

COUNTY SEATS.

CHAPTER XIII.

AN ACT TO PROVIDE FOR THE REMOVAL OF COUNTY SEATS BY VOTE OF THE PEOPLE.

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

Section 1. That when any number of the legal voters of any county in this Territory equal to one-half the number of legal voters as shown by the census of the last preceding assessment in such county, shall, at least thirty days previous to the next ensuing election, petition the county commissioners of such county to be allowed to vote on the removal or location of the county seat of such county, the said county commissioners shall cause to be inserted in the notices for the next annual election an article requiring the voters of such county to vote on the removal or location of the county seat of such county at the next ensuing election.

Proceedings to
remove county
seat.

Sec. 2. The voters of any county so notified shall vote at the next election on the location or removal of their county seat, by ballot, written or printed, as follows:

Ballot.

For county seat at _____, (filling the blank with the name of the place voted for.) And if the vote be for the removal of a county seat which has been previously located by direct act

Number of votes required. of the legislature, or by vote of the people, it shall require a majority vote to remove any county seat thus located; but if the vote be for the location of a county seat in any new county which has been but temporarily designated by special act, a simple plurality vote shall be deemed sufficient for the removal or location of the county seat of such new county at the first election therein; but, thereafter the county seat of such county shall not be removed except by a majority vote of the people equal to one sixth of the total vote cast at the last annual election in such county.

When new county seat.

Shall remain two years

Sec. 3. That in any county of this Territory where the county seat shall have been located by a majority vote of the people, as provided in section 2, the place at which the county seat may have been thus located, or to which the same may have been thus removed, shall be and remain the county seat of such county for at least two years after the taking of such vote, and no new election shall be had on the re-location of the county seat until the expiration of the said two years.

Votes how canvassed.

Sec. 4. The votes for and against the removal or location of county seat, shall be returned and canvassed in the same manner as the votes for county officers.

No county seat shall be removed in any other manner than as herein provided.

Sec. 5. No county seat, in any county of this Territory shall be removed in any other manner than that herein prescribed, except by the amendment or repeal of this act.

When act to take effect.

Sec. 6. This act shall take effect and be in force from and after its passage and approval.

Approved January 11, 1867.