

COUNTIES.

CHAPTER X.

AN ACT TO DEFINE THE BOUNDARIES OF THE COUNTIES OF THE TERRITORY, AND TO ORGANIZE THE COUNTIES OF TURNER, HUTCHINSON, HANSON AND BUFFALO, AND FOR OTHER PURPOSES.

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

Boundaries of Union county.

SECTION 1. The county of Union shall be bounded and described as follows, to-wit: Beginning at a point in the center of the main channel of the Missouri river, opposite the mouth of the Big Sioux river; thence westerly up the center of said main channel to the west boundary of range fifty west of the 5th principal meridian; thence northward along said range line to the northwest corner of township ninety-five north, range fifty west; thence east along the north line of township ninety-five, to the center of the main channel of the Big Sioux river; thence southward along the said main channel to the place of beginning.

Boundaries of Clay county.

SEC. 2. The county of Clay shall be bounded and described as follows: Beginning at the southwest corner of Union county, thence westerly up the center of the main channel of the Missouri river to the west boundary of range fifty-three, thence north along said range line to the northwest corner of town ninety-five, range fifty-three; thence east along the north line of town ninety-five to the northwest corner of Union county; thence south along the west boundary of Union county to the place of beginning.

SEC. 3. The county of Yankton shall be bounded and described as follows: Beginning at the southwest corner of Clay county, thence westerly up the main channel of the Missouri river to the west boundary of range fifty-seven; thence north along the said range line to the northwest corner of town ninety-six north, and range fifty-seven west; thence east along north line of town ninety-six to the northwest corner of said town ninety-six, and range fifty-three; thence south along the west boundary of Lincoln and Clay counties to the place of beginning.

Boundaries of
Yankton
county.

SEC. 4. The county of Bon Homme shall be bounded and described as follows: Beginning at the southwest corner of Yankton county; thence westerly up the main channel of the Missouri river to Choteau Creek, on the eastern boundary of the Yankton Sioux Indian Reservation; thence northward along the eastern boundary of said Reserve to the north line of township ninety-six; thence east along said township line to the northwest corner of Yankton county; thence south along the west boundary of Yankton county to the place of beginning.

Boundaries
of Bon Homme
county.

SEC. 5. The county of Charles Mix shall be bounded and described as follows: Beginning at the southwest corner of Bon Homme county, thence up the center of the main channel of the Missouri river to the north line of township one hundred north; thence east along said township line to the west boundary of range sixty; thence south along said range line to the north boundary of Bon Homme county; thence along the north and west boundary of Bon Homme county to the place of beginning: *Provided*, That these boundaries shall in no wise be construed to interfere with the established limits of the Yankton Sioux Indian Reserve and the county seat of said county shall be established at Felicia Fallas' Ranche.

Boundaries
of Charles Mix
county.

Proviso.

SEC. 6. The county of Buffalo shall be bounded and described as follows: Beginning at the northwest corner of Charles Mix county, thence up the center of the main channel of the Missouri river to the western boundary of the Territory of Dakota; thence north along said western boundary to the British Possessions; thence east along the International boundary to the ninth guide meridian, between range sixty-six and sixty-seven; thence south along said guide meridian

Boundaries
of Buffalo
county.

to the north line of Charles Mix county; thence west along said county boundary to the place of beginning.

Boundaries
of Hutchinson
county.

SEC. 7. The county of Hutchinson shall be bounded and described as follows: Beginning at the northwest corner of Charles Mix county; thence south along the east boundary of said Charles Mix county to the north line of Bon Homme county; thence east along the north boundary of said Bon Homme and Yankton counties to the west line of range fifty-five; thence north along said range line to the north boundary of town one hundred; thence west along said township line to the place of beginning.

Boundaries
of Union
county.

SEC. 8. The county of Turner shall be bounded and described as follows: Beginning at the southeast corner of Hutchinson county; thence north along the east boundary of said county to the north line of town one hundred; thence east along said township line to the west boundary of range fifty-one; thence south along said range line to the north line of Clay county; thence west along said county line to the east boundary of Yankton county; thence north along said east boundary to the northeast corner of Yankton county; thence west along north boundary of said county to the place of beginning.

Boundaries of
Lincoln county

SEC. 9. The county of Lincoln shall be bounded and described as follows: Beginning at the southeast corner of Turner county; thence north along the east line of said Turner county to the north boundary of town one hundred; thence east along said township line to the center of the main channel of the Big Sioux river; thence southerly along the center of said main channel to the northeast corner of Union county; thence west along the north line of Union and Clay counties to the place of beginning.

Boundaries of
Minnehaha
county.

SEC. 10. The county of Minnehaha shall be bounded and described as follows: Beginning at the southwest corner of the state of Minnesota; thence north along the west boundary of said state to the north line of township one hundred and six; thence west along said town line to the 7th guide meridian, between ranges fifty-two and fifty-three; thence south along said guide meridian to the north line of town one hundred; thence east along said township line to the place of beginning.

SEC. 11. The county of Brookings shall be bounded and described as follows: Beginning at the northwest corner of Minnehaha county; thence north along the seventh guide meridian to the north line of town one hundred and twelve; thence east along said town line to the western boundary of the state of Minnesota; thence south along said state boundary to the northeast corner of Minnehaha county; thence west along north line of said county to the place of beginning.

Boundaries of
Brookings
county.

SEC. 12. The county of Duel shall be bounded and described as follows: Beginning at the northwest corner of Brookings county; thence north along the seventh guide meridian to the forty-sixth parallel of north latitude; thence east along said 46th parallel to the western boundary of the state of Minnesota; thence southward along the said state boundary to the northeast corner of Brookings county; thence west along the north line of said county to the place of beginning.

Boundaries of
Duel county.

SEC. 13. The county of Pembina shall be bounded and described as follows: Beginning at the northeast corner of Duel county on the 46th parallel of north latitude; thence north along the western boundary of the state of Minnesota to the northeast corner of the Territory of Dakota; thence west along the International boundary to the ninth guide meridian; thence south along said meridian to the forty-sixth parallel of north latitude; thence east along said parallel to the place of beginning.

Boundaries of
Pembina
county.

SEC. 14. The county of Hanson shall be bounded and described as follows: Beginning at the southwest corner of Minnehaha county; thence north along the west boundaries of Minnehaha, Brookings and Duel counties to the south line of Pembina county; thence west along the said county boundary on the 46th parallel to the ninth guide meridian, between ranges sixty-six and sixty-seven; thence south along said ninth guide meridian to the north line of Charles Mix county; thence east along the north boundary of Charles Mix, Hutchinson and Turner counties to the place of beginning.

Boundaries of
Hanson county

SEC. 15. T. J. Maxwell, John Brey, and Henry Maxwell shall be county commissioners, and Chas. H. Greno, register of deeds for Hutchinson county, and the county seat is hereby temporarily located on Sec. —, T. 97, R. 58, and shall be known and designated as Maxwell City.

Officers of
Hutchinson
county
appointed.

Officers of
Hanson county
appointed.

Geo. E. Vernon, G. H. Whetmore, and John Caffrey, shall be county commissioners, and J. Q. Burbank, register of deeds of said Hanson county, and the county seat of said county shall be temporarily located at old Fort James, and shall be known and designated as Rockport.

Officers of
Buffalo county
appointed.

Henry Waller, John Reeves, and George Cheatam shall be county commissioners, and Geo. Timms, register of deeds of Buffalo county, and the county seat is hereby temporarily located at White Earth City, near the mouth of White Earth river.

Officers of
Turner county
appointed, &c.

Wm. W. Aurner, Valentine P. Thielman and Lewis H. Elliott, shall be county commissioners, and C. S. Scott, shall be register of deeds of Turner county, and the county seat is hereby located on the southeast quarter of section nine, T. 97, range 53, and shall be known and designated as Swan Lake City, and the commissioners aforesaid shall qualify as such, on or before the first day of June, 1871; and when so qualified shall have the authority to appoint all other necessary and proper officers for their respective counties, and the said county commissioners and the other officers appointed by them shall hold their respective offices until the next general election, and until their successors shall be duly elected and qualified, and shall possess all the rights and powers and perform all the duties appertaining to their offices respectively. And in case of a failure to qualify as above provided, and within the time aforesaid, then in that case, it shall be the duty of the Governor, and he is hereby authorized to appoint in the stead of such as shall fail to qualify suitable and proper persons, and the persons so appointed shall qualify according to law, and shall possess all the powers and perform all the duties incumbent by law on them as such officers: *Provided*, that this act shall not be construed to interfere in any manner with the present boundaries of Todd and Gregory counties.

Proviso.

Conflicting
acts repealed.

SEC. 16. All acts and parts of acts heretofore enacted, which relate to the boundaries of counties in conflict with this act are hereby repealed.

How certain
words to be
construed.

SEC. 17. Whenever the words "Dakota county" occur in any of the laws passed during this session of the Legislative

Assembly, such words shall be construed in law to mean Han- How certain words to be construed.
 son county in conformity with this act.

SEC. 18. This act shall take effect and be in force from and To take effect, when.
 after its passage and approval by the Governor.

Approved, January 13th, 1871.

CHAPTER XI.

AN ACT CREATING THE OFFICE OF COUNTY CLERK, AND FOR OTHER PURPOSES.

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

SECTION 1. The registers of deeds in and for their respective Register of deeds shall be ex-officio county clerks.
 counties, shall be ex-officio county clerks, and shall have the
 power to take the acknowledgments of deeds and other instru-
 ments.

SEC. 2. Section eighty-nine of chapter twenty-five of the act How certain act to be construed.
 entitled, An Act Concerning Revenue, approved January 12th,
 1869, shall apply to the Territory of Dakota, and section
 eighty-eight of said act, to apply to Yankton city only.

SEC. 3. In section ten of the above act, when the words oc- Amendment.
 cur, "second Monday of April" said time shall be changed
 to the first Monday of April.

SEC. 4. This act shall be in force and effect from and after To take effect when.
 its passage and approval.

Approved, December 30th, 1870.

CHAPTER XII.

AN ACT DEFINING THE MANNER OF ORGANIZING UNORGANIZED COUNTIES IN DAKOTA TERRITORY.

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

Voters of unorganized county may petition governor for organization.

SECTION 1. Whenever the voters of any unorganized county in this Territory shall be equal to fifty or upwards, and they shall desire to have said county organized, they may petition the Governor of the Territory, that they have the requisite number of voters to form a county organization, and request him to appoint the officers specified in the next section of this act.

Duty of governor to appoint county commissioners.

SEC. 2. Whenever the voters of any unorganized county in the Territory shall petition the Governor, as provided in the first section of this act, and the said Governor shall be satisfied that such county has fifty legal voters, it shall be the duty of the Governor and he is hereby authorized to appoint three county commissioners for such county, who shall hold their office until the first general election thereafter, and until their successors shall be elected and qualified.

Commissioners to appoint certain officers.

SEC. 3. Said county commissioners after having qualified according to law shall appoint all the county officers of said county required by law, who, after having qualified, shall hold their office until the next general election and until their successors shall have been elected and qualified.

Location of county seat.

SEC. 4. The county commissioners appointed under this act shall have the power to locate the county seat of such county temporarily.

Portions of Territory annexed for certain purposes.

SEC. 5. Such portions of the Territory not organized into counties as are annexed to any organized county, shall for judicial and other purposes be deemed to be within the limits and a part of the county to which they are annexed.

When to take effect.

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

Approved, January 11th, 1871.

CHAPTER XIII.

AN ACT TO PROVIDE FOR FILLING VACANCIES IN THE BOARD
OF COUNTY COMMISSIONERS.

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

SECTION 1. That when a vacancy occurs in the board of county commissioners of any county in this Territory, it shall be the duty of the chairman of said board of county commissioners, with the judge of probate and register of deeds, at their next regular or special meeting, to appoint some suitable person for the district where the vacancy occurs. And when such person so appointed shall qualify as provided by law, such vacancy shall be considered filled until the next regular election.

Vacancies in
board of county
commission-
ers, how filled.

SEC. 2. All acts and parts of acts conflicting with the provisions of this act, are hereby repealed.

Conflicting
acts repealed.

SEC. 3. This act shall take effect and be in force from and after its passage and approval.

When to
take effect.

Approved, January 13th, 1871.