and enforce payment to it of all debts, dues, taxes and obligations of every kind then due to the county of Armstrong, the same to all legal intents and purposes as if from the first due to Hutchinson county; and said Hutchinson county shall pay all debts, dues and obligations then due from the said county of Armstrong as fully as if payable by it from the first. All the officers of Armstrong county, except justices and constables, shall, when this law takes effect, immediately take to and deliver to the like officers of Hutchinson county all such money, papers and property pertaining to their offices respectively, which is re-

quired to be delivered to successors in office by section 14 of chapter 5 of the Political Code; and immediately their offices shall cease and the terms thereof end. They shall be paid by the county of Hutchinson for all necessary expense in so doing, and two dollars per day for the time so actually engaged.

§ 5. BOUNDARIES OF HANSON COUNTY DEFINED.] All that district of country included within the following boundary lines shall be, and the same is hereby made, constituted and declared the county of Hanson, viz: Beginning at the southwest corner of the county of McCook as hereinbefore described, and running thence north and along the west boundary of McCook county to the northwest corner of the same; thence west and along the first standard parallel to the northwest corner of township number 104, north of range number 62 west; thence south and along the line between ranges number 62 and 63 west, to the base line, the south boundary of township number 101, and thence east and along said base line to the place of beginning; and the organization of said Hanson county shall continue as now constituted and according to law, except as hereinafter provided, and immediately upon the taking effect of this act the jurisdiction of Hanson county shall extend over all the district embraced in the above boundaries.

§ 6. OFFICERS OF DAVISON COUNTY TO DELIVER BOOKS AND PAPERS TO OFFICERS OF HANSON COUNTY.] All justices of the peace and constables of the county of Davison, in office as such upon the taking effect of this act, shall continue until the end of their terms as justices of the peace and constables of Hanson county. All the officers of Davison county shall immediately upon the day this act takes effect, deliver to the like corresponding officers of Hanson county respectively, all the books, records, money and other property in their hands as such officers and belonging to Davison county, the same as required by section 14 of chapter 5 of the Political Code, to be delivered to their regular successors in office. They shall take the same to the county seat of Hanson county, and deliver the same, and shall be paid by the county of Hanson all the actual expenses necessarily paid in doing the same, and two dollars per day for each day necessarily employed in doing the same.

§ 7. LEGAL PROCESS, ETC., OF DISCONTINUED COUNTY MERGED IN

JURISDICTION OF THE COUNTY RECEIVING IT.] All process, writs, orders, papers, documents and records of every kind of any county by this act discontinued, shall be treated the same as if issued in the name of the county into which the discontinued county shall be included; and all bonds, obligations, recognizances and bail of every kind shall be deemed in law as running to the county which includes the territory or which receives the records of the discontinued county; and all fines, forfeitures and penalties, licenses, fees and demands of every kind, due to and collectable by a discontinued county shall belong to and be collectable by the county receiving the records of such discontinued county the same as if originally given to such county so receiving the records.

§ 8. **LAKE COUNTY DEFINED.]** All that district of country included within the following boundary lines shall be, and is hereby made, constituted and declared the county of Lake, viz: Beginning at the southwest corner of the county of Moody, and running thence north and along the west boundary of Moody county to the northwest corner of the same; thence west and along the second standard parallel to the northwest corner of township number 108, north of range number 55 west; thence south and along the line between ranges number 55 and 56 west, to the first standard parallel; thence east and along the first standard parallel to the place of beginning; and the organization of the said county of Lake shall be and continue as now constituted and according to law; and the jurisdiction of said county of Lake shall immediately upon the taking effect of this act extend over all the district embraced in the said boundaries, and the county seat of said county shall be and continue at the town of Madison where it is now located.

§ 9. **MINER COUNTY DEFINED.]** All that district of country included within the following boundary lines shall be, and the same is hereby made, constituted and declared the county of Miner, viz: Beginning at the southwest corner of the county of Lake, as declared by law, and running thence north and along the west boundary of said Lake county to the second standard parallel; thence west and along said second standard parallel to the northwest corner of township 108, north of range number 62 west; thence south and along the

line between ranges number 62 and 63 to the first standard parallel; thence east and along the first standard parallel to the place of beginning.

§ 10. AURORA COUNTY DEFINED.] All that district of country included within the following boundary lines shall be, and the same is hereby made, constituted and declared the county of Aurora, viz: Beginning at the southwest corner of the county of Hanson as hereinbefore defined, and running thence north and along the line between ranges number 62 and 63 west, to the first standard parallel; thence west and along the first standard parallel to the corner to township number 105 of ranges number 62 and 63 thereon; thence north and along the line between ranges number 62 and 63 to the second standard parallel; thence west and along said second standard parallel to the northwest corner of township number 108, north of range number 66 west; thence south and along the line between ranges number 66 and 67 to the first standard parallel; thence east and along the first standard parallel to closing corner thereon for townships number 104, north of ranges number 66 and 67 west; thence south and along the line between ranges number 66 and 67 west, to the base line, the south boundary of townships number 101, and thence east and along said base line to the place of beginning.

§ 11. KINGSBURY COUNTY.] All that district of country included within the following boundary lines shall be, and is hereby made, constituted and declared the county of Kingsbury, viz: Beginning at the southwest corner of the county of Brookings, and running thence north and along the west boundary of the same to the northwest corner of said Brookings county; thence west and along the third standard parallel to the northwest corner of township number 112, north of range number 58 west; thence south and along the line between ranges number 58 and 59 to the second standard parallel; thence east and along the second standard parallel to the place of beginning.

§ 12. BEADLE COUNTY.] All that district of country included within the following boundaries shall be, and the same is hereby made, constituted and declared the county of Beadle, viz: Beginning at the southwest corner of the county of

Kingsbury as hereinbefore described, and running thence north and along the west boundary of said county to the third standard parallel; thence west and along said parallel to the corner of townships number 113, north of ranges number 58 and 59 west; thence north and along the line between ranges number 58 and 59 west, to the northeast corner of township number 113, north of range number 59 west; thence west and along the line between townships number 113 and 114, north of ranges number 59, 60, 61, 62, 63, 64 and 65 west, to the northwest corner of township number 113, north of range number 65 west; thence south between ranges 65 and 66 west, to the third standard parallel; thence east and along said parallel to the closing corner for township number 112, north of ranges number 65 and 66 west; thence south and along the line between ranges number 65 and 66 west, to the second standard parallel; and thence east and along said standard parallel to the place of beginning. The county of Clark shall remain as heretofore bounded, except as modified by this section.

§ 13. SPINK COUNTY DEFINED.] All that district of country included within the following boundaries shall be, and is hereby made, constituted and declared the county of Spink, viz: Beginning at the southeast corner of township number 114, north of range number 60 west, and running thence north and along the eighth guide meridian to the fifth standard parallel; thence westward and along the fifth standard parallel to the closing corner to township number 120, north of ranges number 65 and 66 west, upon said parallel; thence south and along the line between ranges number 65 and 66 to the fourth standard parallel; thence east and along said parallel to the closing corner to township number 116, north of ranges number 65 and 66 west; thence south and along the line between ranges number 65 and 66 west, to the southwest corner of township number 114, north of range number 56 west; and thence east and along the line between townships number 113 and 114, north to the place of beginning.

§ 14. DAY COUNTY DEFINED.] All that district of country included within the following boundary lines shall be, and the same is hereby made, constituted and declared the county of Day, viz: Beginning at the corner of fractional townships

number 120 and 121, north of range number 54 west, upon the western boundary of the Sissiton and Wahpeton Indian reservation, and running thence west and along the fifth standard parallel to the eighth guide meridian; thence north and along the eighth guide meridian to the seventh standard parallel; thence east and along the seventh standard parallel to the western boundary of the Sissiton and Wahpeton Indian reservation, and thence southerly and along the west boundary of said reservation to the place of beginning.

§ 15. BROWN COUNTY DEFINED.] All that district of country included within the following boundaries shall be, and the same is hereby made, constituted and declared the county of Brown, viz: Beginning at the point where the eighth guide meridian intersects the fifth standard parallel, and running thence north and along said guide meridian to its intersection of the seventh standard parallel; thence west and along the seventh standard parallel to the closing corner thereon for township number 128, north of ranges number 65 and 66 west; thence south and along the line between ranges number 65 and 66 west, to the sixth standard parallel; thence east and along said parallel to the closing corner thereon for township number 124, north of range number 65 and 66 west; thence south and along the line between ranges number 65 and 66 west, to the fifth standard parallel; thence east and along said fifth standard parallel to the place of beginning.

§ 16. HAND COUNTY DEFINED.] All that district of country included within the following boundaries shall be, and the same is hereby made, constituted and declared the county of Hand, viz: Beginning at the corner to township number 109, north of range number 65 and 66 west, in the second standard parallel, and running thence north and along the west boundary of Beadle county and Spink county to the fourth standard parallel; thence west and along said standard parallel to the closing corner thereon for township number 116 north of ranges number 70 and 71 west; thence south and along the line between ranges number 70 and 71 west, including the offset upon the third standard parallel to the second standard parallel, and thence east and along said second standard parallel to the place of beginning.

§ 17. HANSON AND DAVISON COUNTIES TO VOTE ON CONSOLIDATION.]

That the proposition contained in the preceding sections of this act to consolidate the counties of Hanson and Davison shall be submitted to the voters in each of said counties separately at a special election hereby authorized to be held in each of said counties on the second Tuesday of September, 1879; and at said special election there shall be written or printed, or partly written or printed on the ballots, "for consolidation" or "against consolidation."

§ 18. THIS ACT TO TAKE EFFECT AFTER RATIFICATION BY VOTERS.] If a majority of the votes cast at such election in each of any two of said counties which in this act is proposed to be consolidated shall be in favor of consolidation, then as to those counties this act shall be in force and take effect on the first day of October, 1879; and if a majority of the votes cast at such election in either of said counties shall be against consolidation, then as to these counties this act shall have no effect.

§ 19. EACH COUNTY TO DISCHARGE ITS INDEBTEDNESS.] If the counties named in the two preceding sections decide to consolidate, then each of those counties as now organized shall bear and discharge their own indebtedness, and in no case shall any of said indebtedness be paid by another county.

§ 20. CONCERNING OFFICERS OF CONSOLIDATED COUNTIES.] It is further provided that in case of the consolidation of the counties of Hanson and Davison as provided in this act that the county offices of said county become vacant as soon thereafter as the result of said election is officially announced and their successors are elected and qualified at the first general election thereafter.

Approved, February 22, 1879.