

## HISTORY OF THE ORGANIZATION OF COUNTIES IN IOWA

[The following account of the organization of counties in Iowa, compiled by J. A. Swisher, supplements the two monographs written by F. H. Garver on the *History of the Establishment of Counties in Iowa* and the *Boundary History of the Counties of Iowa* which were published in THE IOWA JOURNAL OF HISTORY AND POLITICS, Volumes VI and VII.

The collection of data for this monograph was attended by many difficulties. In the first place authorities are not agreed as to what constitutes organization. Is it the date when the order was promulgated, the date of the first election, or the date of the first transaction of official business? In this study the last named event has been considered the date of organization.

Furthermore, it was found that much of the necessary information was difficult to secure. To visit the various county seats and conduct searches among the local archives—often unclassified and stored in basements—would have required the greater part of a year and the expenditure of many hundreds of dollars. In many cases even such diligence would have been unavailing since the county records have not infrequently been destroyed by fire. Accordingly reliance has been placed on other sources, consisting chiefly of official State publications—such as the statute laws and the *Iowa Historical and Comparative Census, 1836-1880*—county and State histories, the early *Annals of Iowa*, and Andreas's *Illustrated Historical Atlas of the State of Iowa*, published in 1875.

Considerable information was secured from local county histories—particularly those published at an early day when the original sources were for the most part available. When all of these sources had been consulted and the data compared and tabulated, a letter was sent to each of the ninety-nine county auditors of the State, asking that the data secured for his county be verified by comparison with the official county records. About half of the whole number of auditors complied with the request, and with only two or three exceptions the data originally secured was found to be substantially correct—thus indicating that the sources used were fairly reliable. At the same time it is recognized that in the compilation of material for so many counties and from so many sources, it is possible that minor errors may have found their way into the final product.—THE EDITOR]

The student of colonial history will recall that local government in Massachusetts was democratic: business was transacted in the town meetings, where all of the citizens could assemble, discuss, and vote upon matters of mutual

concern. As contrasted with this town method, county government was representative: it originated in Virginia, where, because of the large tracts of land controlled by a sparsely settled people, local government was placed in the hands of a few leading citizens. In 1634 eight counties were organized in Virginia. This system spread throughout most of the southern States and some of the northern States — Illinois adopting the county system at the time of its admission into the union in 1818.<sup>1</sup>

Thus, it is not strange that the early settlers of Iowa were familiar with this form of local government, and that, coming as they did from various sections of the country already organized, these settlers brought with them many of the manners, customs, and laws with which they were familiar, and began at once to formulate these into statutes which were applicable to their own local needs in the new community.

Frank Harmon Garver, in an article published in *THE IOWA JOURNAL OF HISTORY AND POLITICS* for July, 1908, presents a comprehensive study of the establishment of counties in Iowa, in which he sets forth the several legislative enactments by which the various counties of the State were brought into being. These legislative enactments in many cases set forth rules by which the counties were to be organized. In a new and sparsely settled country, however, the actual development frequently varies widely from the plans originally designed by the lawmakers. Accordingly, it will be of interest to study the actual organization of the counties of the State, and to ascertain how the laws providing for county organization were made effective, how these laws were amended from

<sup>1</sup> Howard's *An Introduction to the Local Constitutional History of the United States*, Vol. I, pp. 388, 389; *History of Page County, Iowa* (1880), pp. 385-387.

time to time, and finally how, through a process of evolution, the present status of county organization has come to be what it is. This history goes back to the time when Iowa was a part of Michigan and Wisconsin territories.

ORGANIZATION DURING THE PERIOD OF MICHIGAN TERRITORY  
1834-1836

In 1834 the area contained in the present State of Iowa was made a part of the Territory of Michigan. On the first day of September of that year the Sixth Legislative Council of the Territory of Michigan met in extra session at the town of Detroit and on the second day of the session the Governor of the Territory sent a message to the Council, suggesting, among other things, the establishment of local government in that part of the Territory west of the Mississippi River — referring to the territory included in the Black Hawk Purchase.<sup>2</sup> In accordance with this recommendation the Legislative Council passed a measure entitled “An Act to lay off and organize Counties west of the Mississippi River”, which was approved on September 6, 1834, to take effect on the first day of October of the same year.<sup>3</sup>

The first section of this law provided that that part of the Territory “which is situated to the north of a line to be drawn due west from the lower end of Rock Island to the Missouri river, shall constitute a county, and be called Dubuque; the said county shall constitute a township, which shall be called Julien”.

Section two provided that the part “which is situated south of the said line to be drawn west from the lower end of Rock Island, shall constitute a county, and be called

<sup>2</sup> Garver's *History of the Establishment of Counties in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. VI, p. 380.

<sup>3</sup> *Laws of the Territory of Michigan*, Vol. III, pp. 1326, 1327.

Demoine;<sup>4</sup> and said county shall constitute a township, and be called Flint Hill''.

These two sections make it clear that each county comprised but a single township, and that the county and township lines were co-extensive. It is also evident that it was the intention of the legislators to place the government of both the county and the township in the hands of a single board.<sup>5</sup>

Section three of the act provided for the establishment of a county court in each county. Court was to be in session in Dubuque County on the first Monday in April and September, annually; and in Demoine County on the second Monday in April and September. These county courts were similar to those of an earlier date. They were composed of three judges — one presiding and two associate justices — appointed by the Governor of the Territory.<sup>6</sup>

A subsequent section of this law provided that all laws then in force in the county of Iowa, not locally inapplicable, should be extended to the counties of Dubuque and Demoine. The "county of Iowa" mentioned in this section refers to a certain county of the Territory, located east of the Mississippi River, which had been established in 1829.<sup>7</sup> Accordingly, it appears that the laws governing the two original counties of Iowa were adopted from those laws of an earlier date, which were already in operation in the organized parts of Michigan Territory.

One of the Michigan statutes of which we should take cognizance was approved on March 30, 1827, and provided that the inhabitants of townships should meet on the first

<sup>4</sup> This is the spelling found in the act.

<sup>5</sup> Aurner's *History of Township Government in Iowa*, pp. 18, 19.

<sup>6</sup> *Annals of Iowa* (First Series), Vol. VII, p. 232.

<sup>7</sup> *Laws of the Territory of Michigan*, Vol. II, p. 714.

Monday in April of each year for the purpose of electing a supervisor.<sup>8</sup> On April 12, 1827, a law was passed which provided that the duties previously required of the county commissioners should henceforth be performed by the supervisors.<sup>9</sup> Thus it appears that the laws in vogue in the Territory at this time placed local government largely in the hands of a board of supervisors, who had the function of both township and county officers. The number of members of this board varied in the different counties, there being one from each township. In case there was but one township in the county, three supervisors were elected. The other county officers most frequently elected by the people at this time were the treasurer, surveyor, and coroner. The list, however, was not always the same in the different counties, since the newer communities did not need all of the machinery of government which was used in the older settlements. Judicial officers, including judges of the county and probate courts, clerks of court, justices of the peace, sheriffs, and notaries public, were appointed by the Governor.

That there might be no delay in the matter of organization, the Governor, on the same day upon which he approved of the law creating the new counties, appointed the following judicial officers for Dubuque County: one chief justice, two associate justices, a county clerk, a sheriff, a judge of probate, a register of probate, a notary public, a supreme court commission, and six justices of the peace.<sup>10</sup> A similar list of officers was provided for Des Moines County<sup>11</sup>

<sup>8</sup> *Laws of the Territory of Michigan*, Vol. II, p. 317.

<sup>9</sup> *Laws of the Territory of Michigan*, Vol. II, p. 584.

<sup>10</sup> Shambaugh's *Documentary Material Relating to the History of Iowa*, Vol. III, pp. 266, 267.

<sup>11</sup> Shambaugh's *Documentary Material Relating to the History of Iowa*, Vol. III, p. 267.

on December 26, 1834. Thomas McKnight was chief justice in Dubuque County and William Morgan in Demoine County.

There are no records of any meeting of the county board of supervisors in Dubuque County during the years 1834 or 1835. That the officers appointed by the Governor entered upon the duties of their respective offices prior to December 9, 1834, is conclusively shown, however, from the fact that on that date the Legislative Council passed an act providing, "That the oath of office administered to the clerk of the county of Dubuque, and the oath of office administered by him to the several officers of said county, for the purpose of organizing said county, are hereby declared to be legal and valid".<sup>12</sup> It seems that the officers had been inducted into office and were performing the functions thereof when, because of some informality or irregularity in administering the oath, a question was raised as to the legality of the ceremony, thus necessitating a legalizing act.

*Demoine County.* — In as much as local government was largely in the hands of the board of supervisors, the first meeting of this board is significant. Indeed, this may be taken as constituting the beginning of actual organization in the county. The law provided for the meeting of these boards in the several counties on the first Monday of March, and on the first Tuesday of October of each year.<sup>13</sup> The earliest existing records relative to the actual organization of a board of supervisors are to be found in Demoine County. The date of the election of these officers does not appear, and whether or not they were elected at the regular election in March, 1835, can not be definitely

<sup>12</sup> *Laws of the Territory of Michigan*, Vol. III, p. 1333.

<sup>13</sup> *Laws of the Territory of Michigan*, Vol. II, p. 688.

determined.<sup>14</sup> The board of that county met at the house of William R. Ross in the town of Burlington on September 29, 1835.<sup>15</sup> This must have been a special meeting, since the regular time for the meeting was in March and October. There were present, as constituting the board, Isaac Leffler, Francis Redding, and Ebenezer D. Ayers. Benjamin Tucker was appointed clerk of the board.

*Dubuque County.*—The first meeting of the board of supervisors in Dubuque County was held on May 30, 1836, and there were present Francis Gehon, William Smith, and John Paul. Warner Lewis was appointed clerk. The records of that time show that grocers and innkeepers were taxed \$10 per annum, payable quarterly. Thirty-eight such persons are mentioned as thus paying revenue into the county treasury. The same records show pauper and insane expenses amounting to \$35.38. The first jail is said to have cost \$577.25. On June 11, 1836, plans and specifications for a courthouse were received. At a meeting of the board on April 1, 1837, a bill of \$4.00 was allowed to Francis Gehon in full for services as county treasurer.<sup>16</sup>

From this brief statement of organization it will appear that the first county officers in Iowa were those of a judicial nature appointed for the county of Dubuque. The first organized board of supervisors — the chief governing body in the county — met in Demoine County. It is clear, moreover, that as early as May, 1836, both of the original counties had taken the initial steps in the matter of organization.

<sup>14</sup> Letter of County Auditor J. F. Weber, September 7, 1922.

<sup>15</sup> Aurner's *History of Township Government in Iowa*, p. 19.

<sup>16</sup> Aurner's *History of Township Government in Iowa*, p. 19; Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 341.

ORGANIZATION UNDER THE TERRITORY OF WISCONSIN  
1836-1838

Upon the admission of part of the Territory of Michigan to the Union as a State, the remainder was by an act of Congress, approved on April 20, 1836, erected into the Territory of Wisconsin.<sup>17</sup> The area of the present State of Iowa, with its two original counties, was included in this new jurisdiction.

The Organic Act of the Territory of Wisconsin provided laws differing somewhat from those of the former Michigan Territory. Instead of a mere outline of government, a more detailed plan was now provided. In spite of this fact, the new law did not provide any definite plan for the organization of counties. In article six, however, it was provided that "the legislative power of the Territory shall extend to all rightful subjects of legislation". Under this authorization the counties of Iowa, from this time on, were created by legislative acts, and organized in compliance with the rules prescribed by the Wisconsin territorial legislature.

The legislature of the Territory of Wisconsin met for the first time at Belmont on October 25, 1836.<sup>18</sup> During this session a law was adopted entitled, "An Act dividing the county of Des Moines into several new counties." This act was approved on December 7, 1836, and went into effect immediately.<sup>19</sup> By the terms of this law, the territory comprised in the former county of Des Moines, together with a small triangular part of the Keokuk Reserve, located west of this county, was divided into seven new counties, one of which retained the name of Des Moines and may be con-

<sup>17</sup> *United States Statutes at Large*, Vol. V, p. 10.

<sup>18</sup> *Gue's History of Iowa*, Vol. I, p. 174.

<sup>19</sup> *Laws of the Territory of Wisconsin, 1836-1838*, p. 76. The spelling of the word Des Moines is modernized in this act.

sidered legally as a continuation of the former county. The other six counties thus created were: Lee, Van Buren, Henry, Louisa, Musquitine, and Cook.

On December 6th, the day previous to the approval of the above mentioned act, the legislature passed a law amending several acts of the former Michigan Territory and providing for certain county officers.<sup>20</sup> Section one of this act provided, among other things, "that there shall be elected at the annual town meeting in each county three supervisors".

Section two provided that there "shall also be elected in each county, one township clerk, who shall in addition to the duties heretofore performed by him, perform the duties of clerk to the board of supervisors."

Prior to this date — on November 29, 1836 — a law had been passed which provided for the election of a coroner.<sup>21</sup> And just following this date — on December 20, 1837 — a law was approved which authorized the election of a treasurer in each of the organized counties.<sup>22</sup>

Thus it appears that by the beginning of the year 1838, provision had been made for county officers sufficient in number to carry on the work of organization in a satisfactory manner.

In this connection attention should be called to the fact that there is some confusion in the early records with regard to the use of the terms "Board of Supervisors" and "County Commissioners", and that these terms are sometimes used synonymously. Moreover, the meeting of a board of supervisors is sometimes spoken of as a "supervisors' court" or a "commissioners' court". At this time

<sup>20</sup> *Laws of the Territory of Wisconsin, 1836-1838, p. 64.*

<sup>21</sup> *Laws of the Territory of Wisconsin, 1836-1838, p. 22.*

<sup>22</sup> *Laws of the Territory of Wisconsin, 1836-1838, p. 129.*

these terms could mean but one thing, namely, a board of supervisors. The meeting is in no sense a court. Moreover, county commissioners, as such, were not provided for until December, 1837.

COUNTIES ORGANIZED WITH A BOARD OF SUPERVISORS

*Henry County.*— Following the action of the legislature, on December 6, 1836, providing for a board of supervisors, there was little delay in the matter of actual organization. In Henry County a board was elected, and held its first meeting at Mt. Pleasant on January 16, 1837, under the name of "Special Term Supervisors' Court". The minutes of this meeting show that Robert Caulk, Samuel Brazelton, and George J. Sharp had been duly elected county supervisors on January 13, 1837, and that they had taken the required oath of office. Seven orders were issued by the board at this time. The first five of these pertained to matters involved in the previous election. A county treasurer, a coroner, and five constables were declared duly elected, and bonds were provided. The judge and clerk of the election were paid for their services. These necessary matters in connection with organization having been disposed of, the board ordered that the clerk give notice that their next meeting would be held on the second Monday in February, and that "all persons having business are requested to attend".<sup>23</sup>

*Lee County.*— The first election for county officers in Lee County was held at Fort Madison on Monday, April 3, 1837, where a full staff of county officers was elected— some of them presumably under the authorization of the law as it was under the Michigan Territory. The list of

<sup>23</sup> *History of Henry County, Iowa* (1879), p. 391.

officers elected at that time included three supervisors, three assessors, three road commissioners, register, township clerk, two directors of the poor, coroner, treasurer, collector, and five constables.<sup>24</sup>

The first meeting of the board of supervisors was held at the house of J. S. Douglass in Fort Madison on Monday, the 17th day of April, 1837. The minutes of the meeting show that only two orders were passed, both of which, however, are significant as showing the prevailing custom of retailing spirituous liquors and wines, not at a separate dispensary, but in connection with some other business such as that of an innkeeper or grocer. The first order reads: "That said J. S. Douglass be permitted to keep a public house in the town of Fort Madison for the term of one year from the 17th of this month, and that he has also permission to retail spirituous liquors and wines by small measure during said time." The second order was "that each and every person who shall apply to said Board of Supervisors for license to keep a grocery, with the permission to retail spirituous liquors and wines by small measure, shall pay twenty-five dollars per annum into the county treasury, and get a receipt for the same, and present to said Board of Supervisors."<sup>25</sup> These two orders having been passed the board adjourned until the first Monday in May.

*Louisa County.*—The record of the first election in Louisa County has not been preserved. That such an election was held, however, in the spring of 1837 is evident from the fact that the board of supervisors met in Wapello on April 22nd of that year.<sup>26</sup> The members of the board

<sup>24</sup> *History of Lee County, Iowa* (1879), p. 431.

<sup>25</sup> *History of Lee County, Iowa* (1879), pp. 431, 432.

<sup>26</sup> *History of Louisa County, Iowa* (1912), Vol. I, pp. 80-82.

present at that time were Jeremiah Smith and William Milligan. It appears that the third member of the board did not attend the meeting, as his name does not appear in the minutes, a facsimile of which has been preserved. Indeed, it seems clear that he, together with other officers elected at the spring election, did not qualify, for the board of supervisors, after appointing Z. C. Inghram clerk of the board, ordered another election to be held on May 6th for the purpose of electing one supervisor, constables, assessor, collector, director of the poor, fence viewer, and all other officers required to fill vacancies caused by those previously elected failing to qualify in due time. The clerk was authorized to advertise a special meeting of the board to be held on the 12th of May. The meeting was then adjourned by the passing of an order "that the board rise until the 12th day of May next".<sup>27</sup>

*Van Buren County.*—In Van Buren County the first records obtainable are those with regard to a meeting of the "Supervisors' Court" on Thursday, May 4, 1837, at the town of Farmington. There were apparently but two members of the board present—John Bending and Isham Keith. Enoch P. Blackburn was appointed clerk.<sup>28</sup> The date of the spring election is not known. Reference is made to it, however, in the minutes of this meeting, when the clerk of the district court presented the poll books for "the late election". It was ordered, in this connection, that certificates of election be issued to the recorder, for township clerk, collector, coroner, three assessors, three road commissioners, two overseers of poor, three fence viewers, and a pound master. The board ordered that a

<sup>27</sup> *History of Louisa County, Iowa* (1912), Vol. I, pp. 80, 81.

<sup>28</sup> This data was obtained from the original records in Van Buren County by Dr. Ivan L. Pollock, July, 1922.

tax of \$25 per year be imposed upon persons conducting a grocery business.

*Muscatine County.* — The exact date of the first election in Muscatine County is not obtainable, owing to the fact that the records were burned when the old courthouse of that county was destroyed in 1864. It is known, however, that an election was held in the spring of 1837. Arthur Washburn and Edward Fay were chosen as supervisors. It is probable that a third man was elected but his name does not appear. This board met on October 4, 1837.<sup>29</sup> The only business transacted at this session was the issuance of orders on the treasurer for various sums. Seven orders in all were issued, four of which were for work on the roads.

The county of Cook, which it will be remembered was established when the original county of Des Moines was divided, was never officially organized. This county became extinct when its territory was apportioned among several new counties on January 18, 1838.<sup>30</sup>

#### COUNTIES ORGANIZED UNDER THE COUNTY COMMISSION SYSTEM

Before the organization of more counties the Second Legislative Assembly of the Territory of Wisconsin convened at Burlington, and on December 20, 1837,<sup>31</sup> passed a law which is significant in the history of organization. This was an act authorizing the election of a board of county commissioners in each county of the Territory. The duties of these commissioners were virtually those which had hitherto been performed by the board of supervisors. This

<sup>29</sup> *History of Muscatine County, Iowa* (1879), pp. 417, 418.

<sup>30</sup> *Laws of the Territory of Wisconsin, 1836-1838*, p. 381.

<sup>31</sup> *Laws of the Territory of Wisconsin, 1836-1838*, pp. 138-140.

law was more explicit than those of the earlier date, and the vagueness which had hitherto been so apparent gave way in a measure to a more definite plan of organization.

The law provided, "That there shall be and hereby is organized in each county in this territory, a board of county commissioners for transacting county business, to consist of three qualified electors, any two of whom shall be competent to do business, to be elected by the qualified electors of the several counties respectively." The date of the first election was the first Monday in March. It was further stipulated that at this first election the person having the highest number of votes should serve three years, the person having the next highest number should serve two years, and the person having the next highest should serve one year, and thereafter one commissioner should be elected annually to serve for three years. Provision was also made for regular meetings of the board on the first Monday in April, July, October, and January of each year. The commissioners were given power to appoint a clerk who, together with the sheriff, was authorized to attend all meetings of the board.

On December 21, 1837,<sup>32</sup> the day following the approval of the law relative to commissioners, an act subdividing the county of Dubuque was approved. This law included not only Dubuque County, but also approximately the northern two-thirds of the Sac and Fox Cession of October 21, 1837, as well as large tracts of the Indian country not yet ceded to the United States government. The act provided for the establishment of fourteen new counties as follows: Dubuque, Clayton, Jackson, Benton, Linn, Jones, Clinton, Johnson, Scott, Delaware, Buchanan, Cedar, Fayette, and Keokuk.

<sup>32</sup> *Laws of the Territory of Wisconsin, 1836-1838*, p. 132.

Section three of this act established the boundary lines of Dubuque County, giving it its present boundaries. The organization of the government of the county, however, was not changed, hence this may be considered as having begun with the original county and continued until the present time. Of the other thirteen counties some were not actually organized until as late as 1847. In the meantime other counties were established and in some instances several established counties were without active organization. Counties will, therefore, be considered in the order in which they were organized, mention only being made of the date of their establishment.

*Scott County.*—It will be recalled that the law which established the board of county commissioners provided for its election on the first Monday in March. In Scott County the first election was held, in accordance with this law, on Monday, March 5, 1838.

The commissioners elected on that day were Benjamin F. Pike, Alfred Carter, and Andrew W. Campbell. The first meeting of the board was held at the store of J. W. Higgins, in the town of Rockingham, on March 20, 1838. Only two of the commissioners were present. Ebenezer Cook was appointed clerk of the board and arrangements were made to procure from the Secretary of the Territory a suitable seal. As there was no business to be transacted the board adjourned to meet again in April.<sup>33</sup>

*Cedar County.*—In Cedar County an election was held on March 5, 1838, when the following commissioners were elected: Richard Ransford, J. M. Oaks, and Joseph Wilford. The commissioners met at Rochester—the place fixed by

<sup>33</sup> *History of Davenport and Scott County, Iowa* (1910), Vol. I, p. 547; letter of County Auditor Jos. Wagner, September 16, 1922.

the territorial legislature — on April 2, 1838. At this session two petitions were received asking for roads to be opened. The county was divided into districts, and election precincts were established.<sup>34</sup> Other minor matters were disposed of by the board. After allowing a compensation per diem for each commissioner and for the clerk and sheriff, the session adjourned to meet on the 24th of May.

*Jackson County.* — Whether or not the first election in Jackson County was held on the first Monday in March, as was provided in the law establishing the board of county commissioners, does not appear. It is clear, however, that an election was held during the spring of 1838. The first county commissioners were William Jonas, William Morden, and J. Leonard. J. H. Rose was appointed clerk of the board. The first meeting of the board was held at Bellevue on April 2, 1838 — the date of the meeting of the first board in Cedar County. At this meeting the county was divided into six voting precincts and election judges were appointed for each.<sup>35</sup>

When Jackson County was established Jones and Linn counties were attached as election precincts and Bellevue was made the seat of government. The county seat was later moved to Andrew and finally to Maquoketa.

#### ORGANIZATION OF COUNTIES DURING THE TERRITORY OF IOWA 1838-1846

It soon became apparent that the Territory of Wisconsin was too large for the successful administration of local government. Accordingly the Territory was divided by

<sup>34</sup> Aurner's *A Topical History of Cedar County, Iowa* (1910), Vol. I, pp. 53, 54; Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 399; Gue's *History of Iowa*, Vol. III, p. 324.

<sup>35</sup> *History of Jackson County, Iowa* (1879), pp. 327, 328.

an act of Congress approved on June 12, 1838.<sup>36</sup> This law provided that the part of the Territory lying west of the Mississippi River and west of a line due north from the source of said river should form a new Territory to be known as the Territory of Iowa.

*Clayton County.* — Clayton County was the first to organize under the new jurisdiction. The first election in this county was held in September, 1838. Although this purported to be an election for members of the legislature and a Delegate to Congress,<sup>37</sup> it is probable that county officers were also elected. At all events the first meeting of the board of county commissioners was held on October 6, 1838, at the town of Prairie La Porte, the first county seat.<sup>38</sup> No business was transacted except that of organization and the appointment of Dean Gay as clerk of the board. An adjournment was then had until October 13th.

It should be mentioned in this connection that on December 14, 1838, the Legislative Assembly of the Territory of Iowa passed a law providing for county commissioners in the new Territory.<sup>39</sup> This law was patterned after the one previously passed by the Legislative Council of Wisconsin. It provided for a board of three commissioners, elected by the people. Two members of the board were to constitute a quorum for the transaction of business.

*Johnson County.* — As soon as Robert Lucas, the newly appointed Governor of Iowa, reached Burlington, he began to organize the Territory by issuing a proclamation for an

<sup>36</sup> *United States Statutes at Large*, Vol. V, p. 235.

<sup>37</sup> *History of Clayton County, Iowa* (1882), p. 413.

<sup>38</sup> *History of Clayton County, Iowa* (1882), p. 264.

<sup>39</sup> *Laws of the Territory of Iowa, 1838-1839*, p. 101.

election. He issued a sheriff's commission to Samuel C. Trowbridge, with instruction to call an election for the purpose of organizing Johnson County.<sup>40</sup> The first election of county officers in this county was held at Napoleon on September 10, 1838. Territorial as well as county officers were elected at that time. The county commissioners chosen were Henry Felkner, Abner Wolcott, and William Sturgis.<sup>41</sup> The first board meeting was held on March 29, 1839. Two motions were passed—one with regard to the appointment of Luke Douglass as clerk and the other concerning the adoption of a county seal. It was then ordered that the "court" adjourn sine die.

*Jefferson County.*—Jefferson County was the next in order to take up the matter of organization. This county was not included in the above mentioned group of fourteen which were established upon the division of Dubuque County but was established through a division of Henry County, which it will be remembered was one of the seven counties carved from the original county of Des Moines. The law which established this county was approved on January 21, 1839.<sup>42</sup> It was clearly the intent of the legislators to cause as little confusion as possible in placing this county under a new organization. The act provided that Jefferson County "shall, to all intents and purposes, be and remain an organized county, and invested with full power and authority to do and transact all county business which any regularly organized county may of right do."<sup>43</sup> This is the first example recorded where a law definitely

<sup>40</sup> *Early Iowa* (The Iowa City Republican Leaflets), Ch. II, p. 13.

<sup>41</sup> *Early Iowa* (The Iowa City Republican Leaflets), Ch. I, pp. 57, 61.

<sup>42</sup> *Laws of the Territory of Iowa, 1838-1839*, p. 92.

<sup>43</sup> This is the first example of a definite declaration of the law providing for organization.

declared that a county "shall be organized". Prior to this date laws were passed authorizing elections, and officers having been elected they proceeded to organize. The law here is definite and indicates an advance step in the history of organization. It was recognized, however, that a mere declaration of the organization was of little effect. Accordingly provision was made for an election of county officers to be held on the first Monday of April, 1839, and the sheriff was authorized to give public notice of the impending election. This is believed to be the first legislative appointment of an organizing sheriff in Iowa. Further provision was made that the newly established county should remain attached to Henry County for judicial purposes until its officers were elected and the county properly organized.

In accordance with the provisions of this law an election was held which resulted in the selection of three county commissioners, a treasurer, sheriff, recorder, and surveyor. The first meeting of the board of county commissioners was held at the village of Lockridge on April 8, 1839,<sup>44</sup> at which only two of the members were present. After appointing a clerk and having him duly sworn into office, the first order was one with regard to the surveying and laying out the town of Fairfield, which had been selected as the county seat. Arrangements were further made for the sale of lots in Fairfield and that the sale be advertised in Fort Madison, Mount Pleasant, Keosauqua, and Burlington. Fees were allowed the officers and the board adjourned.

*Washington County.*—The history of the organization of Washington County presents a somewhat intricate as

<sup>44</sup> *History of Jefferson County, Iowa* (1879), pp. 395, 397.

well as interesting situation, involving the names successively of Cook, Slaughter, and Washington. Reference was made to the fact that Cook County was established as one of the group of seven counties carved from the original county of Des Moines and that it later became extinct. The law which established Slaughter County also established new boundaries for the counties of Lee, Van Buren, Des Moines, Henry, Louisa, and Muscatine, but made no reference to Cook County.<sup>45</sup> Accordingly it has sometimes been thought that the name Cook was changed to Slaughter. This was not the case. By the rearrangement of boundary lines made by the acts of December 21, 1837, and January 18, 1838, Cook County was completely crowded out. Slaughter was a newly established county, not to be considered as a successor of Cook County.

Whether or not Slaughter County was ever fully organized does not clearly appear. The absence of any reference to the election of county officers leads one to believe that such an election was not held. However that may be, it is clear that a commission was appointed to locate the seat of justice and also that a term of the district court was held in the county. In 1838 the town of Astoria was laid out and designated as the county seat and a courthouse was started but never completed.<sup>46</sup>

On January 25, 1839,<sup>47</sup> an act was passed which changed the name of Slaughter County to Washington County. This law provided that "the county of Washington shall, to all intents and purposes, be and remain an organized county". Hence it would appear that it was the intent of the legis-

<sup>45</sup> *Laws of the Territory of Wisconsin, 1836-1838*, p. 381.

<sup>46</sup> Garver's *History of the Establishment of Counties in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. VI, pp. 390, 391; *Annals of Iowa* (First Series), Vol. VII, pp. 76, 78.

<sup>47</sup> *Laws of the Territory of Iowa, 1838-1839*, p. 100.

lators to merely change the name and continue the county organization, in so far as this organization had been effected. In the spring of 1839, soon after the name of the county was changed, a complete staff of county officers appears, including three commissioners, a clerk, judge of probate, treasurer and collector, recorder, coroner, and sheriff. The board of commissioners held its first meeting on Monday, May 5, 1839. Provision was made for securing a seal. Election precincts were designated. This meeting was, however, only a special session, and very little was done aside from attending to matters of organization. The first regular session of the board was held on July 1, 1839, in the town of Washington, which had, prior to this time, been selected as the county seat. The first court was held on June 17, 1839, by Judge Joseph Williams, but no indictments having been returned<sup>48</sup> there were no cases for trial.

*Linn County.*—On January 15, 1839, a law was approved which provided “That the county of *Linn* be and the same is hereby organized from and after the first day of June next”.<sup>49</sup> Richard Knott, Lyman Dillon, and Benjamin Nye were by the same act appointed commissioners to locate the seat of justice, to meet for that purpose on the first Monday of March. Here again as in cases previously mentioned there may be a wide range of difference between a county which has been declared by the legislature to be organized and one that is actually organized. The legislature had declared this county to be organized after the first of June. It was in the month of August, however, two months later, that the first election of county

<sup>48</sup> *Annals of Iowa* (First Series), Vol. VII, pp. 78-80.

<sup>49</sup> *Laws of the Territory of Iowa, 1838-1839*, p. 97.

officers was held.<sup>50</sup> The commissioners elected at this time were Samuel C. Stewart, Peter McRoberts, and Luman M. Strong. The first meeting was held on September 9, 1839. Hosea W. Gray was sheriff and John C. Berry was appointed clerk of the board. The site of the county seat had been selected prior to this time and accordingly the board at this meeting ordered, "That the county seat of Linn County be and is hereby called and shall hereafter be known and designated by the name of Marion." On the second day of the session the board appointed two "Constables for the county", also a supervisor of roads. Sheriff Gray was authorized to contract with the sheriff of Muscatine County for the safe-keeping of one Samuel Clews, who was the first man in the county to require the services of a sheriff in the capacity of guardian. There being no funds provided for this service, the sheriff was further authorized to borrow the necessary money for the maintenance of the prisoner.

*Jones County.*— On January 24, 1839, the Legislative Assembly passed a law relative to the organization of Jones County.<sup>51</sup> It was evidently the intention of the legislators to provide for a definite organization, for the law provided that the county "be, and the same is, hereby organized, from and after the first day of June next". Simeon Gardner of Clinton County, Israel Mitchell of Linn County, and William H. Whiteside of Dubuque County were appointed commissioners to locate the county seat.

Notwithstanding the fact that the law provided for an organization of the county from and after June 1, 1839, the first election was not held until the fall of that year,

<sup>50</sup> *History of Linn County, Iowa* (1878), p. 358.

<sup>51</sup> *Laws of the Territory of Iowa, 1838-1839*, p. 95.

and the board of commissioners did not meet until February 3, 1840.<sup>52</sup>

*Clinton County.*— At a special session of the legislature there was enacted on January 11, 1840, a law relative to the organization of Clinton County. This law provided that the county should “be organized from and after the first day of March”, that an election of county officers should be held on the first Monday in April, that the county should become a part of the third judicial district, that court be held on the first Monday of May and October, and that the county seat should be established at the town of Camanche.<sup>53</sup>

In a history of Clinton County published in 1879 it is said that no records exist of any proceedings of the board of commissioners prior to January 5, 1841, but the author continues: “We have verbal statements of old settlers which place it almost beyond doubt that there were meetings held during the year 1840, and that Elijah Buel, George Griswold, and Robert C. Bourne were the first Commissioners.”<sup>54</sup>

Following the organization of Clinton County, the matter of county government seems to have been, for a considerable time, in a state of comparative quiescence. Indeed, no other counties were established until February 17, 1843, when a law was passed establishing the counties of Davis, Appanoose, Wappello,<sup>55</sup> Kishkekosh, Mahaska, Iowa, Poweshiek, Tama, and Blackhawk, and changing the boundaries of Keokuk, Benton, and Buchanan counties.

<sup>52</sup> *History of Jones County, Iowa* (1879), pp. 327, 328.

<sup>53</sup> *Laws of the Territory of Iowa* (Extra Session), 1840, p. 67.

<sup>54</sup> *History of Clinton County, Iowa* (1879), p. 350.

<sup>55</sup> This is the spelling given in this act.

This law provided for a temporary survey of the several counties which should fix the county boundaries until the lands were surveyed by the United States government. The law also authorized the Governor of the Territory to appoint and commission justices of the peace for each county, and gave the justices power to appoint constables.<sup>56</sup>

In December, 1843, the legislature was again in session, and during the month of February of the following year several laws were passed with regard to the organization of counties. The counties of Keokuk and Mahaska<sup>57</sup> were organized by a law adopted on February 5th, Delaware County<sup>58</sup> on the 8th, Wapello County on the 13th, and Davis County on the 15th.<sup>59</sup>

*Delaware County.*—The law concerning each of these counties, except Delaware, stipulated that organization should be effective from and after March 1, 1844. The law relative to Delaware County, on the other hand, declared that organization should take effect as soon as the act was passed, namely, on February 8, 1844.<sup>60</sup> This law, however, was the last of a series of laws relative to the organization of this county, and nothing was accomplished by its passage, except to secure a mere declaration that the county was organized. The records show that the county had in fact been fully organized in 1841, and from that time had continued as a separate organization. As early as December 20, 1839, a law had been passed which provided for the organization of the county. Commissioners were appointed

<sup>56</sup> *Laws of the Territory of Iowa, 1842-1843, pp. 131-135.*

<sup>57</sup> *Laws of the Territory of Iowa, 1843-1844, p. 85.*

<sup>58</sup> *Laws of the Territory of Iowa, 1843-1844, p. 105.*

<sup>59</sup> *Laws of the Territory of Iowa, 1843-1844, pp. 114, 137.*

<sup>60</sup> *Laws of the Territory of Iowa, 1843-1844, p. 105.*

to locate the county seat and an election was provided for.<sup>61</sup> For some reason the commissioners did not meet as directed to locate the county seat. This may have been due to the fact that very few people had yet come to the county, or it may have been due to opposition among the settlers to the proposed plan of organization. However that may be, at the extra session of the legislature in July, 1840, an amendatory act was passed naming other commissioners. On January 13, 1841, a law was passed which authorized an election to determine the location of the county seat.<sup>62</sup> The records show that an election for the location of a county seat and for the choice of county officers was held on August 2, 1841. Delaware County had prior to this time been attached to Dubuque County, accordingly the election returns were sent to Dubuque County, where on October 4th the following persons were declared to be the first officers of Delaware County: Leroy Jackson, sheriff; William H. Whiteside, William Eads, and Daniel Brown, county commissioners; Robert B. Hutson, treasurer; John Padelford, recorder; Joseph Bayley, surveyor; Roland Aubrey, judge of probate; Fayette Phillips, assessor; William L. Woods, coroner; and Theodore Marks, public administrator. The county commissioners met at the house of William Eads on November 19, 1841. Charles W. Hobbs was appointed clerk of the board.<sup>63</sup>

*Davis County.*—In Davis County there was a compliance with the law with regard to election. Accordingly, the first Monday in April, 1844, was the date of the election of the first county officers. The records show that there

<sup>61</sup> *Laws of the Territory of Iowa*, 1839-1840, p. 9.

<sup>62</sup> *Laws of the Territory of Iowa*, 1840-1841, p. 48.

<sup>63</sup> *History of Delaware County, Iowa* (1878), pp. 342-349.

were 322 votes cast at this election including those from two precincts in what is now Appanoose County. Whether or not all of the voters came to the polls primarily for the purpose of voting may be subject to some doubt, since it appears that on the morning of election day a barrel of whiskey was delivered at the polls and that by the middle of the afternoon the last of it had been consumed. The number of persons who imbibed too freely does not appear. Suffice to say that during the afternoon and evening there were seven fights and "much confusion".

The election over, the next thing in order was a meeting of the commissioners. The members of the board experienced much difficulty in this connection, owing to the distance which they lived from the meeting place, the condition of the weather, and lack of means of travel. Samuel McAtee, one of the commissioners, in recounting his experience said: "I lived some ten miles from the claim of Col. Carpenter, the place agreed upon for the first meeting. . . . On the 13th of April, at the break of day, I started, on foot, to meet the other Commissioners. The streams were all past fording, and of course no bridges: and when I came to a stream too deep to wade by rolling up my breeches, and where a log could not be had to cross on, I pulled off my clothes, placed them on my head, drawing my hat over them, I tied them on by drawing my suspenders over the top and tying them under my chin. Having thus secured my clothes, I either waded or swam the stream, as the case required, and reaching the opposite shore, I dressed myself and resumed my tramp, crossing thus each stream that lay in my road, until I arrived at the place where the Court sat."<sup>64</sup> Abram Weaver, another member of the commission, experienced similar difficulties.

<sup>64</sup> *Annals of Iowa* (First Series), Vol. II, pp. 296-301; *History of Davis County, Iowa* (1882), p. 421.

At the first meeting of the board but little business was transacted. Among other things, however, it was ordered that the coroner be directed to call upon the commissioners who had been selected to locate the seat of justice and notify them of their appointment. On the 25th of April a special meeting of the county commissioners was held at the home of Dr. N. C. Barron. At this time, the seat of justice having been located, the members of the board cast lots to determine the name of the county seat. The result was the selection of the name Bloomfield.<sup>65</sup>

As stated above, a law was passed on February 5, 1844, which provided for the organization of Keokuk and Mahaska counties. An organizing sheriff was, by the terms of this act, appointed in each county. He was authorized to perform the regular duties of sheriff until his successor should be elected and qualified. It was stipulated that a special election should be held on the first Monday in April for the purpose of electing three county commissioners, a judge of probate, county treasurer, clerk of the board of county commissioners, county surveyor, assessor, sheriff, coroner, recorder, and justice of the peace. The officers elected at this time were to hold office until the next general election. Commissioners were appointed in each of these counties to locate the county seats.<sup>66</sup>

*Keokuk County.*—In accordance with the law of February 5, 1844, the first election was held in Keokuk County on April 1, 1844, at which time Jeremiah Hollingsworth, James M. Smith, and Enos Darnell were elected commissioners. On April 24th a meeting of the board was called to meet at the home of James M. Smith for the purpose of

<sup>65</sup> *Annals of Iowa* (First Series), Vol. II, pp. 300, 301.

<sup>66</sup> *Laws of the Territory of Iowa, 1843-1844*, pp. 85-88.

perfecting the county organization. Only two members of the board were present at this meeting and no business aside from that of organization was transacted. The second meeting was called for May 13, 1844.<sup>67</sup>

*Mahaska County.* — Mahaska County also complied with the law relative to organization, and held its first election for county officers on April 1, 1844. A full staff of county officers was elected at this time.<sup>68</sup> On Tuesday, May 14th, the board of commissioners met, the several county officers were duly sworn into office, the county was divided into election precincts, and the machinery of county government was soon in operation.<sup>69</sup>

A commission composed of Jesse Williams of Johnson County, Ebenezer Perkins of Washington County, and Thomas Henderson of Keokuk County had been appointed to locate the county seat. These men selected the southeast quarter of section thirteen, township seventy-five, range sixteen, as the future seat of government and gave it the name of Oskaloosa.<sup>70</sup>

*Wapello County.* — In Wapello County, as in the two counties just mentioned, the election for county officers was held on April 1, 1844, at which time three commissioners, a probate judge, sheriff, treasurer, recorder, clerk, and surveyor were elected. The board of county commissioners met for the first time on May 20, 1844. The members — Lewis F. Temple, James Montgomery, and Charles F. Harrow — were all present. These with the other officials-elect

<sup>67</sup> *History of Keokuk County, Iowa* (1880), p. 346; election returns on file at Historical Department in Des Moines.

<sup>68</sup> *History of Mahaska County, Iowa* (1878), p. 267.

<sup>69</sup> *History of Mahaska County, Iowa* (1878), p. 276.

<sup>70</sup> *History of Mahaska County, Iowa* (1878), p. 268.

qualified and the government of Wapello County was inaugurated.

The first transaction of the board consisted of the granting of a license to David Glass to keep a grocery in Ottumwa. This appears to be inconsistent since the minutes of the board of commissioners indicate that the meeting was held at "Louisville". The seeming incongruity is explained, however, by the fact that the name Ottumwa was not officially adopted until November, 1845. Prior to that date Louisville was the name most frequently used.<sup>71</sup>

On May 5, 1845, the Legislative Assembly again convened. During this session laws were passed relative to the organization of three additional counties. On June 10th, Iowa County was declared to be organized,<sup>72</sup> and on the same day but by another act Marion County was created.<sup>73</sup> The name Marion County does not appear previous to this time, hence this county was established and organized by the same act. On the following day, June 11th, Kishkekosh County was declared to be organized.<sup>74</sup> Iowa and Kishkekosh counties were each declared to be organized "from and after the first day of July", and in each case a special election for county officers was to be held on the first Monday of August. Marion County was declared to be organized from and after the first Monday in August, and an election was to be held on the first Monday of September. In each county commissioners were appointed to locate the county seat.

*Marion County.* — In accordance with the above law the

<sup>71</sup> *History of Wapello County, Iowa* (1914), Vol. I, pp. 100-102.

<sup>72</sup> *Laws of the Territory of Iowa, 1844-1845*, p. 85.

<sup>73</sup> *Laws of the Territory of Iowa, 1844-1845*, p. 93.

<sup>74</sup> *Laws of the Territory of Iowa, 1844-1845*, p. 103.

first election in Marion County was held on Monday, the first day of September, 1845. At this time 187 votes were cast which resulted in the election of Conrad Walters, William Welch, and David Durham as county commissioners; Stanford Doud, clerk; Francis A. Barker, judge of probate; David T. Durham, treasurer; James Walters, sheriff; Reuben Lowry, recorder; Green T. Clark, assessor; Isaac B. Power, surveyor; and Wellington Nossaman, coroner.

The first meeting of the county commissioners was held on September 12, 1845. At this session the report of the commissioners for locating the county seat was received and arrangements were made for surveying the town of Knoxville, after which the board adjourned until the second Monday in October.<sup>75</sup>

On January 13, 1846, the Legislative Assembly passed a law entitled "An Act to establish new counties and define their boundaries." True to its title this law did not attempt to organize, but merely created, named, and bounded the twelve counties of Wayne, Lucas, Warren, Polk, Marshall, Jasper, Story, Boone, Dallas, Madison, Clarke, and Decatur.<sup>76</sup>

During this session of the legislature acts were passed for the organization of the counties of Benton,<sup>77</sup> Jasper, Polk,<sup>78</sup> and Appanoose.<sup>79</sup>

On January 17, 1846, the Legislative Assembly — in a single act — provided for the organization of the two counties of Jasper and Polk. This law stipulated that the organization should be effective from and after March 1,

<sup>75</sup> *History of Marion County, Iowa* (1915), Vol. I, p. 77.

<sup>76</sup> *Laws of the Territory of Iowa, 1845-1846*, p. 73.

<sup>77</sup> *Laws of the Territory of Iowa, 1845-1846*, p. 86.

<sup>78</sup> *Laws of the Territory of Iowa, 1845-1846*, p. 92.

<sup>79</sup> *Laws of the Territory of Iowa, 1845-1846*, p. 55.

1846, and provided for a special election of county officers to be held on the first Monday in April. Marshall County was attached to the county of Jasper for election, revenue, and judicial purposes, while Story, Boone, and Dallas counties were attached to Polk County. Commissioners were also appointed to locate the county seat in each of the newly organized counties, and places were designated for the holding of the first term of the district court.

*Iowa County.*— In Iowa County the organizing election was held at the home of Robert M. Hutchinson on the 4th of August, 1845. A full staff of officers was elected, Mr. Hutchinson being chosen one of the county commissioners. The other members were Anderson Meacham and Edward R. Ricord. The commissioners convened in extra session on September 14, 1845. Few orders were passed at this meeting. One of these, however, is of interest in that it declared that “the name of the county seat shall be ‘Valley Forge’ ”—the name Marengo having been previously designated by the locating commission. It appears that the name selected was unsatisfactory to many of the settlers and the county commissioners, supposing that they had authority in the matter, ordered that the name be Valley Forge instead of Marengo.<sup>80</sup> The order, however, did not prevail and the name remained unchanged.

*Monroe County.*— In Kishkekosh County the election for county officers was held in accordance with the law of August 5, 1845. The officers elected at this time were Wareham G. Clark, probate judge; James Hilton, clerk of court; Jeremiah Miller, clerk of the board of county commissioners; T. Templeton, treasurer; John Clark,

<sup>80</sup> *History of Iowa County, Iowa* (1881), pp. 354-357.

sheriff; and Joseph McMullen, Moses H. Clark, and J. S. Bradley, county commissioners. The first meeting of the board of commissioners was held on Saturday, August 9, 1845, at the house of W. G. Clark. The first order issued was one allowing Israel Kister the sum of \$14 for services rendered in locating the county seat. James A. Galliher was allowed \$18 for similar services.<sup>81</sup> On August 1, 1846, the name of the county was changed to Monroe. The county organization continued unchanged under the new name.<sup>82</sup>

*Polk County.* — In Polk County the organization election was held on the first Monday in April, 1846, at which there were 175 votes cast. Officers elected were three commissioners, a probate judge, sheriff, coroner, surveyor, treasurer, recorder, assessor, and collector. The first session of the board of county commissioners was held on April 12th. The eagle side of a half dollar was adopted as the temporary seal of the commissioners. Bills were allowed for the services of election clerks, licenses were granted for the keeping of two grocery stores, and an order of five dollars and twenty-five cents was allowed for the purchase of books and stationery for the use of the county. The commissioners then allowed bills for their own service and adjourned until May 25th.<sup>83</sup>

*Jasper County.* — The first election in Jasper County was held on the first Monday in April, 1846, as designated by law and a full staff of officers was elected. County government was officially inaugurated on April 14th when

<sup>81</sup> *History of Monroe County, Iowa* (1896), pp. 18-31; *History of Monroe County, Iowa* (1878), p. 361.

<sup>82</sup> *Laws of the Territory of Iowa, 1845-1846*, p. 108.

<sup>83</sup> *History of Polk County, Iowa* (1880), pp. 420-424.

the county commissioners met for the first time. At this meeting very little business was transacted. A temporary seal was adopted, however, and minor matters of organization adjusted.<sup>84</sup>

*Benton County.*— Again on January 17, 1846, the same day on which Jasper and Polk counties were declared to be organized, a law with regard to Benton County provided for its organization from and after March 1st. This law stipulated that there should be a special election of county officers to be held on the first Monday in April. Black Hawk and Tama counties and the counties west of Tama were attached to Benton for election, revenue, and judicial purposes. Joseph A. Secrest, Lyman Dillon, and Joseph A. Downing were appointed to locate and establish the seat of justice and were directed to meet on the first Monday of May or within thirty days thereafter to perform the duty for which they were appointed.

In accordance with the provisions of the law relative to county organization an election was held on the first Monday in April, 1846, at which time Edwin B. Spencer, Samuel K. Parker, and Stedman Penrose were elected county commissioners. Other county officers were also elected at this time.

No written report has been left of the work of the board of commissioners which convened probably in May or June—the exact date does not appear. It was ordered that Northport be surveyed and platted. Steps were taken at the first meeting, however, for the erection of a courthouse and election precincts were designated.<sup>85</sup>

<sup>84</sup> *History of Jasper County, Iowa* (1878), pp. 325-327.

<sup>85</sup> *History of Benton County, Iowa* (1878), pp. 314-317; *Laws of the Territory of Iowa, 1845-1846*, p. 86.

*Appanoose County.*—A law relative to Appanoose County, passed on January 13, 1846, provided for organization from and after the first Monday of August, 1846, and authorized an election for county officers to be held on that date.<sup>86</sup> The work of perfecting the county organization was taken up on October 5th. The county commissioners in charge of this work were Reuben Riggs, George W. Perkins, and J. B. Packard. At the first meeting of the board J. F. Stratton was appointed clerk and an order was given for the opening of certain territorial roads. Moreover a report was received from the commission appointed to locate the county seat and the name of Chaldea was chosen for the new town—the name being later changed to Centerville. After allowing certain bills relative to matters of organization the board adjourned.<sup>87</sup>

#### THE ORGANIZATION OF COUNTIES DURING THE PERIOD OF STATEHOOD

The first act of Congress relative to the admission of Iowa into the Union was approved on March 3, 1845.<sup>88</sup> Two years were spent in adopting the constitution and adjusting boundaries. The act which finally admitted the State was passed on December 28, 1846.<sup>89</sup> At this time Iowa contained forty-four counties<sup>90</sup>—twenty-nine of which were organized. The system of county commissioners was continued under the State government.

#### COUNTIES ORGANIZED WITH COUNTY COMMISSIONERS

*Dallas County.*—The first General Assembly of the

<sup>86</sup> *Laws of the Territory of Iowa, 1845-1846*, p. 55.

<sup>87</sup> *Past and Present of Appanoose County, Iowa* (1913), Vol. I, pp. 86-91.

<sup>88</sup> *United States Statutes at Large*, Vol. V, p. 742.

<sup>89</sup> *United States Statutes at Large*, Vol. IX, p. 117.

<sup>90</sup> Garver's *History of the Establishment of Counties in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. VI, p. 407.

State of Iowa convened at Iowa City on November 30, 1846. At this session two laws relative to county organization are to be noted. The first of these provided for the organization of Dallas County. It was approved on February 16, 1847,<sup>91</sup> and was to take effect on the first day of March. This law did not differ from those passed during the territorial period: it provided for an election to be held on the first Monday of April, outlined the duties of the organizing sheriff, appointed commissioners for locating the county seat, and designated the time and place of their meeting.

In accordance with this law an election was held on April 5, 1847.<sup>92</sup> The first meeting of the board of county commissioners was a special session held on the first Monday of May, 1847, and the first official act was the appointment of Joseph C. Corbell as justice of the peace. The first regular meeting was held in July, at which time a report was received from the commissioners relative to the location of the county seat. The place selected was named Penoach — the name was later changed to Adel.<sup>93</sup>

The second important law relative to county organization after the State was admitted to the Union was one with regard to Pottawattamie "and other counties". This law was approved on February 24, 1847,<sup>94</sup> and is unique in character. Instead of stipulating the date at which organization should become effective, it left the date indefinite and optional with the district judge — declaring that the county should be organized "at any time when, in the opinion of the judge of the fourth judicial district,

<sup>91</sup> *Laws of Iowa, 1846-1847*, p. 63.

<sup>92</sup> *History of Dallas County, Iowa (1879)*, pp. 307-311.

<sup>93</sup> *History of Dallas County, Iowa (1879)*, p. 313.

<sup>94</sup> *Laws of Iowa, 1846-1847*, p. 115.

the public good may require such organization." The law also provided that the organizing sheriff should be appointed by the judge and serve until his successor should be elected and qualified. The duties of the organizing sheriff as specifically set forth were "to give at least ten days' notice of the time and places of holding such special election, by posting up at least three written or printed advertisements, in at least three of the most public places in each precinct in said county, grant certificates of election", and perform the duties of clerk. Moreover, this law was both general and special in character — general in that it provided that any unorganized county in the State "may become organized in the same manner" as Pottawattamie County, and special in that it named and dealt specifically with but one county.

*Buchanan County.* — In this connection it should be noted that although the law mentioned Pottawattamie County in particular, Buchanan County was, as a matter of fact, the first to organize under the general provision of this law, for Pottawattamie County was not organized until a year later.

The first election in Buchanan County was held on August 2, 1847, when John Scott, Frederick Kessler, and B. D. Springer were elected county commissioners. The first meeting of the board was held on October 4th. At this time the county was divided into "three commission districts" — presumably with the intention of thereafter electing one county commissioner from each district. These districts later became townships.<sup>95</sup>

*Poweshiek County.* — Although, as we have already seen,

<sup>95</sup> *History of Buchanan County, Iowa* (1914), Vol. I, pp. 62-64.

a law had been passed by which any unorganized county might become organized, special acts for organization continued to be passed. Thus on January 24, 1848, a law was passed for the purpose of organizing Poweshiek County. This law was very similar to other special acts already considered. It provided for organization after April 3rd, and authorized an election of county officers on that date. These officers were to hold office until the regular State election in August. Three commissioners, a clerk of the court, sheriff, and surveyor were elected at this time.<sup>96</sup>

The record of the first meeting of the commission has not been preserved. It is known to have met, however, early in the summer of 1848, for at this meeting an order was passed for the purchase and survey of land for the county seat and this survey was completed on July 22nd of that year. Lots were then sold and from the proceeds a courthouse was erected.<sup>97</sup>

*Pottawattamie County.*—The law authorizing the organization of Pottawattamie County, it will be remembered, provided that it should be organized when in the opinion of the district judge local government was required. Accordingly it was organized under the authorization of Judge James P. Carlton in 1848.<sup>98</sup> The first election of county officers was held in September of that year, when A. H. Perkins, David D. Yearsley, and George D. Coulter were elected county commissioners. The date of actual organization of the county was September 21, 1848, at which time the first meeting of the board was held<sup>99</sup> at the

<sup>96</sup> *History of Poweshiek County, Iowa* (1880), p. 374.

<sup>97</sup> *History of Poweshiek County, Iowa* (1911), Vol. I, p. 85.

<sup>98</sup> *Iowa Official Register*, 1909-1910, p. 710.

<sup>99</sup> *Annals of Iowa* (First Series), Vol. IX, p. 530; Gue's *History of Iowa*, Vol. III, p. 402; *History of Pottawattamie County, Iowa* (1882), p. 1.

home of Hiram Clark in Kaneshville — the name first given to the present city of Council Bluffs.

*Warren County.* — The people of Warren County took advantage of the provisions in the general law for the organization of counties. Judge Olney, who held court in Marion County to which Warren County had formerly been attached as a precinct, authorized an election, and appointed Paris P. Henderson organizing sheriff. Under this plan of procedure the county was divided into precincts and notices posted calling an election to be held, for the selection of county officers. This election was held on January 1, 1849, and resulted in the election of a full staff of officers.<sup>100</sup> The county commissioners met on February 10th, at which time they divided the county into commissioners' districts and attended to other minor matters of organization.<sup>101</sup>

*Madison County.* — In Madison County, as in Warren County, the first election of county officers was held on January 1, 1849,<sup>102</sup> and the board of commissioners met on February 19th<sup>103</sup> in a special session which they designated as a "Commissioners' Court". The regular routine of business relative to organization was transacted — a seal was adopted, officers were sworn into office, and bonds were duly signed and accepted.

*Allamakee County.* — On January 15, 1849, a special act of legislation<sup>104</sup> was passed relative to the organization of

<sup>100</sup> *History of Warren County, Iowa* (1879), pp. 333-337.

<sup>101</sup> *History of Warren County, Iowa* (1879), p. 337.

<sup>102</sup> *History of Madison County, Iowa* (1915), Vol. I, p. 30.

<sup>103</sup> *History of Madison County, Iowa* (1879), p. 336.

<sup>104</sup> *Laws of Iowa, 1848-1849*, p. 139.

Allamakee County, which together with Winneshiek County had been created on February 20, 1847. This law was to take effect after publication, which occurred on March 6th. Thomas C. Linton was appointed organizing sheriff and was authorized to call a special election of county officers. Commissioners were also appointed to locate the county seat.

The first election is reported to have been held on April 2, 1849, when county commissioners, a clerk of the board of commissioners, a clerk of the district court, and a sheriff were elected. The officers were authorized to serve the county until the time of the next regular election in August. The record of the exact date and of the proceedings of the first meeting of the board of commissioners has not been preserved. It is known, however, that the officers met and qualified on April 10, 1849, which date may be taken as the time of the organization of the county.<sup>105</sup>

*Lucas County.*—Lucas County, the next in order to take up the matter of local government, was the subject of special legislation. On January 15, 1849, a law was approved which declared that this county should be organized from and after the fourth day of July of that year.<sup>106</sup> The law also provided for an election of county officers to be held on the first Monday of August and appointed James Rowland as organizing sheriff. An election was called for August 6th, at which time a full staff of county officials was elected. Four days later, on August 10th, the county commissioners met in their first session at the home of William S. Townsend at Chariton Point.<sup>107</sup> The business

<sup>105</sup> *History of Winneshiek, Allamakee, and Iowa Counties* (1882), p. 366; letter of County Auditor J. A. Palmer, September 2, 1922.

<sup>106</sup> *Laws of Iowa, 1848-1849*, p. 88.

<sup>107</sup> *History of Lucas County, Iowa* (1881), p. 399.

transacted at this time was of the usual routine found in connection with newly organized county boards. A clerk was appointed, record books were provided for, and the organizing officials were allowed pay for their services.

*Fremont County.*— On February 24, 1847, the same day on which the law concerning Pottawattamie and other counties was approved, a law was passed establishing four new counties, namely, Ringgold, Taylor, Page, and Fremont.<sup>108</sup> The first of these to be organized was Fremont. During the early days in this county the Mormons dominated local affairs. With the increasing population the balance of power began to change and opinions adverse to Mormon government began to find expression in action. A petition was drawn up asking the legislature to pass a law for the organization of Fremont County. This petition was sent to a Mr. Baker, of Fairfield, a member of the legislature, but since he believed this to be only a plan for organization under Mormon control he did not present the matter to the legislature, and hence nothing came of it.

In 1849, however, the organization of the county was authorized by the judge of Polk County, to which Fremont had previously been attached. The first election, pursuant to the proclamation of David M. English, who had been appointed organizing sheriff, was held in April, 1849. David Jones, William K. McKissick, and Isaac Hunsaker were elected county commissioners.

The first session of the board of county commissioners was held on September 10, 1849, when the bonds of the several officers were examined and accepted and other minor matters of business were transacted.<sup>109</sup>

<sup>108</sup> *Laws of Iowa, 1846-1847*, p. 114.

<sup>109</sup> *History of Fremont County, Iowa* (1881), pp. 370-374.

*Marshall County.* — Marshall County, like several other counties already mentioned, took advantage of the general organization law of 1847. The first official act toward the perfection of local government was the appointment of Joseph M. Ferguson as organizing sheriff in the summer of 1849. The county was divided by Sheriff Ferguson into two townships, and an election for county officers was called for August 6th. Joseph Cooper, Jesse Amos, and James Miller constituted the board of county commissioners elected at this time.<sup>110</sup> The first official business was transacted on October 1, 1849.

*Boone County.* — The general law for the organization of counties, which was passed in connection with the organization of Pottawattamie County, was resorted to in connection with Boone County. Judge William McKay of the fifth judicial district, in accordance with this law, appointed Samuel B. McCall organizing sheriff and fixed the first Monday in August, 1849, as the time for holding a special election for county officers. The county commissioners — John Boyles, Jonathan Boles, and Jesse Hull — met on the first day of October, 1849. The first business transacted was that of ordering record books for the county, a seal was then provided, and orders were passed dividing the county into townships. After certain necessary bills were allowed the board adjourned until the 13th of October.<sup>111</sup>

*Decatur County.* — The election organizing Decatur County was held on April 1, 1850, and the first meeting of the county commissioners was on May 6, 1850. The com-

<sup>110</sup> *Past and Present of Marshall County, Iowa* (1912), Vol. I, p. 112.

<sup>111</sup> *History of Boone County, Iowa* (1880), pp. 352-355.

missioners were Josiah Morgan, William Hamilton, and Asa Burrell. The first order was one allowing Andrew Still the sum of \$30 in payment for his services as organizing sheriff. It was also ordered at this meeting that the district court, probate court, and "commissioner's court" be held at the house of Daniel Moad until such time as the county seat should be located. At the July meeting in the same year the commissioners organized certain townships and sought to perpetuate their own names by naming three of the townships Morgan, Hamilton, and Burrell.<sup>112</sup>

*Fayette County.*— Under the authority of the general provisions of the law of February 24, 1847, for the organization of counties, R. R. Richardson was appointed sheriff with authority to organize Fayette County. An election was called for July 15, 1850, at which time the first county officials were duly elected. The records of Fayette County are not all preserved owing to the fact that many of them were burned in 1872, when the courthouse was set on fire by an escaping prisoner. It is known, however, that the board of county commissioners held a meeting on August 26, 1850. The first act of the board related to the establishment of road districts. Road viewers were appointed and authorized to meet in November.<sup>113</sup>

*Wayne County.*— Wayne County was established by legislative enactment of January 13, 1846, and attached to Appanoose County for judicial, revenue, and election purposes. Under the authority of the general law for the organization of counties, Judge William McKay, on November 8, 1850, appointed Isaac W. McCarty organizing sheriff,

<sup>112</sup> *Biographical and Historical Record of Ringgold and Decatur Counties, Iowa* (1887), p. 712.

<sup>113</sup> *History of Fayette County, Iowa* (1878), pp. 349-353.

with authority to post notices and call an election to be held on December 28th for the purpose of electing county officers. The county commissioners elected at this time held their first meeting on January 27, 1851. The records of this meeting are preserved and present to the reader interesting side lights. Each order is numbered and stands out clearly. The spelling and capitalization, however, suggest the need of some improvement. The first order reads: "Act the 1 alowd I W Mccarty For Organising the County as organnising Sherrif . . . . \$20.00". Eleven such orders were passed, all of which dealt with matters relative to organization and the paying of bills thus incurred.<sup>114</sup>

*Taylor County.*—Taylor County remained unorganized from the date of its establishment in 1847 until 1851, when Elisha Parker was appointed sheriff and assumed the duties of organization. In accordance with the law, he posted notices in three public places within the county, calling attention of the voters to an election to be held in February, 1851. At this election only fifty-three votes were cast, indicating a small population in the county. Notwithstanding this fact, a full staff of county officers was elected, Jacob Ross, Levi L. Hayden, and Daniel Smith being named as county commissioners. The first meeting of the commissioners was held on February 26th, at which time the county officers were sworn into office and required to give bond for the faithful performance of their respective duties. This seems to have been the sole purpose of the meeting for this having been done the board adjourned until the first Monday in April.<sup>115</sup>

The county business continued to be transacted, for the

<sup>114</sup> *Biographical and Historical Record of Wayne and Appanoose Counties, Iowa* (1886), pp. 491-493.

<sup>115</sup> *History of Taylor County, Iowa* (1881), p. 386.

most part, at the home of Jacob Ross until a commission was appointed by the legislature to locate the county seat.

*Page County.*—Page County was established, together with Ringgold, Taylor, and Fremont counties, on February 24, 1847, the same day on which the law was approved for the organization of Pottawattamie and other counties. There is a difference of opinion as to the date of organization. One author gives the date of the first election as in the fall of 1850. He says that William L. Burge was the organizing sheriff and that the election took place at Boulwar's Mill. Other reports agree that the election was held in 1851 and that William Hudson was the organizing sheriff. It is probable that the latter date is correct although one can not say with certainty.<sup>116</sup>

At this time there were but two townships in the county—Buchanan and Nodaway. S. F. Snyder, John Duncan, and William Shearer were elected commissioners but the place of the board of commissioners was soon taken by Major Connor, the first county judge. Judge Connor did not complete his first term of two years: he was succeeded by William L. Burge who served out the remainder of the term.

The early records of the county are incomplete and one can not say with certainty when the first official business was transacted. A mortgage recorded under date of March 22, 1852, makes it clear that the county officers assumed their duties prior to that date. The first existing record of the county court is dated January 15, 1858, and reads as follows: "Be it known that on the night of the 12th of January, 1858, all of the books and papers belonging to the

<sup>116</sup> *Laws of Iowa, 1846-1847*, p. 114; *Andreas's Illustrated Historical Atlas of the State of Iowa* (1875), p. 420; *History of Page County, Iowa* (1909), Vol. I, p. 94; *History of Page County, Iowa* (1880), pp. 385-387, 394.

office of County Judge of Page county, together with the building in which they were kept, were destroyed by fire. It is therefore ordered by this court that there be furnished new books in which to keep the record of said court."<sup>117</sup> Accordingly, while it is known that the county was organized as early as 1852, the facts concerning the early years of the county's history are not definitely and clearly known.

#### COUNTIES ORGANIZED UNDER THE COUNTY JUDGE SYSTEM

During the session of the legislature in 1851 the "New Code" was adopted and went into operation on July 1st of the same year. By the adoption of this code of laws an entire change in the government of counties took place. The board of county commissioners which had existed from the first organization of the Territory was entirely abolished and a single officer, called the county judge, was substituted.

The authority of the county judge was summed up in the statement contained in the *Code of 1851* that he should assume the "usual powers and jurisdictions of county commissioners and of a judge of probate", and that he was also to be the "accounting officer and general agent of the county". He was directed to manage all county business, except such as was by law placed in the custody of another officer, and to "superintend the fiscal concerns of the county and secure their management in the best manner".

Under this provision of the law the authority of the county judge became very great. Indeed county government under his influence came to be spoken of as a monarchical system and the judge was called a "one man power".

<sup>117</sup> *History of Page County, Iowa* (1909), Vol. I, p. 94.

One author in commenting upon this subject said: "the county judge was possessed of very large powers — more so, proportionately, than a king has over his subjects."<sup>118</sup>

Although the county judge was given a great deal of authority and in fact frequently assumed as much power as possible, there was nevertheless a provision in the law permitting him to submit questions to a vote of the people, in case of doubt as to the best method of procedure. In practice, however, this vote, which was in the nature of a referendum, was seldom resorted to.

The date at which one can say that a county is officially organized under the county judge system is more or less arbitrary, depending upon the conception of the term. The date upon which the judge qualified might be considered as the date of organization, since the law provided that "the county court shall be considered in law as always open". Accordingly regular sessions were not necessary for the judge to transact official business. For the transaction of business requiring notices, however, the judge held regular sessions each month.<sup>119</sup>

*Mills County.* — The organization of Mills County was effected by an election held on the first Monday in August, 1851, when William Smith was elected county judge. He assumed the duties of his office on the 18th of the same month, after subscribing to an oath that he would support the Constitution of the United States and of the State of Iowa and "without fear, favor, affection or hope of reward" administer justice "equally to the rich and poor".<sup>120</sup>

<sup>118</sup> *Code of 1851*, Secs. 103-107; *Annals of Iowa* (First Series), Vol. VI, p. 134; *Biographical and Historical Record of Greene and Carroll Counties, Iowa* (1887), p. 472.

<sup>119</sup> *Code of 1851*, Sec. 125.

<sup>120</sup> *History of Mills County, Iowa* (1881), p. 381.

*Clarke County.*—Clarke County, established in 1846, was the next in order to be organized. The election for the purpose of organizing was held on August 4, 1851, at the residence of William Vest. Only thirty-seven votes were cast. The officers elected included both a county judge and county commissioners. It would seem that although a law had been adopted placing county government in the hands of a county judge and abolishing the county commissioners, there was a tendency to cling to the old type of government, hence the election of the county commissioners. Indeed the commissioners are said to have met in an organized body on August 21, 1851. This is believed to be the latest date at which any board of commissioners met in Iowa for the purpose of organizing a county, and even in this case county affairs were soon given over to the county judge.<sup>121</sup>

*Winneshiek County.*—Just prior to the adoption of the law making a change in county organization, a law had been passed for the purpose of organizing Winneshiek County. This law was approved on January 15, 1851, and provided for organization from and after the first of March. As a matter of fact, however, the first election was not held until August 4th of the same year—after the change to the county judge system had gone into effect. At this election David Reed was elected county judge. Accordingly it is believed that he together with the judges of Mills and Clarke counties all of whom were elected on the same day were the first county judges in Iowa to be elected at the time the county was organized. The first official act of Judge Reed of which there is a record was the convening of the county court in September, 1851.

<sup>121</sup> *Biographical and Historical Record of Clarke County, Iowa* (1886), p. 450.

Since there was no business to come before the court it was adjourned until the following month.

On the same day on which the law was passed relative to the organization of Winneshiek County — January 15, 1851 — a law was approved providing for the establishment of fifty new counties. This was the most important act in the whole history of the establishment of counties, for it was the most comprehensive and created the largest number of counties. The fifty new counties named in the order in which they appear in the act were: Union, Adair, Adams, Cass, Montgomery, Mills, and Pottawattamie, in the southwestern part of the State; Bremer, Butler, Grundy, Hardin, Franklin, and Wright, in the northeastern and north-central part; Risley, Yell, Greene, Guthrie, Audubon, Carroll, Fox, and Sac, in the west-central part; Crawford, Shelby, Harrison, Monona, Ida, and Waukau, on the western border of the State; Humbolt, Pocahontas, Buena Vista, Cherokee, and Plymouth, in the northwest; Chickasaw, Floyd, Cerro Gordo, Hancock, Kossuth, Palo Alto, Clay, O'Brien, and Sioux, in the second tier from the north; and Howard, Mitchell, Worth, Winnebago, Bancroft, Emmet, Dickinson, Osceola, and Buncombe, in the northern part of the State.

Of the fifty counties just enumerated four — Risley, Yell, Humbolt, and Bancroft — were subsequently blotted out and hence were never organized. Three others — Fox, Buncombe, and Waukau — the names of which were later changed will be considered in the order of their organization.<sup>122</sup>

<sup>122</sup> *History of Winneshiek and Allamakee Counties, Iowa* (1882), p. 191; *Laws of Iowa, 1850-1851*, p. 27.

Election returns found at the Historical Department in Des Moines indicate that an election was held in Winneshiek County as early as 1847. Evidently nothing resulted from this election as there is no further record of organization until 1851.

*Guthrie County.* — In Guthrie County Theophilus Bryan was appointed organizing sheriff. He qualified for this office on July 8, 1851, and proceeded to lay off the county into townships for election purposes. Notices were then sent out calling an election to be held on the first Monday of August. In accordance with this notice an election was held and the organizing sheriff was himself elected to the office of county judge. The first order of the judge of which we have record was issued on October 16th, when the town of Panora was ordered to be surveyed as the county seat.

It is interesting to note in this connection the public spirit which was manifested by the first officers of the county. Instead of dividing the spoils of the treasury, the officers, on September 6, 1852, "in view of the depressed state of the treasury" mutually agreed to relinquish all claims for services rendered up to and including that date.<sup>123</sup>

An act passed by the General Assembly on January 12, 1853, provided that certain unorganized counties should be attached to organized counties in the following manner: the county of Greene was attached to Dallas; the counties of Story, Risley, Yell, and Fox and the counties north of Risley, Yell, and Fox were attached to Boone County. The counties of Mitchell, Howard, Floyd, Worth, and Franklin were attached to Chickasaw, and Hardin County was attached to Marshall.

Section two of this law provided that, "Whenever the citizens of any unorganized county desired 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 unorgan-

<sup>123</sup> *History of Guthrie and Adair Counties, Iowa* (1884), pp. 267-269.

ized county is attached; whereupon said County Judge, shall order an election for county officers in such unorganized county.'<sup>124</sup>

This was the second general law for the organization of counties. It differed from the general law of 1847, which was passed in connection with the organization of Pottawattamie County, in that the former law placed the matter of organization under the direction of the district judge, while the new law placed the matter in the hands of the judge of the organized county, to which the county desiring to be organized was attached. Moreover, the former law provided for organization at any time when, in the opinion of the district judge, the public good required it. The new law provided that a petition signed by a majority of the voters of the county must be presented to the judge asking for organization. Thus the matter was not entirely optional with the judge, nor could organization be effected until a majority of the citizens favored it.

*Webster County.* — The law above mentioned, which attached Risley and other counties to Boone County, provided in another section that the name Risley should be changed to Webster. Thus Webster County came into being as attached to Boone County on January 22, 1853 — the day on which the law became effective by publication.<sup>125</sup>

An election was called by Judge Samuel McCall of Boone County, to be held on April 4, 1853, for the purpose of electing officers and perfecting the organization of Webster County. The election is said to have been more of a political contest than has usually been found in connection with elections for organization. Indeed in two of the offices,

<sup>124</sup> *Laws of Iowa, 1852-1853, p. 28.*

<sup>125</sup> *Laws of Iowa, 1852-1853, p. 28.*

that of sheriff and school fund commissioner, the votes cast resulted in a tie and thus failed of election.

William Pierce was the man first elected to the office of county judge, and under his administration county organization became effective. The first record of official business transacted by the county judge was that of the issuance of a marriage license to John J. Holmes and Miss Emily Lyons, which bears the date of May 14, 1853.<sup>126</sup>

*Hardin County.* — Prior to the date of its organization Hardin County was attached to Marshall County for election and judicial purposes. In February, 1853, in accordance with the law, a petition of the legal voters of the former county was presented to the county judge of Marshall County, who ordered an election of county officers to be held on the 2nd day of March, 1853. The county was divided into two townships — the south half of the county constituting Latham Township and the north half Morgan Township. Each township was designated as an election precinct.

Preparatory to the election, a convention was held at the home of Reuben King for the purpose of placing in nomination candidates for the various offices. This was the first convention ever held in Hardin County. A committee was appointed to select candidates and it presented two names for each office to be filled.

It appears that no poll was opened in Morgan Township and that but thirty-two votes were cast at the first election. The officers selected at this time were Alexander Smith, county judge; Samuel Smith, recorder and treasurer; James D. Putnam, clerk of the district court; Thomas

<sup>126</sup> *History of Fort Dodge and Webster County, Iowa* (1913), Vol. I, pp. 83-87; *History of Hamilton County, Iowa* (1912), Vol. I, p. 51.

Bennett, sheriff; and William Shafer, school fund commissioner. For some reason William Shafer failed to qualify and Samuel R. Edgington was appointed to fill the vacancy. The early records of the county have been lost and the date of the first official business is not known.<sup>127</sup>

*Story County.* — In accordance with the law of 1853 the organization of Story County became effective under the authorization of the county judge of Boone County, to which Story County had been attached. The election for county officers was held on April 4, 1853, when Evan C. Evans was elected county judge.

The first official business of the judge was to appoint an assessor — no one having been elected to that office at the April election. The exact date of this appointment is not known. It was in the spring of 1853, however, for the appointed officer entered upon his duties in June of that year. The assessor received for his services the sum of \$1.50 per day. The first order of the county judge was that Stephen P. O'Brien receive \$36 for twenty-four days' service as assessor of Story County. The salary attached to the office of county judge was small, and the record of the county indicates that he must have done a great deal of work for the compensation he received — always performing faithfully and well the duties of his office. In some of the counties of the State county affairs were badly managed as will later appear. Story County was fortunate in this regard and much of the credit is due to Judge Evans, who continued to serve his county for several years.<sup>128</sup>

A second law passed on January 12, 1853, was one con-

<sup>127</sup> *History of Hardin County, Iowa* (1883), pp. 234, 235.

<sup>128</sup> *History of Story County, Iowa* (1911), Vol. I, pp. 38-41.

cerning the five counties of Adams, Cass, Harrison, Shelby, and Waukaw, and declared that they be considered as organized after the first Monday in March, 1853. It was further provided that a special election be held in each of these counties, except Waukaw, on the first Monday of April, 1853.

For election, revenue, and judicial purposes the counties of Montgomery and Union were attached to Adams County — each as a civil township. Election returns were to be sent to the organizing sheriff of Adams County. For similar purposes Monona County was attached to Harrison County; Crawford and Carroll counties to Shelby County; and Ida, Sac, Buena Vista, Cherokee, Plymouth, Sioux, O'Brien, Clay, Dickinson, Osceola, and Buncombe counties to Waukaw. Ringgold County was attached to Taylor County.<sup>129</sup>

*Shelby County.* — Shelby County, one of the fifty established in 1851, was temporarily attached to Pottawattamie County.<sup>130</sup> By an act of the legislature approved on January 12, 1853, the county was declared to be organized from and after the first Monday in March following, and a special election for selecting county officers was to be held on the first Monday in April.<sup>131</sup> In accordance with this law an election was held on April 4, 1853, and the following officers were elected: James M. Butler, county judge; V. Perkins, clerk of the court; and Andrew Fontz, sheriff. Only thirteen votes were polled at this organizing election. This indicates not only that the population of the county was at this time very small but suggests the further fact

<sup>129</sup> *Laws of Iowa, 1852-1853, p. 21.*

<sup>130</sup> *Iowa Official Register, 1909-1910, p. 712.*

<sup>131</sup> *Laws of Iowa, 1852-1853, p. 23.*

that it was difficult to secure a sufficient number of competent men to fill the county offices. This latter fact is substantiated by the report that the sheriff elected was illiterate and given to frequent over-indulgence in strong drink.

It is said that upon his election he received a copy of the *Code of 1851* which he took home for his wife to read to him. The section which he heard most often was the one which makes habitual drunkenness a sufficient cause for divorce. The sheriff soon became tired of this reading and returned the volume to the judge with the request that no other such books be sent home with him.

Soon after the organization the county seat was located at Shelbyville, a town which has since ceased to exist. The county judge, however, was opposed to the selection of the county seat and accordingly the first county business was transacted at Hancock's grocery store. The date of the first official business is not known.<sup>132</sup>

*Cass County.*—Near the site of the present town of Lewis in Cass County there was established in 1846 a little village known as Indiantown. Here in the year 1853 Cass County was organized. The first election of county officers was held on the first Monday of April. Jeremiah Bradshaw, a pioneer merchant who had come from Illinois and opened a store at Indiantown a short time prior to this, was elected county judge. The other officers were V. M. Concord, treasurer and collector; C. C. Woodward, clerk; Francis E. Ball, sheriff; Levi M. Mills, drainage commissioner; David Chapman, surveyor; and James M. Benedict, coroner. The first county business was transact-

<sup>132</sup> Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 391.

ed at Indiantown, and the first order for money to be paid out of the county treasury was an order for \$34 to be paid to the locating commissioner for seventeen days' service in locating the county seat. The date of this order does not appear. The records show, however, that a deed for the transfer for certain land was recorded on June 17, 1853. This appears as the first recorded official business in the county.<sup>133</sup>

*Union County.*— Another law to be considered was the one for the organization of Union County. This law was passed on January 12, 1853, and provided for the organization of Union County from and after the first day of March and authorized a special election to be held at Pisgah on the first Monday of April. John Edgecombe was appointed organizing sheriff. Under the authorization of this act an election was held at the time indicated, resulting in the choice of Norman Nun for county judge, Joseph W. Ray for clerk, and Henry Peters for sheriff. At the election there were but ten votes cast, but these were sufficient to place the county in the organized group. Nor was competition lacking in the election.

It is reported that there were two candidates for judge, Norman Nun and W. M. Lock, who, in a private caucus, mutually agreed to vote for each other, but when the time came Nun failed to live up to his part of the agreement, voting for and electing himself county judge—the vote standing six to four. The first official act of Judge Nun was to receive the resignation of A. P. Nun, constable, on June 22, 1853. That the judge was lacking in legal training may be inferred from the fact that he could not write

<sup>133</sup> *History of Cass County, Iowa* (1884), p. 298; *Andreas's Illustrated Historical Atlas of the State of Iowa* (1875), p. 405; *Gue's History of Iowa*, Vol. III, pp. 322, 323.

his name and always signed official records by use of an X mark.<sup>134</sup>

*Tama County.*—The next county to be considered is Tama, which was one of the nine counties established on February 17, 1843, but attached to Benton County for election, judicial, and revenue purposes. On March 10, 1853, the voters of Tama County presented a petition to the county judge of Benton County asking for a separate organization which was duly granted and an order was issued for holding an election on the first Monday of May. Tallman Chase was elected county judge and called the first county court on the first Monday in July. Since the officers elected at the May election would hold office only until the time of the regular election in August several of the officers elected did not qualify. At the August election J. C. Vermilya was elected to the office of county judge to succeed Judge Chase.<sup>135</sup>

*Harrison County.*—The law passed on January 12, 1853, as mentioned above, provided for the organization of Harrison County. The first steps taken after this date was a meeting of the commissioners to locate the county seat. The location was made at Magnolia and this fact was officially reported to Michael McKenney, organizing sheriff, who, in accordance with the law, called an election to be held at the county seat on the first Monday of April. At this time there were but two voting precincts in the county: one west of the Boyer River at Magnolia, and the other east of the river at Owen Thorpe's.<sup>136</sup>

<sup>134</sup> *Laws of Iowa, 1852-1853*, p. 26; *Biographical and Historical Record of Ringgold and Union Counties, Iowa* (1887), p. 678.

<sup>135</sup> *History of Tama County, Iowa* (1879), p. 19.

<sup>136</sup> *History of Harrison County, Iowa* (1888), pp. 142, 143.

The result of the election was that Stephen King was elected county judge; P. G. Cooper, treasurer and recorder; William Dakan, prosecuting attorney; Chester M. Hamilton, sheriff; and William Cooper, clerk of the court. The first regular meeting of the county court was held on August 5, 1853, about four months after the organizing election. This appears as the first official business transacted in the county.<sup>137</sup>

*Chickasaw County.*—Chickasaw was one of the fifty counties established in 1851. By legislative enactment of January 22, 1853, the county was attached to Fayette County for election, revenue, and judicial purposes.<sup>138</sup> Early in the spring of the same year an attempt was made to organize the county. An election was held and J. K. Rowley was elected county judge. It appears, however, that the formalities of the law were not complied with in some particulars and the election was held to be invalid.

On June 30, 1853, the county judge of Fayette County appointed John Bird as organizing sheriff. On the 12th day of August an election was held resulting in the choice of the following officers: James Lyon, county judge; S. C. Goddard, clerk; N. D. Babcock, prosecuting attorney; E. A. Haskell, treasurer; and Andy Sample, sheriff. Judge Lyon assumed the duties of his office on September 12, 1853.<sup>139</sup>

*Bremer County.*—Bremer County, one of the fifty estab-

<sup>137</sup> Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 410.

<sup>138</sup> *Laws of Iowa, 1852-1853*, p. 29.

<sup>139</sup> Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 414; data secured from the county auditor of Chickasaw County, September, 1922.

lished in 1851, was attached to Black Hawk County for judicial, election, and revenue purposes on January 22, 1853,<sup>140</sup> and was organized by an election held in August, 1853. At this time eighty votes were cast and the following men elected as the first county officers: Jeremiah Farris, county judge; Austin Farris, sheriff; John Hunter, treasurer and recorder; Herman A. Miles, clerk of the court; John H. Martin, school fund commissioner; and Israel Trumbo, surveyor.

The records of the county court commence with the first session held in the town of Waverly on August 15, 1853. The first entries were concerning orders fixing the amount of bonds required of the various county officers. The bonds of the treasurer, recorder, and sheriff were each fixed at \$5000. The first regular session of the court convened in December of the same year.<sup>141</sup>

*Adams County.* — Adams County was the next to be organized under this law. Complete records of organization are not available, but it is known that Amos Lowe was appointed organizing sheriff and that an election was held, as prescribed by law, on the first Monday in April, 1853, at which time county officials were elected. Samuel Baker was chosen county judge, and John H. Calvin recorder. The first order of Judge Baker that appears on record was one allowing to William Davis \$26 for thirteen days' service as one of the commissioners to locate the county seat. The date of this order is not known. The evidence is clear, however, that the organization was perfected during the summer of 1853, for on September 21st of that year the first transfer of land made in the county was recorded.

<sup>140</sup> *Laws of Iowa, 1852-1853*, p. 86.

<sup>141</sup> *History of Butler and Bremer Counties, Iowa* (1883), pp. 799, 811.

This constitutes the earliest record of business in Adams County now available.<sup>142</sup>

*Montgomery County.* — Montgomery County, one of the fifty established in 1851, was by a legislative enactment of January 12, 1853, as indicated above, attached to Adams County for revenue and judicial purposes. Amos G. Lowe was by the same act appointed organizing sheriff and the first election was ordered to be held at his house. There are two reports concerning this election: one that it was held in April, the other that it occurred in August. It is probable that the April election was the one held for the purpose of organizing Adams County of which Montgomery County was at that time a voting precinct. Accordingly it is believed that the election for the organizing of Montgomery County was held on the first Monday of August, 1853. However that may be, the record is clear that Amos G. Lowe was elected county judge and that he transacted his first official business on August 15th when he ordered a levy of certain taxes.

It may be noted in this connection that the salary of the county judge for the first year was \$50. The clerk received \$25 and the treasurer \$20. The second year the clerk's salary was raised to \$30.<sup>143</sup>

*Black Hawk County.* — The act by which Black Hawk County was established in 1843 attached it to Delaware County for election and judicial purposes. Subsequently, in 1845, it was similarly attached to Benton County. Still

<sup>142</sup> Gue's *History of Iowa*, Vol. III, p. 298; Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 415; *History of Montgomery County, Iowa* (1881), p. 328.

<sup>143</sup> *History of Montgomery County, Iowa* (1881), pp. 327-328; Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 419.

later, in 1851, Black Hawk, together with Bremer, Butler, and Grundy counties, was attached to Buchanan County. The records of Buchanan County under date of January 30, 1853, show that a petition, signed by a majority of the legal voters of Black Hawk County, was received. This requested that an election be called for the first Monday in August for the purpose of electing the various county officers.

At the election held in accordance with this petition on the first Monday in August, 1853, the following officers were elected: county judge, Jonathan R. Pratt; treasurer and recorder, Aaron Dow; clerk of the district court, John H. Brooks; prosecuting attorney, William L. Christie; sheriff, John Virden; school fund commissioner, H. H. Fowler; drainage commissioner, Norman Jackson; coroner, Edmund Butterfield; county surveyor, Charles Mullan.

It appears that there was no person in the county at that time authorized to administer the oath of office to the new officers, for on the 9th day of August Mr. Pratt, county judge-elect, went to Independence where the oath of office was duly administered to him by the county judge of Buchanan County.

The first recorded act of official business transacted by the judge was the administering of the oath of office to the other county officers-elect on the 17th of August at which time official bonds were filed and approved and the officers entered upon the discharge of their duties.<sup>144</sup>

*Woodbury County.* — Reference has been made to Waukaw County which was established in 1851. On January

<sup>144</sup> Van Metre's *History of Black Hawk County, Iowa* (1904), pp. 32, 39, 40; data secured from the county auditor of Black Hawk County, September, 1922.

12, 1853, an act was passed declaring the county to be organized after the first Monday of March. On the same day another act changed the name to Woodbury — the latter law going into effect on January 22nd.<sup>145</sup>

At the general election which was held at the house of William Thompson, on August 1, 1853, sixteen votes were cast and the following officers elected: Marshall Townsley, judge; Hiram Nelson, treasurer and recorder; Eli Lee, coroner; and Joseph P. Babbitt, district clerk. The records of the county begin with the date January 27, 1854, when certain bills were allowed, the first being an order for \$18 payable to Thomas L. Griffey for services in locating the county seat.<sup>146</sup>

*Adair County.* — Adair County was among the group of fifty counties established in 1851. The Fourth General Assembly passed a law by which Adair was attached to Cass County and made to constitute a civil township.<sup>147</sup> In April, 1854, an election was held to select the first county officers and for the organization of the county. At this election George M. Holaday was elected county judge and John Gibson was elected clerk. The first record of an official act by Judge Holaday was on May 1, 1854. On the 3rd of July the same year the county was divided into two election precincts by a line running north and south, dividing it equally. The west half was called Washington Township; the east half Harrison Township. It is said that the first regular meeting of the court was held on May 6, 1854. The only business transacted at this time was the

<sup>145</sup> *Laws of Iowa, 1852-1853*, pp. 21, 28.

<sup>146</sup> *History of the Counties of Woodbury and Plymouth, Iowa (1890-1891)*, pp. 76, 80, 81, 264, 266.

<sup>147</sup> *Laws of Iowa, 1852-1853*, p. 23.

issuance of a marriage license to William Stinson — this is but another example of the wide variety of duties which at that time devolved upon the county judge.

The record of court under the date of the first Monday in July, 1855, contains an order "that John Gibson, county clerk, be allowed in all for fifteen months' salary as clerk, \$62.50 and that G. M. Holaday be allowed \$52.50 as his salary for fifteen months, from the 1st of April, 1854 to the 1st of July, 1855."<sup>148</sup>

*Greene County.* — Greene County was established in 1851, and on January 22, 1853, was attached to Dallas County. Prior to this time it had been temporarily attached to Polk County. In 1854 there was a population of about one hundred and fifty persons, and the county was deemed sufficiently populous to entitle it to a separate organization. Accordingly organization was provided for by the election of county officers on August 12, 1854. William Phillips was the first county judge. The first official business was transacted on August 25th when an order was issued that Greene County should be divided into two election precincts.<sup>149</sup>

*Floyd County.* — On June 21, 1854, the people of Floyd County petitioned Judge James Lyon, of Chickasaw County, to which Floyd had previously been attached for judicial purposes, asking for a separate organization. Judge Lyon granted the petition and the first election of the county officers accordingly took place on August 7th of that year — eighty-five votes being cast. The officers

<sup>148</sup> Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 389; *History of Adair County, Iowa* (1915), Vol. I, pp. 7-9.

<sup>149</sup> *Biographical and Historical Record of Greene and Carroll Counties, Iowa* (1887), p. 466.

elected were: John M. Hunt, county judge; S. C. Goddard, county clerk; Thomas Connor, prosecuting attorney; Joshua Jackson, treasurer and recorder; William Montgomery, sheriff; J. G. Shoemaker, surveyor; C. P. Burroughs, school fund commissioner; Horace Stearns, assessor; and Nicholas Fleenor, coroner. Thomas Connor failed to qualify and David Wiltse was appointed prosecuting attorney in his place.

As an example of the economy with which county affairs were managed, the records indicate that the salary of the judge for the first quarter, ending on the first Monday of December, 1854, was \$10.17. This item also indicates that the officers received pay dating from the first Monday in August, the date of their election. The first record found of an official meeting, however, bears the date of September 4, 1854, when the first session of the county court convened at Freeman.<sup>150</sup>

*Mitchell County.*—Prior to 1854 Mitchell County had been attached to Chickasaw for election and judicial purposes. In the summer of that year a petition for county organization was prepared and presented to the county judge of Chickasaw County who, in accordance with the request, issued an order that an election should be held on the 7th of August. Upon the date named the electors of the county met at the house of Dr. Alexander H. Moore, near the present site of the city of Osage. Candidates were first nominated, but as this matter had been previously discussed, it took but a short time to fill out the ticket, and the election followed immediately. It is said that, "A man's political creed was not asked nor thought of, and all the proceedings were characterized by the most perfect

<sup>150</sup> *History of Floyd County, Iowa* (1882), pp. 323, 362, 371, 385.

harmony." The ballot box consisted of an ordinary wood box provided for the occasion, and the tickets were written by the clerks. Alexander H. Moore was elected county judge. After organization, books were procured and each officer opened his county office in his own cabin until suitable county buildings could be procured.

The first term of the county court was held at the home of Judge Moore on October 2, 1854. The record states that "no business being presented court adjourned until the November term".<sup>151</sup>

*Butler County.* — As indicated above, Butler County together with Black Hawk, Bremer, and Grundy counties, was attached to Buchanan County in 1851. The territory was sparsely settled at this time, however, and there is no evidence that the people of Butler County took any part in the governmental affairs during the time this relationship existed. In 1853 settlers sufficient in number had arrived to warrant an attempt to organize a county. Accordingly in May of that year Judge Oliver Roszell appointed commissioners to locate the county seat. In August following, by order of the same magistrate, an election was held for organizing Butler County. A full staff of county officers was elected but as the offices were not deemed sufficiently lucrative to warrant the trouble of a journey to Independence to take the oath of office, the officers-elect all failed to qualify.

Soon after this Butler County was detached from Buchanan County and attached to Black Hawk. Pursuant to an order issued by the county judge of the latter county, a second election was held in August, 1854, and a permanent organization was effected on October 2nd of that year,

<sup>151</sup> *History of Mitchell and Worth Counties, Iowa* (1884), pp. 145-148.

John Palmer being the first county judge. On October 28, 1854, the first levy of taxes was made, the total levy for the year being \$698.50.<sup>152</sup>

*Monona County.*— Monona County, established in 1851, was attached to Harrison County for election purposes on January 12, 1853. Under this jurisdiction and under the authority of the general law of 1853 the county was organized in 1854—the organizing election being held on April 3rd of that year. The following persons constituted the first county officers: Charles B. Thompson, county judge; Hugh Lytle, treasurer and recorder; Andrew Hall, clerk; and J. F. Lane, sheriff. The first county business was transacted at the Mormon town, Preparation. Indeed the organization of the county was largely in the hands of the Mormons, who were, at this time, an influential factor in political affairs.<sup>153</sup>

The county judge had himself formerly been a follower of Joseph Smith at Nauvoo. Early in 1854 he had brought some fifty or more families and preëmpted several thousand acres of land in Monona County. Thus when he became county judge he was able to control and regulate practically all of the affairs of the county, both temporal and spiritual, since he pretended to have spiritual authority over his followers under the direction of a spirit which he called Baneemy. Thus Judge Thompson was for a time perhaps the most autocratic judge of his time. No records of the official acts of Judge Thompson have been preserved, but it is known that he served as judge until the fall of 1855.

<sup>152</sup> *History of Butler and Bremer Counties, Iowa* (1883), p. 232.

<sup>153</sup> *Laws of Iowa, 1852-1853*, p. 23; *Howe's Annals of Iowa*, Vol. III, p. 17; *History of Monona County, Iowa* (1890), p. 166; *Gue's History of Iowa*, Vol. III, p. 391.

*Ringgold County.* — Ringgold County, together with Taylor, Page, and Fremont counties, was established by legislative enactment of February 24, 1847. It was attached to Taylor County in 1853. Unlike most counties organized during this period it was organized by a special act of legislation which was approved on January 18, 1855, and became effective by publication in the papers of Iowa City on the 31st of January in the same year. This law provided for organization from and after the first day of March, appointed William McAfee of Taylor County organizing sheriff, and designated the first Monday in April as the date of the first election. It seems that for some reason the election was not actually held until May 14th, for under this date are to be found the oaths subscribed and sworn to by the organizing sheriff and the judges and clerks of the election. At this organizing election only thirty-four votes were cast — resulting in the selection of a full staff of county officers. James C. Hagans was elected county judge.

On the 29th of June the judges of Ringgold and Taylor counties met to make a settlement of financial statements. This is the first official business of the county judge of which there is a record. Three days later, on July 2nd, the county officers held their first meeting as an organized board.<sup>154</sup>

*Audubon County.* — Audubon County, by legislative enactment of January 12, 1853, was attached to and made a civil township of Cass County. On the same day the general law applicable to county organization was passed — becoming effective ten days later on the 22nd of Janu-

<sup>154</sup> *Laws of Iowa*, 1846-1847, p. 114, 1852-1853, p. 24, 1854-1855, p. 50; *Biographical and Historical Record of Ringgold and Decatur Counties, Iowa* (1887), p. 408.

ary. This law provided, as already mentioned, that whenever citizens of an unorganized county desired to have their county organized, they might make application to the county judge of the county to which they were attached, who in turn would order an election for organization. It was under the authority of this provision that the people of Audubon County petitioned the county judge of Cass County asking for organization. The first election was held at the house of John S. Jenkins in section 29 of Exira Township on April 2, 1855. Thomas S. Lewis was elected county judge. In May commissioners were appointed to locate the county seat. Two of the men appointed qualified and made a selection, which they reported on June 20th. The site chosen was called Dayton. This town was laid out and platted by Judge Lewis on July 9, 1855. This is the earliest available record of an official act of the judge.<sup>155</sup>

*Crawford County.* — Crawford County, one of the fifty established in 1851, was attached to Shelby County on January 12, 1853. A petition was circulated asking for a separate organization. This was granted and in April, 1855, temporary officers were elected to serve the county until the regular election in August. At this first election E. W. Fowler was elected judge. There is no record of any county business transacted prior to the August election. It is recorded, however, that the judge was allowed the sum of four dollars and sixty cents for his services until that date. It was under the leadership of Judge John R. Bassett, who was elected to the office of county judge in August, that the matter of county organization took definite shape. The first meeting of record was held on September 3, 1855. On the third of December of the same year the

<sup>155</sup> *Iowa Official Register*, 1909-1910, p. 690; *History of Audubon County, Iowa* (1915), p. 48.

judge, clerk, and recorder met and reported the amount of money they had received since August 1st — the judge having received \$5.75, the clerk \$3.00, and the recorder \$8.70, a total of \$17.45. They made an equal division of this amount and each took one-third of the amount toward the payment of his salary.<sup>156</sup>

*Howard County.* — Howard County, established in 1851, was attached to Chickasaw County on January 22, 1853. It appears that there was some opposition to organization, but the matter was skillfully handled, and before the opposition was aware of it a petition was presented and an order from the court issued directing that an election be held. The records of Judge James Lyon of Chickasaw County contain the following: "A petition was presented to me on the 17th day of July, 1855, for organizing Howard County."

In accordance with this request it was ordered that Edmund Gillett be organizing sheriff and that an election be held on Monday, August 6, 1855.

The election was held as directed and the following officers elected: James G. Upton, county judge; Edmund Gillett, clerk; William Woodward, treasurer and recorder; John Harlow, sheriff; and M. V. Burdick, attorney.

The first entry found upon the record book of the county bears the date of September 15, 1855, and is an order of the county to pay \$126 for books and stationery for the use of the county. A desk for the use of the clerk was also ordered at this time.<sup>157</sup>

On January 24, 1855, the legislature passed an act rela-

<sup>156</sup> *Laws of Iowa, 1852-1853*, p. 23; *History of Crawford County, Iowa* (1911), Vol. I, pp. 78, 79; *Andreas's Illustrated Historical Atlas of the State of Iowa* (1875), p. 408.

<sup>157</sup> *History of Chickasaw and Howard Counties, Iowa* (1883), p. 339.

tive to the attachment of unorganized counties. This law became effective on February 28th of the same year and provided that the counties of Calhoun and Sac should be attached to Greene County; Wright, Humbolt, Pocahontas, Palo Alto, Kossuth, Hancock, Winnebago, Bancroft, and Emmett to Webster County; and Franklin to Hardin County.<sup>158</sup>

*Wright County.*—Wright County was the first of this group of counties to be separately organized. The first meeting relative to organization is said to have been held at the cabin of S. B. Hewett, on the Boone River, in the vicinity of the present city of Eagle Grove. The first election was held on August 6, 1855, at which time the following officers were elected: David Dean, county judge; C. H. Martin, clerk of court; Anson Brassfield, recorder and treasurer; S. Crapper, sheriff; S. B. Hewett, Jr., surveyor; and N. B. Paine, attorney. The first official act of the judge of which there is record is that in connection with the October term of court.<sup>159</sup>

*Calhoun County.*—Calhoun County, together with Sac County, was attached to Greene County on January 28, 1855. It soon became apparent to the citizens of Calhoun County that they were paying taxes into the treasury of Greene, and that very little revenue came back to them in the form of needed improvements. They decided, therefore, to take the necessary steps for a separate organization. Pursuant to the provisions of the law of January 22, 1853, they submitted a petition to William Phillips who

<sup>158</sup> *Laws of Iowa, 1854-1855, p. 211.*

<sup>159</sup> *Gue's History of Iowa, Vol. III, p. 437; letter of County Auditor F. W. Walker, September 2, 1922.*

was then judge of Greene County, asking him to order an election for county officers. Judge Phillips granted the petition and designated the first Monday in August, 1855, as the day for such election. At this time Peter Smith was elected county judge; Joel Golden, clerk; Christian Smith, treasurer and recorder; William Oxenford, sheriff; and Ebenezer Comstock, attorney. The date upon which these officers assumed office is not given. It is known, however, that the judge administered an oath to the commission for locating the county seat on November 7, 1855. This is the first official act of which there is record.<sup>160</sup>

*Carroll County.*— By a legislative enactment of February 14, 1855, Carroll County was attached to Guthrie. On the 16th of July following, Judge James Henderson of Guthrie appointed an organizing sheriff and ordered an election to be held on the first Monday in August for the purpose of electing officers for Carroll County. This election was held at the time appointed and officers were elected accordingly, A. J. Cain being elected county judge.

The county judges, as has already been noted, were in a position to assume a great deal of authority and rule the people harshly. Indeed they were sometimes compared, in this respect, to the Czar of Russia. Judge Cain, however, was not of this type. It is said that he was "honest, fat and jolly" and that his constituents had no reason to complain of his official acts. Although sometimes given to "deep potations" and inclined to bet on his ability to handle a rifle, yet he presided over his court with dignity and disposed of judicial matters with justice.

The first official act of the county judge was on August

<sup>160</sup> *Laws of Iowa, 1854-1855*, p. 211; *Past and Present of Calhoun County, Iowa* (1915), Vol. I, pp. 67, 68.

17, 1855. The first money paid out of the county treasury was the sum of four dollars paid to James White for taking the laws of Iowa, a small volume of about four hundred pages, from Iowa City to Carroll County. This was not an exorbitant charge, for Mr. White spent three weeks in making the round trip and, because of storms and difficulties, had to abandon some of the freight with which he started. At the same session of the court an order was made allowing the judge the sum of \$12.50 as salary for the first quarter, at the rate of \$50 per year. The treasurer was allowed the same amount for the quarter, and the clerk was given \$16 in full payment to date.<sup>161</sup>

*Cerro Gordo County.*—In the spring of 1855 what is now Cerro Gordo County was attached to Floyd County as a civil township. Under the provisions of the law as it then existed the citizens of the attached county petitioned the county judge for an election for organization. The petition was granted and an election called for August 7, 1855. As soon as it was known that an election was to be held, a convention was called for the nomination of officers. John B. Long, a very prominent man among the settlers, was active in the matter of organization and was the first to be nominated for county judge. The election was held on the date prescribed and Mr. Long received forty-nine of the fifty votes cast for the office of judge. At the first term of court there was no business to be transacted, so the court adjourned.

The first record of business transacted was the allowing of a bill for \$458.25 for county books and supplies. This

<sup>161</sup> *Laws of Iowa, 1854-1855*, p. 6; *Biographical and Historical Record of Greene and Carroll Counties, Iowa* (1887), pp. 643, 644; *History of Carroll County, Iowa* (1912), Vol. I, p. 28; data secured from the county auditor of Carroll County, September, 1922.

was on December 29, 1855. At this time a bill for the judge's salary was allowed. It amounted to \$15.30. C. W. Scott, clerk of the court, drew the same amount as his salary.<sup>162</sup>

*Kossuth County.*—As indicated above Kossuth County was attached to Webster County in January, 1855. In August of the same year an election was held for the purpose of organization and Kossuth County entered upon a separate existence. The first officers were: Asa C. Call, county judge; Robert Cogley, clerk of the court; J. W. Moore, treasurer and recorder; and Lewis H. Smith, surveyor.

The first entry upon the minute book of the county judge bears the date of March 1, 1856. It consists of an order by the judge that swine and sheep should not be permitted to run at large within the county after the first of June. It further stipulated that the "above regulation will be submitted to the voters of Kossuth County at the ensuing April election". This is significant as reminding one of the fact that although the county judge might, if he chose, assume almost unlimited power, he might on the other hand, if he so desired, submit questions for the approval of the people under what would be considered to-day as a referendum vote. As a matter of fact it appears that this was seldom done in any of the counties.<sup>163</sup>

*Franklin County.*—Franklin County, one of the fifty established in 1851, was subsequently attached to Chickasaw and Hardin counties. The authorities differ as to which of these two counties finally authorized organization.

<sup>162</sup> *History of Franklin and Cerro Gordo Counties, Iowa* (1883), pp. 602, 605.

<sup>163</sup> *History of Kossuth and Humboldt Counties, Iowa* (1884), p. 246.

From the legislative enactments, however, it is clear that Franklin County, together with Mitchell, Howard, Floyd, and Worth counties, was attached to Chickasaw County on January 22, 1853, and that Franklin County was attached to Hardin on January 28, 1855. Thus it would be within the authority of the judge of Hardin County to call the election for organization. In the history of Franklin and Cerro Gordo counties, however, it is said that there were conflicting claims and that both of the above named counties claimed authority to organize. The author continues by saying: "It is known, however, that in July, 1855, the county judge of Chickasaw county issued an order for holding an election in Franklin county, and that on the 5th of August, 1855, the election was held at the house of James B. Reeve."

However this may be, the election was held on the date mentioned and James B. Reeve was elected judge. After the election, John Mitchell, one of the judges of the election, is said to have gone to Bradford, the county seat of Chickasaw County, to take the election returns. The newly elected judge and treasurer traveled all the way to Davenport to secure books and blanks for county use. The first business of record was transacted when the county court convened on March 3, 1856.<sup>164</sup>

*Grundy County.*—Grundy County was established in 1851 and was attached to Black Hawk County in 1853. It was organized under the general law for the organization of counties, which was passed in that year. Accordingly the election was called under the direction of the county court of Black Hawk County and the election returns re-

<sup>164</sup> *Laws of Iowa*, 1852-1853, p. 28, 1854-1855, p. 211; *History of Franklin and Cerro Gordo Counties, Iowa* (1883), p. 148; *History of Franklin County, Iowa* (1914), Vol. I, p. 123.

ported to the office in that county. The election was held on May 5, 1856, and the following officers were elected: Thomas G. Copp, treasurer; Elias Marble, clerk; A. W. Lawrence, judge; T. G. Hoxie, sheriff; and C. F. Clarkson, prosecuting attorney. The judge is reported to have assumed the duties of his office on December 25, 1856.<sup>165</sup>

*Sac County.*— Sac County, together with Calhoun County, was attached to Greene County for administrative purposes in 1855. In 1856 it was given a separate organization — the first election being held on April 7th of that year, when thirty-seven votes were cast in the entire county. Samuel L. Watt was elected county judge; F. Lagourge, sheriff; H. C. Crawford, attorney; and F. M. Cory, treasurer and recorder. A second election was held on May 10, 1856. The first entry in the minute book of the county is relative to this second election. The date of the entry, however, is not given.

An interesting commentary on the salary of officers is found in the records of this county, where on December 7, 1857, the following appears: “and now comes the citizens and tax-payers of Sac county, Iowa, praying for an increase of salary of the following officers: County judge, clerk of district court, and recorder and treasurer. It is asked in the petition that the salary be raised from fifty dollars to ninety-nine dollars per annum, and the petition was granted and the court hereby orders and decrees that the foregoing officers receive ninety-nine dollars per annum, commencing with August, 1857.”<sup>166</sup>

<sup>165</sup> *Iowa Official Register*, 1909-1910, p. 699; *Andreas's Illustrated Historical Atlas of the State of Iowa* (1875), p. 389; data secured from the county auditor of Grundy County, September, 1922.

<sup>166</sup> *Laws of Iowa, 1854-1855*, p. 211; *History of Sac County, Iowa* (1914), pp. 44, 65; data secured from E. B. Long, clerk of the district court, of Sac County, October, 1922.

*Hamilton County.* — A law passed on December 22, 1856, provided that "so much of the County of Webster, as lies east of range twenty-seven, west of the fifth principal meridian . . . . is hereby created and organized into a new county to be called Hamilton." Accordingly, this county was established and declared to be organized by the same act. The territory included in this county comprised sixteen townships and the boundaries were exactly the same as those of the former county of Risley.

The first election was held on Monday, April 6, 1857, when John D. Maxwell was chosen judge and Cyrus Smith treasurer. The first business of record is that of issuing an order for county seals on June 12, 1857.<sup>167</sup>

*Humboldt County.* — One of the fifty counties established in 1851 was called Humboldt. It was temporarily attached to Boone County in 1853. An act of January 24, 1855, attached it to Webster County, while another act of the same day partitioned the county between Kossuth and Webster. Thus the county became extinct on July 1, 1855. On January 28, 1857, the county of Humboldt was created. It appears to have been the intent of the legislature to make the new county coincide with the former county of Humboldt, but one of the townships was omitted from the bill and the law was passed in this form. Later an attempt was made to correct the error. The new Constitution of Iowa had in the meantime been adopted, which forbids the change of county boundaries without the consent of the counties affected. The constitutionality of the act attempting to make the correction was questioned and was held to be invalid. Hence the new county did not become co-

<sup>167</sup> *Laws of Iowa, 1856-1857*, p. 11; Gue's *History of Iowa*, Vol. III, pp. 352, 353; *History of Hamilton County, Iowa* (1912), Vol. I, p. 66; data secured from the county auditor of Hamilton County, September, 1922.

extensive with the old but was created anew on January 28, 1857.

The records show that the county was organized under the authority of Webster County and that the election was held on the first Monday of August, 1857. There were one hundred and three votes cast, of which Jonathan Hutchison received sixty-four for the office of county judge, thus being duly elected to that office.

The first entry in the "Minute Record" is interesting as indicating not only the time of organization and the nature of the business, but the spelling and punctuation used in those days. It reads as follows:

"State of Iowa        )  
                                  )     County Corte  
Humboldt County )

now on this day caim Calven W Beere and Reseived apointment of Countay Assessor in and for the County of Humboldt for the year A D 1857 and qualefyed by giving Bond and taking the oath of office accordin to Law this 31 day of August A D 1857

Jonathan Hutchison  
County Judge.<sup>168</sup>

*Dickinson County.*— While Dickinson County was nominally attached to Woodbury for judicial and election purposes, it was, because of the distance from the seat of justice, practically outside of any civil jurisdiction whatever. Accordingly the settlers very early decided to take advantage of the first opportunity to organize a separate county. It was necessary under the law for some one to go to the county seat of Woodbury County to present a

<sup>168</sup> *Iowa Official Register*, 1909-1910, pp. 700, 701; *Laws of Iowa*, 1856-1857, p. 199; data secured from County Auditor J. C. McFarland, of Humboldt County, September, 1922.

petition to secure such election and again to take the election returns.

These trips to Sioux City were "no holiday affairs". The route was along the Floyd River. There were no settlements except within a few miles of the city and the journey required several days, during which time there was constant danger of an encounter with a roving band of Indians. It will be understood, therefore, that no slight degree of danger and hardship was experienced in making the journey.

In spite of the difficulties to be encountered a petition for organization was drawn up, signed by some twenty voters, and taken to Sioux City by C. F. Hill, who was rewarded for his services by being elected to the office of sheriff at the election held on the first Monday in August, 1857. O. C. Howe was at this time elected county judge.

The records of the first proceedings of the county officers are not preserved, having been destroyed when the courthouse at Spirit Lake was burned in 1871.<sup>169</sup>

*Winnebago County.* — Winnebago County was for a time under the jurisdiction of Boone County, but in 1855 it came under the jurisdiction of Webster County. Thus it remained until the fall of 1857, when an order was issued for an election to organize the county and elect county officers. The election was held in October of that year and the following officers were elected: Robert Clark, county judge; C. H. Day, treasurer and recorder; B. F. Denslow, clerk; J. S. Blowers, sheriff; C. W. Scott, superintendent of schools and surveyor; and Darius Bray, drainage commissioner.

The early records of the county having been burned in

<sup>169</sup> *History of Dickinson County, Iowa* (1902), pp. 168-170; data secured from County Auditor Guy Pangborn, of Dickinson County, September, 1922.

1861, the exact date of the transactions of the first official business is not known. It is said that the first legal contest to be decided by Judge Clark was one involving the question of illegal voting. Certain parties had sworn in their votes, and an attempt was made to show that these were not citizens and that certain officers were therefore not duly elected. After hearing all of the evidences the judge decided that the defendants were not guilty and that the election should stand. The date of this case is not given.<sup>170</sup>

*Worth County.* — Worth County was one of the fifty established in 1851. It was attached to Chickasaw County on January 22, 1853, to Floyd in 1855, and to Mitchell in 1857. It was organized under an order emanating from Arad Hickcock, county judge of Mitchell County, under date of September 1, 1857. The election for county officers was held on October 13th of the same year and Dr. James Keeler was elected to the office of judge.

It appears that the election was called prior to the date authorized by the Governor hence the question of legality confronted the newly elected officers, and there was a delay until the legislature could pass a legalizing act. In the meantime the county was attached to Cerro Gordo County.

On March 23, 1858, the General Assembly passed a legalizing act as follows: "Whereas, It was found that the county judge issued the order for this election in Worth county three days before the date of the governor's proclamation for an election in this State, from which a question has arisen in regard to the legality of the said election: now, therefore,

Be it enacted by the General Assembly of the State of

<sup>170</sup> *History of Kossuth, Hancock and Winnebago Counties, Iowa* (1884), pp. 732, 753.

Iowa, That the election holden in Worth county on the 13th day of October, 1857, shall be declared legal”.

This act became effective upon publication on April 6, 1858, and the officers elected at the previous election assumed their duties on the first of May.<sup>171</sup>

*Clay County.*—In 1853 the legislature attached Clay County to Waukau—now Woodbury County. At this time it was a county only in name; the fertile prairies had not yet attracted the attention of those seeking homes in the western territory. It was not until the fall of 1858 that the settlers petitioned for a separate organization in order that the county might, as it was said, “take its position among the older counties of the sovereign state of Iowa”. Charles C. Smeltzer drew up the petition which was circulated among the voters, and which in turn resulted in securing an election to be held on October 12, 1858. At this election eighteen votes were cast, Mr. Smeltzer being elected judge. He was evidently greatly elated over the result of the election, for in the records he indicated that a separate organization would give to the county “the proud position of an independent sovereign within itself, with all the characteristics of a prosperous people, noble, loving and enterprising, ready to assume the guardianship of the weak and dispense even-minded justice to the benighted of Northwestern Iowa.”

Three days after his election, on October 15th, the judge entered upon his official duties.<sup>172</sup>

<sup>171</sup> *Laws of Iowa*, 1852–1853, p. 28, 1854–1855, p. 175, 1856–1857, p. 66, 1857–1858, pp. 53, 284; *History of Mitchell and Worth Counties, Iowa* (1884), pp. 557, 558.

<sup>172</sup> *Laws of Iowa*, 1852–1853, p. 24; *History of Clay County, Iowa* (1909), pp. 48, 49; data secured from the county auditor of Clay County, September, 1922.

*Cherokee County.* — Cherokee was another of the counties established in 1851. Plans were made for its organization under the provisions of the general law of 1853, as soon as there was sufficient population within the county. Meanwhile the county was attached to Woodbury, then known as Wahkaw, and was designated as "Cherokee Civil Township".

By the year 1857 the population was such as to justify organization, and an election was called during the month of August of that year. A. P. Thayer was the first county judge. The other officers elected at the August election were: Carlton Corbett, George W. Lebourveau, Samuel W. Hayward, Benjamin Sautell, and George Killem.

It is reported that "Every voter in the newly made county was present, and everything passed off fair and quietly, it being pretty much one-sided, all voting for what seemed the best interests of the county." There were, however, but nineteen votes cast.

The first official business of Judge Thayer appears to have been the signing of a warrant for \$4.30 payable to D. N. Stoddard for overseeing certain road work. This was dated October 2, 1858. On November 16, 1860, there was a general settlement of accounts of the county officers. The clerk was allowed \$38.85 for his services from October 18, 1859, to November 16, 1860 — a period of thirteen months. For the duties of the combined office of treasurer and recorder the sum of \$62.95 was allowed. The sheriff received \$2.50, indicating that these were halcyon days in Cherokee County.<sup>173</sup>

An important addition was made to the list of county officers on March 12, 1858, when provision was made for

<sup>173</sup> *Biographical History of Cherokee County, Iowa* (1889), p. 246; Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 352.

a county superintendent of schools. This law provided that "On the first Monday of April next, and biennially thereafter, on the second Monday of March, in each organized county in this State there shall be elected one County Superintendent of Common Schools, who shall hold his office for two years, and until his successor is elected and qualified." On the 19th of the same month a law was approved which stipulated that in case any county should, for want of notice or other cause, fail to elect a county superintendent on the date designated, that an election should be held for that purpose on the first Monday of May.<sup>174</sup> Accordingly, counties which were organized after the first Monday in April, 1858, were authorized to elect as one of their county officers a superintendent of schools.

*Plymouth County.*—Plymouth County, established in 1851, was organized under the direction of the county judge of Woodbury County, to which it was attached at that time. The first election was held on October 12, 1858, when the following persons were elected: William Van O'Linda, county judge; Isaac T. Martin, treasurer and recorder; A. C. Sheetz, clerk of the court; Daniel M. Mills, sheriff; and A. E. Rea, county superintendent of schools.

The early records of the official business of the county begin with minute book "A" bearing the date of October 27, 1858.<sup>175</sup>

*Buena Vista County.*—The first attempt to organize Buena Vista County was in the summer of 1858, when a

<sup>174</sup> *Laws of Iowa, 1857-1858*, pp. 72, 115.

<sup>175</sup> *History of the Counties of Woodbury and Plymouth, Iowa (1890-1891)*, p. 419; *Andreas's Illustrated Historical Atlas of the State of Iowa (1875)*, p. 372; data secured from the county auditor of Plymouth County, September, 1922.

petition was signed by fifteen voters and presented to Judge John L. Campbell of Woodbury County, to which county Buena Vista was at this time attached. Judge Campbell was not assured that fifteen voters constituted a majority of the electors residing in the county so he did not grant the petition. In October of the same year the citizens circulated another petition. This time twenty-two voters signed it and Luther H. Barnes, one of the petitioners, took oath that this number constituted a majority of the voters in the county. Accordingly the petition was granted and an election called for the third Monday in November in the town of Sioux Rapids. Arthur T. Reeve was elected county judge.

The records of the county court in Woodbury County show that Judge Reeve was sworn into office on the 20th of November, 1858, and assumed his duties immediately. One of the first official acts was to levy a six mill road and bridge tax, which brought in about \$200 during the next year.<sup>176</sup>

*Palo Alto County.*—Palo Alto County, another of the fifty which were established in 1851, was attached to Boone County in 1853, and to Webster County in 1855. It remained a part of the latter county until a separate organization was established in 1858. This was an unsatisfactory arrangement for the early settlers and gave rise to considerable inconvenience and some litigation. One case over a title to land was carried to the Supreme Court of the State, where it was decided that a conveyance of land in Palo Alto County made in 1857 was properly recorded in Webster County, and that such record constituted constructive notice to a subsequent purchaser after the or-

<sup>176</sup> *Past and Present of Buena Vista County, Iowa* (1909), pp. 44, 45, 47.

ganization of Palo Alto as a separate county without further record in Palo Alto.

In 1858 the settlers took definite steps toward organization. An election was held on October 2nd of that year, but as the preliminary requirements had not been complied with the proceedings were declared illegal. The settlers then drew up a petition which they sent to Judge Luther L. Pease of Webster County who granted the request and ordered an election to be held on December 20, 1858. James Hickey received a majority of the votes cast for the office of county judge and was declared duly elected. A clerk of the district court, treasurer and recorder, drainage commissioner, surveyor, coroner, and sheriff were also elected but there appears to have been no election of a county superintendent at this time. The officers were sworn into office, and on the 29th of December Judge Hickey ordered books for the county record and Thomas Maher was allowed \$15.00 for bringing these from Fort Dodge.<sup>177</sup>

*Hancock County.* — Hancock County was established in 1851, and on January 24, 1855, was attached to Webster County for election, judicial, and revenue purposes. Later it was attached to Winnebago County under which it was organized in 1858. The first white settlement in the county dates from 1854 when a location was selected at Upper Grove, on the Iowa River. Other settlers came very slowly, so that organization was not effected until 1858. On June 28th of that year the first election of county officers was held, at which time M. P. Rosecrans was elected judge; George Louppee, clerk; Reuben Church, treasurer and recorder; Benoni Haskins, sheriff; Charles R. Wright, surveyor; G. R. Mabin, superintendent of schools; and James

<sup>177</sup> *History of Palo Alto County, Iowa* (1910), pp. 63-67; *Meagher v. Drury*, 89 Iowa 366.

C. Boner, drainage commissioner. The county seat was not located until 1865. In the meantime county business was transacted at Ellington or at Upper Grove as was most convenient for the county officers.

The first official business of the county was recorded on November 25, 1858. The first order for money to be paid out of the treasury was for lumber used in constructing county buildings. Although organization was perfected in 1858, the first session of the county court of which there is record was held in December, 1860, when an effort was made to have the village of Amsterdam made the county seat.<sup>178</sup>

*Ida County.* — Ida County was established in 1851. In 1853 it was attached to Waukau under whose authority it was later organized. The first settlement of whites in the county was at Ida Grove in 1856. The county was organized in 1858. The first election was held August 4th of that year, when the following officers were elected: John H. Moorehead, county judge; J. S. Loveland, treasurer and recorder; Bushrod Warren, clerk of the district court. At that time the population of the county was only about forty persons.<sup>179</sup> The term of the officers began January 1, 1859.

*Pocahontas County.* — During the fall and winter of 1858 the settlers of Pocahontas County discussed the advisability of effecting a county organization and most of them signed a petition asking the county judge of Webster

<sup>178</sup> *Laws of Iowa, 1854-1855*, p. 211; *History of Kossuth, Hancock and Winnebago Counties, Iowa* (1884), pp. 565, 566; Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 397; data secured from the county auditor of Hancock County, September, 1922.

<sup>179</sup> *Laws of Iowa, 1850-1851*, p. 33, 1852-1853, p. 24; Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 373.

County — to which Pocahontas was at that time attached — to issue a call for an election and order an organization. This petition was granted and an election ordered to be held on March 15, 1859. At the election on that date twenty-three votes were cast. David Slosson was elected to the office of county judge. Six days later, on March 21st, he qualified for office and took oath before Judge Luther L. Pease of Webster County. On May 11th the first session of the county court was held but the only business transacted was that of swearing into office the other county officials. The first money paid out of the treasury was the sum of \$2.85 for books and stationery furnished the county.

On July 9, 1859, the salary of county officials including the treasurer, clerk, and judge was fixed at \$50 each per year. For some reason a county superintendent was not elected at the March election in 1859. At the second election, on October 11th, a county superintendent was elected but he did not qualify so the office was not actually filled until March, 1860, when Judge John A. James appointed Oscar F. Avery to fill the vacancy.<sup>180</sup>

*Emmet County.* — Emmet County was established in 1851 and was attached to Boone County for temporary purposes on January 23, 1853, and to Webster County on July 1, 1855. As the population of the county increased there developed a desire for a separate county organization. Accordingly late in the year 1858 a petition was circulated and presented to the judge of Webster County asking for authority to organize. This petition was granted and an election called for Monday, February 7, 1859.

<sup>180</sup> *The Pioneer History of Pocahontas County, Iowa* (1904), pp. 184, 185, 207.

The available authorities differ somewhat as to the officers chosen at this election, and the destruction of the records by the burning of the courthouse in the fall of 1876 renders it impossible to get the official returns. It is agreed, however, that Adolphus Jenkins was the first county judge.<sup>181</sup>

*O'Brien County.* — Reference has been made to the fact that some of the counties of northwestern Iowa were organized for financial gain rather than for bona fide purposes of government. O'Brien County furnishes perhaps the most outstanding example of this, although the same is true, but in a less extreme form, in other counties, including Sioux, Clay, and Buena Vista.

O'Brien County was established in 1851 and was attached to Woodbury County. In January, 1860, plans were inaugurated to organize the county. A petition directed to the court of Woodbury County was signed by eight so-called citizens and voters of the county of O'Brien. As a matter of fact, however, Hannibal H. Waterman was at this time the only bona fide voter in the county. The rest of the signers were promoters of a scheme to advance their own selfish interests. In accordance with the petition, however, the county judge of Woodbury County on January 25, 1860, authorized an election for organization and appointed I. C. Furber organizing sheriff. The election was held on February 6th, and the following officers were elected: I. C. Furber, county judge; Archibald Murray, clerk of the district court; Hannibal H. Waterman, treasurer and recorder — the latter having been elected only to make matters appear bona fide. The first official county

<sup>181</sup> *Laws of Iowa, 1850-1851*, p. 37; *Iowa Official Register, 1909-1910*, p. 697; *History of Emmet County and Dickinson County, Iowa (1917)*, Vol. I, p. 86.

business is reported as having been transacted at the town of O'Brien on April 7, 1860.

N. Levering in writing for the *Annals of Iowa* in 1871 said the counties of Sioux and O'Brien were organized by a band of schemers, and that organization having been completed "a system of plunder was commenced by levying enormous taxes on the lands in the counties, a heavy school and school house tax was levied when there was not a scholar in the county; bridge, road, and court house taxes were levied, when neither were built for years after. This revenue, — all except the state tax, — went into the pockets of these land pirates". Moreover, when an act of legislation was passed giving swamp lands to the county, these men selected the driest and best land in the county and delegated part of their number to go to the eastern States and sell it — which they did, appropriating the proceeds to their own use. Not being satisfied with this they issued county bonds and sold them on the eastern market keeping the money. Later when it appeared that these bonds were worthless they bought them back at a greatly reduced figure, and later when the county became well established these same promoters, having organized a bank, cashed the bonds at face value.

It should be said, however, to the credit of the county, that the bills were finally paid, the citizens preferring to pay face value rather than have it appear that county obligations were not met.<sup>182</sup>

*Sioux County.* — Sioux County was established in 1851 and attached to Waukau (Woodbury) in 1853. The first

<sup>182</sup> *Past and Present of O'Brien and Osceola Counties, Iowa* (1914), Vol. I, pp. 29-31, 53; *Annals of Iowa* (First Series), Vol. IX, pp. 604-606; *Iowa Official Register*, 1909-1910, p. 708; data of first official business secured from the county auditor of O'Brien County, September, 1922.

permanent settlers located in the county just prior to 1860 and during that year sought to perfect a county organization. As indicated above this county, together with O'Brien and others, was organized by promoters for personal aggrandizement. At the time of the first election there were but fifteen people residing within the limits of the county and, indeed, for a number of years the population in this section of the State was very sparse, owing to Indian trouble in the bordering counties.

The exact date of the holding of the first election is not known, neither do the available records indicate the date of the first official business. It is known, however, that W. H. Frame was elected as the first county judge; F. M. Hubble, clerk; and E. T. Stone, treasurer and recorder.

The first county seat was located at Calliope where the county business was transacted until 1872.<sup>183</sup>

#### THE RETURN TO THE COUNTY SUPERVISORS

By the year 1859 the county judge system had fallen into such disrepute that the legislature at its session in 1859 and 1860 virtually abolished the office and made provision for the election of a board of supervisors to consist of one member from each township, whose duty it was to manage the affairs of the county. This law was to take effect on July 4, 1860.<sup>184</sup> At this time there were ninety-seven organized counties in Iowa. Only two remained to be organized — Lyon and Osceola.

*Lyon County.* — It will be recalled that the county of Buncombe was one of the fifty counties established in 1851.

<sup>183</sup> Gue's *History of Iowa*, Vol. III, p. 412; *Iowa Official Register*, 1909-1910, p. 712; Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 384.

<sup>184</sup> *Revision of 1860*, p. 48.

This was attached to Wahkaw, which was later given the name of Woodbury. Buncombe thus remained under the jurisdiction of Woodbury until it was organized on January 1, 1872. In the meantime, however, the name Buncombe had been changed to Lyon. Thus it was that Lyon County prior to its organization was under the jurisdiction of Woodbury County.

In the spring of 1871 there was a large influx of population into Lyon County, due to a large extent to the beginning of the Sioux City and St. Paul Railroad. It is estimated that in the fall of that year there was a population of a thousand people in the county. On October 10th of the same year occurred the first election of county officers, at which ninety-seven votes were polled. The officers elected consisted of J. S. Howell, Charles H. Johnson, and H. T. Helgerson, county supervisors, upon whom devolved the chief functions of government; Charles E. Goetz, auditor; James Wagner, treasurer; D. C. Whitehead, clerk; T. W. Johnson, sheriff; Thomas Thorson, recorder; L. A. Ball, superintendent of schools; and Ethan Allen, surveyor.

The board of supervisors met in its first session on January 1, 1872, when the county assumed the duties of a separate organization.<sup>185</sup>

*Osceola County.* — At the session of the board of supervisors of Woodbury County in June, 1871, a resolution was passed "that the county of Osceola in the state of Iowa be organized at the general election of 1871". Provision was also made for dividing the county into three townships. Thus it will appear that the county of Osceola was organized, as was Lyon, under the authorization of Wood-

<sup>185</sup> Hyde's *Historical Sketch of Lyon County, Iowa* (1873), pp. 6, 20; Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 384.

bury County. Since there were three townships in the county, three supervisors were to be elected. The general election referred to was held on October 10, 1871, the same day on which the organizing election was held in Lyon County. A full quota of county officers was elected at this time. The members of the board of supervisors were George Spaulding, H. R. Fenton, and J. H. Winspear. The board met as an official body on January 1, 1872.<sup>186</sup> Thus the last two of the ninety-nine counties came into being as separate organizations on the same day.

In reviewing the history of the organization of the several counties, one is impressed with the various changes which have taken place from time to time. The two original counties, Des Moines and Dubuque, were organized under a board of supervisors made up of three members elected by the people and acting in the capacity of both township and county officers. The judicial officers in these counties were appointed by the Governor of the Territory.

Upon the division of Des Moines County and prior to further organization provision was made that each county should have three supervisors who should be elected "at the annual town meeting". Thus although the number of supervisors remained the same, their method of election is more nearly that of county officials and is a step further removed from township organization. Under this plan of government five additional counties were organized, namely, Lee, Van Buren, Henry, Louisa, and Muscatine.

On December 20, 1837, a law was passed which created the board of county commissioners which also consisted of three members but was purely a county board. Moreover,

<sup>186</sup> *Past and Present of O'Brien and Osceola Counties, Iowa* (1914), Vol. I, pp. 537, 538.

it is to be noted that up to this time there was no definite plan provided for organization. The law simply provided for the election of officers who, having been elected, proceeded to organize under the direction of the Governor but without legislative acts of organization, such as were common at a later period. The first law which provided definitely for organization was passed in connection with Jefferson County on January 21, 1839. This law not only declared that the county should be organized but authorized a sheriff to post notices of an election for county officers. From this time until 1847 organizing laws of this nature were the usual rule.

The first general law under which any county might organize was passed in connection with Pottawattamie County in 1847. Although there were some counties organized under special acts subsequent to this time, most of the counties complied with and organized under the provisions of this general law until 1853 when the second general law concerning organization was passed.

Before the passage of this second general law, the county commission plan was abolished and the county judge system came into existence. This system continued from 1851 until 1860 when it was superseded by the supervisor system. Under the plan adopted at this time the board of supervisors consisted of one man elected from each township. In 1870 this plan was abolished and the commission system readopted. According to this system, which has continued down to the present time, the county selects from three to seven supervisors or commissioners to serve on the county board of supervisors. The supervisors are, in the majority of counties, elected at large but the county may at its own option be divided into districts

and elect its supervisors from these districts. Only two counties — Lyon and Osceola — were organized after this plan of government was adopted.

In this account the order has been determined by the date of organization. An alphabetical list of the counties, together with the data available as to their establishment and organization, follows:

## DATA CONCERNING ORGANIZATION OF COUNTIES IN IOWA

| NAME OF COUNTY | DATE ESTABLISHED | DATE OF ORGANIZING ACT | DATE OF ELECTION                | DATE OF FIRST OFFICIAL BUSINESS |
|----------------|------------------|------------------------|---------------------------------|---------------------------------|
| ADAIR          | JAN. 15, 1851    | JAN. 22, 1853          | APR. 1854                       | MAY 6, 1854                     |
| ADAMS          | JAN. 15, 1851    | JAN. 12, 1853          | APR. 4, 1853                    | SEPT. 21, 1853                  |
| ALLAMAKEE      | FEB. 20, 1847    | JAN. 15, 1849          | APR. 2, 1849                    | APR. 10, 1849                   |
| APPANOOSE      | FEB. 17, 1843    | JAN. 13, 1846          | AUG. 3, 1846                    | OCT. 5, 1846                    |
| AUDUBON        | JAN. 15, 1851    | JAN. 22, 1853          | APR. 2, 1855                    | JULY 9, 1855                    |
| BENTON         | DEC. 21, 1837    | JAN. 17, 1846          | APR. 6, 1846                    | MAY 1846                        |
| BLACK HAWK     | FEB. 17, 1843    | JAN. 22, 1853          | AUG. 1, 1853                    | AUG. 17, 1853                   |
| BOONE          | JAN. 13, 1846    | FEB. 24, 1847          | AUG. 6, 1849                    | OCT. 1, 1849                    |
| BREMER         | JAN. 15, 1851    | JAN. 22, 1853          | AUG. 1853                       | AUG. 15, 1853                   |
| BUCHANAN       | DEC. 21, 1837    | FEB. 24, 1847          | AUG. 2, 1847                    | OCT. 4, 1847                    |
| BUENA VISTA    | JAN. 15, 1851    | JAN. 22, 1853          | NOV. 16, 1858                   | NOV. 20, 1858                   |
| BUTLER         | JAN. 15, 1851    | JAN. 22, 1853          | AUG. 1854                       | OCT. 2, 1854                    |
| CALHOUN        | JAN. 15, 1851    | JAN. 22, 1853          | AUG. 6, 1855                    | NOV. 7, 1855                    |
| CARROLL        | JAN. 15, 1851    | JAN. 22, 1853          | AUG. 6, 1855                    | AUG. 17, 1855                   |
| CASS           | JAN. 15, 1851    | JAN. 12, 1853          | APR. 4, 1853                    | JUNE 17, 1853                   |
| CEDAR          | DEC. 21, 1837    | DEC. 21, 1837          | MAR. 5, 1838                    | APR. 2, 1838                    |
| CERRO GORDO    | JAN. 15, 1851    | JAN. 22, 1853          | AUG. 7, 1855                    | DEC. 29, 1855                   |
| CHEROKEE       | JAN. 15, 1851    | JAN. 22, 1853          | AUG. 1857                       | OCT. 2, 1858                    |
| CHICKASAW      | JAN. 15, 1851    | JAN. 22, 1853          | AUG. 12, 1853                   | SEPT. 12, 1853                  |
| CLARKE         | JAN. 13, 1846    | FEB. 24, 1847          | AUG. 4, 1851                    | AUG. 21, 1851                   |
| CLAY           | JAN. 15, 1851    | JAN. 22, 1853          | OCT. 12, 1858                   | OCT. 15, 1858                   |
| CLAYTON        | DEC. 21, 1837    | DEC. 21, 1837          | SEPT. 1838                      | OCT. 6, 1838                    |
| CLINTON        | DEC. 21, 1837    | JAN. 11, 1840          | APR. 6, 1840                    | JAN. 5, 1841                    |
| CRAWFORD       | JAN. 15, 1851    | JAN. 22, 1853          | APR. 1855                       | SEPT. 3, 1855                   |
| DALLAS         | JAN. 13, 1846    | FEB. 16, 1847          | APR. 5, 1847                    | MAY 3, 1847                     |
| DAVIS          | FEB. 17, 1843    | FEB. 15, 1844          | APR. 1, 1844                    | APR. 13, 1844                   |
| DECATUR        | JAN. 13, 1846    | FEB. 24, 1847          | APR. 1, 1850                    | MAY 6, 1850                     |
| DELAWARE       | DEC. 21, 1837    | DEC. 20, 1839          | AUG. 2, 1841                    | NOV. 19, 1841                   |
| DES MOINES     | SEPT. 6, 1834    | SEPT. 6, 1834          | APPT'D BY GOV.<br>DEC. 26, 1834 | SEPT. 29, 1835                  |
| DICKINSON      | JAN. 15, 1851    | JAN. 22, 1853          | AUG. 3, 1857                    | (1857) <sup>187</sup>           |
| DUBUQUE        | SEPT. 6, 1834    | SEPT. 6, 1834          | APPT'D BY GOV.<br>SEPT. 6, 1834 | MAY 30, 1836                    |

<sup>187</sup> Wilson's *A Description of Iowa and its Resources* (1865), p. 71, indicates that Dickinson County was organized in 1857. The records, however, were burned in 1871 and accordingly the exact date of organization is not known.

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| NAME OF COUNTY     | DATE ESTABLISHED | DATE OF ORGANIZING ACT | DATE OF ELECTION | DATE OF FIRST OFFICIAL BUSINESS |
|--------------------|------------------|------------------------|------------------|---------------------------------|
| EMMET              | JAN. 15, 1851    | JAN. 22, 1853          | FEB. 7, 1859     | (1859) <sup>188</sup>           |
| FAYETTE            | DEC. 21, 1837    | FEB. 24, 1847          | JULY 15, 1850    | AUG. 26, 1850                   |
| FLOYD              | JAN. 15, 1851    | JAN. 22, 1853          | AUG. 7, 1854     | SEPT. 4, 1854                   |
| FRANKLIN           | JAN. 15, 1851    | JAN. 22, 1853          | AUG. 5, 1855     | MAR. 3, 1856                    |
| FREMONT            | FEB. 24, 1847    | FEB. 24, 1847          | APR. 1849        | SEPT. 10, 1849                  |
| GREENE             | JAN. 15, 1851    | JAN. 22, 1853          | AUG. 12, 1854    | AUG. 25, 1854                   |
| GRUNDY             | JAN. 15, 1851    | JAN. 22, 1853          | MAY 5, 1856      | DEC. 25, 1856                   |
| GUTHRIE            | JAN. 15, 1851    | FEB. 24, 1847          | AUG. 4, 1851     | OCT. 16, 1851                   |
| HAMILTON           | DEC. 22, 1856    | DEC. 22, 1856          | APR. 6, 1857     | JUNE 12, 1857                   |
| HANCOCK            | JAN. 15, 1851    | JAN. 22, 1853          | JUNE 28, 1858    | NOV. 25, 1858                   |
| HARDIN             | JAN. 15, 1851    | JAN. 22, 1853          | MAR. 2, 1853     | (1853) <sup>189</sup>           |
| HARRISON           | JAN. 15, 1851    | JAN. 12, 1853          | APR. 4, 1853     | AUG. 5, 1853                    |
| HENRY              | DEC. 7, 1836     | DEC. 6, 1836           | JAN. 13, 1837    | JAN. 16, 1837                   |
| HOWARD             | JAN. 15, 1851    | JAN. 22, 1853          | AUG. 6, 1855     | SEPT. 15, 1855                  |
| HUMBOLDT           | JAN. 28, 1857    | JAN. 22, 1853          | AUG. 3, 1857     | AUG. 31, 1857                   |
| IDA <sup>190</sup> | JAN. 15, 1851    | JAN. 22, 1853          | AUG. 4, 1858     | JAN. 1, 1859                    |
| IOWA               | FEB. 17, 1843    | JUNE 16, 1845          | AUG. 4, 1845     | SEPT. 16, 1845                  |
| JACKSON            | DEC. 21, 1837    | DEC. 21, 1837          | SPRING, 1838     | APR. 2, 1838                    |
| JASPER             | JAN. 13, 1846    | JAN. 17, 1846          | APR. 6, 1846     | APR. 14, 1846                   |
| JEFFERSON          | JAN. 21, 1839    | JAN. 21, 1839          | APR. 1, 1839     | APR. 8, 1839                    |
| JOHNSON            | DEC. 21, 1837    | DEC. 21, 1837          | SEPT. 10, 1838   | MAR. 29, 1839                   |
| JONES              | DEC. 21, 1837    | JAN. 24, 1839          | FALL, 1839       | FEB. 3, 1840                    |
| KEOKUK             | DEC. 21, 1837    | FEB. 5, 1844           | APR. 1, 1844     | APR. 24, 1844                   |
| KOSSUTH            | JAN. 15, 1851    | JAN. 22, 1853          | AUG., 1855       | MAR. 1, 1856                    |
| LEE                | DEC. 7, 1836     | DEC. 7, 1836           | APR. 3, 1837     | APR. 17, 1837                   |
| LINN               | DEC. 21, 1837    | JAN. 15, 1839          | AUG., 1839       | SEPT. 9, 1839                   |
| LOUISA             | DEC. 7, 1836     | DEC. 7, 1836           | SPRING, 1837     | APR. 22, 1837                   |
| LUCAS              | JAN. 13, 1846    | JAN. 15, 1849          | AUG. 6, 1849     | AUG. 10, 1849                   |
| LYON               | JAN. 15, 1851    | JAN. 22, 1853          | OCT. 10, 1871    | JAN. 1, 1872                    |
| MADISON            | JAN. 13, 1846    | FEB. 24, 1847          | JAN. 1, 1849     | FEB. 19, 1849                   |
| MAHASKA            | FEB. 17, 1843    | FEB. 5, 1844           | APR. 1, 1844     | MAY 14, 1844                    |
| MARION             | JUNE 10, 1845    | JUNE 10, 1845          | SEPT. 1, 1845    | SEPT. 12, 1845                  |
| MARSHALL           | JAN. 13, 1846    | FEB. 24, 1847          | AUG. 6, 1849     | OCT. 1, 1849                    |
| MILLS              | JAN. 15, 1851    | FEB. 24, 1847          | AUG. 4, 1851     | AUG. 18, 1851                   |
| MITCHELL           | JAN. 15, 1851    | JAN. 22, 1853          | AUG. 7, 1854     | OCT. 2, 1854                    |
| MONONA             | JAN. 15, 1851    | JAN. 22, 1853          | APR. 3, 1854     | 1854                            |
| MONROE             | FEB. 17, 1843    | JUNE 11, 1845          | AUG. 5, 1845     | AUG. 9, 1845                    |
| MONTGOMERY         | JAN. 15, 1851    | JAN. 22, 1853          | AUG. 1, 1853     | AUG. 15, 1853                   |
| MUSCATINE          | DEC. 7, 1836     | DEC. 7, 1836           | SPRING, 1837     | OCT. 4, 1837                    |
| O'BRIEN            | JAN. 15, 1851    | JAN. 22, 1853          | FEB. 6, 1860     | APR. 7, 1860                    |

<sup>188</sup> The records of the first official business in Emmet County have been burned. The best authority available indicates that the county was organized in 1859. — Wilson's *A Description of Iowa and its Resources* (1865), p. 66.

<sup>189</sup> The early records in Hardin County have been destroyed but the county is reported to have been organized in 1853. — *History of Hardin County, Iowa* (1883), pp. 234, 235; Wilson's *A Description of Iowa and its Resources* (1865), p. 60.

<sup>190</sup> The available sources do not agree as to the exact date of organization in Ida County. The year 1858 is given as the date by Wilson in *A Description of Iowa and Its Resources* (1865), p. 72. Jan. 1, 1859, is given by the auditor.

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| NAME OF COUNTY | DATE ESTABLISHED | DATE OF ORGANIZING ACT | DATE OF ELECTION | DATE OF FIRST OFFICIAL BUSINESS |
|----------------|------------------|------------------------|------------------|---------------------------------|
| OSCEOLA        | JAN. 15, 1851    | JAN. 22, 1853          | OCT. 10, 1871    | JAN. 1, 1872                    |
| PAGE           | FEB. 24, 1847    | FEB. 24, 1847          | 1851             | MAR. 22, 1852                   |
| PALO ALTO      | JAN. 15, 1851    | JAN. 22, 1853          | DEC. 20, 1858    | DEC. 29, 1858                   |
| PLYMOUTH       | JAN. 15, 1851    | JAN. 22, 1853          | OCT. 12, 1858    | OCT. 27, 1858                   |
| POCAHONTAS     | JAN. 15, 1851    | JAN. 22, 1853          | MAR. 15, 1859    | MAY 11, 1859                    |
| POLK           | JAN. 13, 1846    | JAN. 17, 1846          | APR. 6, 1846     | APR. 12, 1846                   |
| POTTAWATTAMIE  | FEB. 24, 1847    | FEB. 24, 1847          | SEPT., 1848      | SEPT. 21, 1848                  |
| POWESHIEK      | FEB. 17, 1843    | JAN. 24, 1848          | APR. 3, 1848     | SPRING, 1848                    |
| RINGGOLD       | FEB. 24, 1847    | JAN. 31, 1855          | MAY 14, 1855     | JUNE 29, 1855                   |
| SAC            | JAN. 15, 1851    | JAN. 22, 1853          | APR. 7, 1856     | (1856) <sup>191</sup>           |
| SCOTT          | DEC. 21, 1837    | DEC. 2, 1837           | MAR. 5, 1838     | MAR. 20, 1838                   |
| SHELBY         | JAN. 15, 1851    | JAN. 12, 1853          | APR. 4, 1853     | (1853) <sup>192</sup>           |
| SIoux          | JAN. 15, 1851    | JAN. 22, 1853          | (1860)           | (1860) <sup>193</sup>           |
| STORY          | JAN. 13, 1846    | JAN. 22, 1853          | APR. 4, 1853     | SPRING, 1853                    |
| TAMA           | FEB. 17, 1843    | JAN. 22, 1853          | MAY 2, 1853      | JULY 4, 1853                    |
| TAYLOR         | FEB. 24, 1847    | FEB. 24, 1847          | FEB., 1851       | FEB. 26, 1851                   |
| UNION          | JAN. 15, 1851    | JAN. 12, 1853          | APR. 4, 1853     | JUNE 22, 1853                   |
| VAN BUREN      | DEC. 7, 1836     | DEC. 7, 1836           | SPRING, 1837     | MAY 4, 1837                     |
| WAPELLO        | FEB. 17, 1843    | FEB. 13, 1844          | APR. 1, 1844     | MAY 20, 1844                    |
| WARREN         | JAN. 13, 1846    | FEB. 24, 1847          | JAN. 1, 1849     | FEB. 10, 1849                   |
| WASHINGTON     | JAN. 18, 1838    | JAN. 25, 1839          | SPRING, 1839     | MAY 5, 1839                     |
| WAYNE          | JAN. 13, 1846    | FEB. 24, 1847          | DEC. 28, 1850    | JAN. 27, 1851                   |
| WEBSTER        | JAN. 15, 1851    | JAN. 22, 1853          | APR. 4, 1853     | MAY 14, 1853                    |
| WINNEBAGO      | JAN. 15, 1851    | JAN. 22, 1853          | OCT., 1857       | (1857) <sup>194</sup>           |
| WINNESHIEK     | FEB. 20, 1847    | JAN. 15, 1851          | AUG. 4, 1851     | SEPT., 1851                     |
| WOODBURY       | JAN. 15, 1851    | JAN. 12, 1853          | AUG. 1, 1853     | JAN. 27, 1854                   |
| WORTH          | JAN. 15, 1851    | JAN. 22, 1853          | OCT. 13, 1857    | MAY 1, 1858                     |
| WRIGHT         | JAN. 15, 1851    | JAN. 22, 1853          | AUG. 6, 1855     | OCT., 1855                      |

JACOB A. SWISHER

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<sup>191</sup> That Sac County completed its organization in 1856 can only be inferred from the fact that the organizing election was held in April of that year. In the first minute book of the county the date of record is omitted.

<sup>192</sup> In Shelby County it is believed that organization was completed in 1853. This date is given by Wilson in *A Description of Iowa and its Resources* (1865), p. 78. The exact date, however, is not given.

<sup>193</sup> A search of available materials fails to reveal the exact date of organization in Sioux County—the years 1858 and 1860 both having been designated. It is believed, however, that the latter date is correct.—*Annals of Iowa* (First Series), Vol. IX, p. 604; Wilson's *A Description of Iowa and its Resources* (1865), p. 73.

<sup>194</sup> In Winnebago County the early records were burned in 1861. It is believed, however, that the county was organized in 1857.—Wilson's *A Description of Iowa and its Resources* (1865), p. 62.