

THE LOCATION OF COUNTY SEATS IN IOWA

[This is the third and final installment of the article on the location of county seats in Iowa, prepared by Jacob A. Swisher. The first section, containing an account of the counties from Adair to Clarke, inclusive, appeared in *THE IOWA JOURNAL OF HISTORY AND POLITICS* for January, 1924. The second installment, which covered the counties from Clay to Marshall, inclusive, was published in the April number.—THE EDITOR]

Mills County.—Mills County was established in 1851, and was organized the same year under the general law for the organization of counties. Instead of commissioners being appointed to select a site for the county seat, as was the case in most counties, the General Assembly passed a law which provided that the location should be at the town of Coonville, and by the terms of the same law the name of Coonville was changed to Glenwood.

This law provided, however, that the location at this point should be conditional upon the citizens conveying to the county certain lots located within the town, and that a tract of land containing at least two acres be given as a site for the location of county buildings. These conditions were evidently complied with, for Glenwood became the county seat, and has retained that position¹³⁷ There has, however, in recent years been some agitation for a removal of the county seat to Malvern, which is more nearly in the center of the county.

Mitchell County.—Mitchell County was established in 1851. It was for a time attached to Chickasaw County and was

¹³⁷ *Laws of Iowa, 1852-1853*, p. 25; *History of Mills County, Iowa* (1881), pp. 380-384, 559, 560.

organized under the general law for the organization of counties passed in 1853.¹³⁸

In January, 1855, John Harlow, Joseph B. Dolley, and John Banack were appointed commissioners to locate the county seat. They were authorized to meet at the house of C. L. Clanser on the first day of March or within sixty days thereafter and proceed to perform their duty. In compliance with this law they met and located the county seat at the town of Mitchell. Opposition arose to this location almost immediately, for in April of the following year — 1856 — a vote was taken upon the question of a removal to Osage, which resulted in favor of Osage. Mitchell contested the election on the ground that the court had granted the election illegally and gained a decision in the district court. Osage appealed the case to the Supreme Court, but pending the decision of the court a second commission was appointed by the legislature in 1857 to settle the matter.¹³⁹

These commissioners met in May and again in June, 1857, and agreed upon the location at Osage. This did not settle the question, however, for in April, 1860, the question was again voted upon resulting in a majority of sixty-nine votes in favor of Mitchell. In the following year — 1861 — still another vote was taken. According to a count of the canvassers Osage received a majority of nineteen votes in this election. The citizens of Mitchell were not satisfied with this count and secured an injunction restraining a removal of the records. This case went to the Supreme Court, where it was not finally adjudicated until the fall of 1870, when a decision was rendered in favor of Osage. Thereupon the records were removed to that place, where they remain.¹⁴⁰

¹³⁸ *Laws of Iowa*, 1850-1851, p. 37, 1852-1853, pp. 28, 29.

¹³⁹ *Laws of Iowa*, 1854-1855, p. 79, 1856-1857, pp. 258, 259; *History of Mitchell and Worth Counties, Iowa*, p. 146.

¹⁴⁰ *History of Mitchell and Worth Counties, Iowa* (1884), pp. 146, 147.

Monona County.— Monona County was established in 1851 and was later attached to Harrison County, under which it was organized in 1854. The first county business was transacted at the Mormon town of Preparation. Commissioners were soon chosen, however, and the town of Ashton was designated as the county seat. In 1857 the Mormon Land Company laid out the town of Onawa which soon aspired to county seat honors.¹⁴¹ In the spring of the following year a petition was presented to the county court asking for an order submitting to the qualified voters the question of removing the county seat to Onawa.

A remonstrance was also presented, but was of no avail, and Judge C. E. Whiting ordered that the question be voted upon the first Monday in April. This led to considerable excitement and opposition. H. J. Hawley, county clerk, certified that the petition asking for the election contained only 109 names, while the remonstrance contained 139. Notwithstanding this fact, and in the face of the opposition, the order of the county judge remained unaltered and the election occurred on the date designated. The result was that of the 229 ballots cast, 130 were in favor of locating the county seat at Onawa, and Judge Whiting ordered a removal of the offices to that place.

The following September a movement was started to secure a removal to the town of Belvidere. A petition asking for a vote upon this question was denied. In 1861, however, this question was voted upon, but the removal was defeated by a majority of fifteen, out of a total of two hundred and twenty-three votes. In 1862 an attempt was made to secure a removal to Arcola. This too was defeated by a vote of one hundred to one hundred and twenty-three. At a meeting of the board of supervisors held on June 6,

¹⁴¹ Gue's *History of Iowa*, Vol. III, pp. 389, 390; Tuttle's *An Illustrated History of the State of Iowa* (1876), p. 597; *Laws of Iowa, 1852-1853*, p. 23.

1889, a petition was presented asking for a vote upon the question of removing the seat of justice to East Mapleton. This was accompanied by a bond by a number of leading citizens guaranteeing the payment of \$25,000 to the county, in case the county seat were removed to that point. This stimulated the citizens of Onawa, who raised a fund of \$12,500, placing a certificate of deposit for the amount in the hands of the county auditor, to be given toward the erection of a new courthouse provided the county seat question were decided in their favor. The question came to a vote at the November election in 1889, and was decided in favor of Onawa by a majority of more than two hundred votes. No evidence appears of any further contest.¹⁴²

Monroe County.— Monroe County, formerly known by the name of Kishkekosh County, was established in 1843. Two years later, in June, 1845, a law was passed which provided for its organization. By the terms of this law James A. Galliher of Jefferson County, E. S. Rand of Van Buren County, and Israel Kister of Davis County were appointed commissioners to locate the county seat.¹⁴³

On the fifth day of August, 1845, the committee selected the site where the town of Albia now stands and gave it the name of Princeton. Scarcely had the selection been made, however, when the rival town of Clarksville began a contest for the county seat. A petition was circulated asking that a vote be taken upon the question of removing the county seat to that place. The petitioners said the location of Clarksville was superior to that of Princeton and that it was nearer the geographic center. To this a remonstrance was

¹⁴² *History of Monona County, Iowa* (1899), pp. 314, 315; Gue's *History of Iowa*, Vol. III, p. 390.

¹⁴³ *Revised Statutes of the Territory of Iowa, 1842-1843*, p. 132; *Laws of the Territory of Iowa, 1845* (Extra Session), pp. 103-106.

presented, setting forth that the land at Clarksville was rough and not well suited for a county seat, while that at Princeton was level and well adapted to such a purpose.

The petitioners succeeded in securing the larger number of signers, and an election was held in April, 1846. The result of this election was a majority of four votes in favor of retaining the location at Princeton. The name Princeton was subsequently changed to Albia and no change has been made in the location of the county seat.¹⁴⁴

Montgomery County.—Montgomery County was established in 1851 and on January 12, 1853, was temporarily attached to Adams County for revenue and judicial purposes.¹⁴⁵ The county was organized in 1853 under the provision of the general law for the organization of counties, which was passed that year. W. S. Townsend, R. B. Lockwood, and R. W. Stafford were appointed by the judge of the sixth judicial district as commissioners to locate the county seat. They met for this purpose on July 22, 1854, and selected a site which was given the name of Frankfort.

As soon as the county seat was located at Frankfort, the citizens of Red Oak Junction became interested in securing a removal to that point. The question of removal was finally submitted to a vote in November, 1864. Although the official name of the town at that time was Red Oak Junction, it was quite commonly called Red Oak. Because of this fact several votes were cast for Red Oak. The canvassers discarded these votes, thus reporting a majority of the votes in favor of Frankfort. Following this report a writ of *mandamus* was issued requiring the canvassers to count for Red Oak Junction the votes cast for Red Oak. This was

¹⁴⁴ *Laws of the Territory of Iowa, 1845-1846*, pp. 110-113; Hickenlooper's *History of Monroe County, Iowa*, pp. 24-31.

¹⁴⁵ *Laws of Iowa, 1850-1851*, p. 28, 1852-1853, p. 23.

done and according to the recount the county seat was removed to Red Oak Junction or to Red Oak as it has since come to be called. No organized effort has been made to secure a further relocation.¹⁴⁶

Muscatine County.—Muscatine County was established by the law dividing Des Moines County on December 7, 1836, and by the terms of this law the town of Bloomington was designated as the place of holding court, a provision which practically although not legally established the county seat at that place. On December 16, 1837, the legislature of the Territory of Wisconsin presented to Governor Henry Dodge a bill which provided, among other things, that the county seat of Muscatine County be removed from Bloomington to Geneva. The Governor opposed this change, and vetoed the bill. In doing so he said: "There does not occur to me a single good reason for the proposed removal. The majority of the people of the county have not asked for it; on the contrary, a large majority of them have remonstrated in the strongest terms against it". As a matter of fact the towns were only about three miles apart and there seems to have been no logical argument for a change. The veto of the bill, however, prevented the measure from becoming effective and thus ended the contest.

On January 18, 1838, the boundary lines of Muscatine County were changed and the town of Bloomington was designated as the seat of government — thus legalizing the establishment of the location which had virtually been effected by providing for the holding of court at that place.

Following this act establishing the seat of justice, there seems to have been no concerted effort to relocate it. The name of the town, however, has been changed. When the town was first laid out in May, 1836, it was given the name

¹⁴⁶ *History of Montgomery County, Iowa* (1881), pp. 335, 336.

of Newburg but work had not progressed far when Newburg was discarded and the name of Bloomington adopted. This name was retained for some twelve years and then, upon a petition being presented to Judge James Grant, the name was changed to Muscatine. Thus the city which now bears the name of Muscatine has, since the organization of the county, retained its position as the county seat.¹⁴⁷

O'Brien County.—O'Brien County was established in 1851 and was temporarily attached to Woodbury County for judicial and election purposes. The first permanent settlement was made in 1856 by Hannibal H. Waterman, who located on section 26, township 94, range 39. Here the first election of county officers was held in February, 1860.¹⁴⁸

Soon after the organization of the county the town of O'Brien was established in the southeastern part of the county—the only part which was settled at that time—and designated as the county seat. Here the county business was transacted until 1872. During this time county affairs were badly managed. Moreover, the population of the county was increasing and spreading westward. It was thought that a removal into a new district might aid in controlling the graft which had developed, and also secure a more central location of the county seat. To secure this removal a location was agreed upon at the exact center of the county. This site was raw prairie with no inhabitants, and without a name. Yet with these disadvantages, the new location was chosen by a vote of three hundred and seven to fifty-three. The new location was named Primghar.

¹⁴⁷ *Laws of the Territory of Wisconsin, 1836-1837*, pp. 76-78, 383; *Shambaugh's Messages and Proclamations of the Governors of Iowa*, Vol. I, p. 31; *History of Muscatine County, Iowa* (1879), pp. 501, 507; *Richman's History of Muscatine County, Iowa*, Vol. I, pp. 286, 287.

¹⁴⁸ *Andreas's Illustrated Historical Atlas of the State of Iowa* (1875), p. 384; *Laws of Iowa, 1850-1851*, p. 36, 1852-1853, p. 21.

With the location of the county seat at Primghar there was no further united effort for a removal until 1879. In June of that year a petition was filed with the board of supervisors, asking for a removal of the county seat to Sheldon while at the same time the citizens of Sanborn asked that it be moved from Primghar to Sanborn. Remonstrances against each of these petitions were circulated, and a general remonstrance against any removal but the board rejected the latter as too indefinite. At this time the law did not require that the petition be filed until the day of the hearing before the board, and did not limit the time during which signatures might be secured. When the board met errors were pointed out in both the petitions and remonstrances, and three days were spent in revising the list of signatures.

At the time of this contest, Sheldon was a thriving town, having secured a railroad in 1873, six years before. Primghar on the other hand was not flourishing and had not yet obtained railroad facilities. But Sheldon was on the border of the county while Primghar was in the center. The argument in favor of the central location prevailed, and Primghar retained the county seat.

The contests thus far mentioned were carried on in a legal manner, and in compliance with the statutes which provided for removals. In 1882 another contest came, however, which was more like a raid than a legally conducted contest. In 1878 and again in 1881 railroads had been built across O'Brien County, each missing the town of Primghar by only a few miles. Even the citizens of Primghar were becoming discouraged, and many of them had moved away. The board of supervisors, however, still held to the idea of a central location and refused to consider a removal. In November, 1882, the competing railroads were engaged in a rate war and one of them offered a round trip ticket to

Saint Paul for twenty-five cents. All of the county officers except the auditor, together with many of the citizens, took advantage of the excursion. Since there was no railroad at Primghar these officers went to Sanborn to board the train. The contemplated absence of the county officers suggested to some of the citizens of Sanborn that a raid be made upon the courthouse, and that the county seat be summarily removed to Sanborn. This may have been suggested as a joke, but the plan materialized, and in a short time the organization was complete. "One hundred men went down from Sanborn with teams, wagons, crow bars, heavy timbers, pulleys and tackle, fully equipped, and arrived in Primghar at midnight. It took but a half hour or less for that number of vigorous, energetic men to batter down the court house doors, and cut down the window sills level with the floor, and to proceed to load up records, documents, filings, papers and everything that was loose or could be loosened, from every office, and load them into and upon forty wagons now hitched and standing around the square."

While this was happening an alarm was sent throughout the town, and soon many of the citizens of Primghar were on the scene. In spite of all arguments that could be brought to bear, the raiders continued their work. The citizens of Primghar cut some of the harness on the teams of the intruders and took the nuts from the wheels of the wagons on which the county safe had been loaded. Aside from this no physical resistance was offered, and the Sanborn delegation was allowed to leave town after having secured the coveted prize.

The following day a meeting was called at Sanborn, officials were summoned, and after some discussion of the matter the citizens of Sanborn came to realize that they were in the wrong and they agreed to return the records and pay whatever damages had been incurred. This was

done and, although there was much discussion of legal prosecution, the affair was finally settled peaceably.

A fourth contest for removal took place in 1911. The large public debts of the county, which had been incurred early in its history, had prevented the erection of adequate county buildings. Moreover, Primghar had not secured a railroad until fifteen years after Sheldon, and nine years after Sanborn had secured such advantages. Thus the county seat town had not kept pace with other towns of the county.

In March, 1911, the people of Sheldon circulated a petition for the relocation of the county seat at that place. This has been referred to as "a vigorous and genuine up-to-date county-seat contest, with the frills all on". The contest lasted ninety days and received such publicity as has seldom been given a local contest. The arguments presented in favor of Sheldon were: that it had three railroads; it had become a distributive point for the county; it was the largest town in the county "and always would be"; and it had ample hotel facilities.

Against these claims it was argued for Primghar that it was in the center of the county; that automobile service rendered it possible for any one in the county to come to the county seat and return the same day; that considering future needs Primghar had superior advantages; and that adequate hotel services would be provided.

After eliminating certain names from the petition and the remonstrance, the board of supervisors found 1447 supporters of the petition, and 3161 in favor of the remonstrance. Hence they ordered that no election be held. While this contest was pending, the legislature was in session and as a result of the influence which was brought to bear, a law was passed which provided that where a county seat has been located continuously in one place for forty

years or more two-thirds of all the votes cast must be in favor of removal before the board of supervisors shall declare the county seat removed.

In reviewing the history of the county seat in O'Brien County four distinct contests may be included covering a period of forty years, yet only one change has been made — that from O'Brien to Primghar. Moreover, with the development of modern conveyances, with better facilities in the town of Primghar, and with modern legislation, it is probable that no further change will be made.¹⁴⁹

Osceola County.— Although the boundaries of Osceola County were established in 1851, the county did not assume a separate organization for more than twenty years — the first county business having been transacted on January 1, 1872.¹⁵⁰

Orson Rice of Dickinson County, C. W. Inman of O'Brien County, and J. S. Howell of Lyon County were appointed commissioners to locate the county seat. In June, 1872, the Sioux City and Saint Paul Railroad was completed as far as the town of Sibley, which was designated by the commissioners as the county seat. The promoters of the railroad gave a block within the limits of the town for the site of a courthouse, and a county building costing \$5000 was soon erected. The first court held in the county was convened at Sibley in 1872 with Henry Ford, judge of the district court, presiding.

Although Sibley is located some distance from the center of the county, it has good railroad facilities and is otherwise

¹⁴⁹ Peck, Montzheimer, and Miller's *Past and Present of O'Brien and Osceola Counties, Iowa*, Vol. I, pp. 153-167; Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 384; Gue's *History of Iowa*, Vol. III, p. 394.

¹⁵⁰ *Laws of Iowa, 1850-1851*, p. 38; Swisher's *History of the Organization of Counties in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XX, pp. 571, 572.

well qualified as a county seat town. No attempt seems to have been made to secure a change of location.¹⁵¹

Page County.—Page County, together with Ringgold, Taylor, and Fremont, was established and organization was provided for on February 24, 1847. Actual organization did not become effective, however, until 1851. In December, 1852, a law was passed which provided for locating the county seat and designated John Scott and Thomas M. Gordon of Fremont County and Jacob Miller of Taylor County as locating commissioners. This law provided also that the name of the site chosen should be "Clarinda".¹⁵²

In accordance with this law the county seat was located at the town of Clarinda, where it has always remained. Indeed, there has never been any concerted action on the part of any community in the county to secure a relocation. Early in the history of the county there was some agitation for a removal to a town plot then known as Page City, which was located near the center of the county. This, however, was in the nature of a real estate boom and was never seriously considered by the citizens as a whole. Lots were surveyed at Page City and sold at an exorbitant price. It is said, however, that everyone except the purchasers of the lots soon forgot about the county seat scheme, Clarinda retaining the honors without a contest.¹⁵³

Palo Alto County.—Palo Alto County was established in 1851, but remained unorganized until 1858. In the meantime promoters and speculators became interested in this

¹⁵¹ Peck, Montzheimer, and Miller's *Past and Present of O'Brien and Osceola Counties, Iowa*, Vol. I, pp. 538, 677; Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), pp. 388, 389; Gue's *History of Iowa*, Vol. III, p. 395.

¹⁵² *Laws of Iowa*, 1846-1847, p. 114, 1852-1853, pp. 17, 18.

¹⁵³ Kershaw's *History of Page County, Iowa*, Vol. I, p. 331.

part of the State, especially in securing the land that might later become the county seat. In 1858 a group of promoters from Fort Dodge entered the county, took up claims, and staked off a town to which they gave the name of "Emmetsburg". The dream which they had of making the town of Emmetsburg a thriving county seat was in later years realized, but these men did not reap the benefit. Their money was soon gone, and they were obliged to abandon their enterprise and return to Fort Dodge. This location was never officially platted, or filed for record. The small buildings which they erected eventually fell into decay.

In 1859 another attempt was made to establish a county seat. This time the promoter was John M. Stockdale, who represented a syndicate of speculators from Fort Dodge. Stockdale was a cousin of Samuel J. Kirkwood, the war Governor of Iowa, hence a man of some political influence. He succeeded in having men who were favorable to his scheme appointed as locating commissioners. These men were appointed by the judge of the fifth judicial district and consisted of Cyrus C. Carpenter of Webster County — later Governor of Iowa — John Straight of Pocahontas County, and William Pollock of Webster County. In January, 1859, they located the county seat on section 6, in township 95, range 32, on the town plat of Paoli. Small county buildings were erected at this point, but the new town did not prove attractive and it was soon abandoned.

Meanwhile the Chicago, Milwaukee, and St. Paul Railroad had been projected into the county and the new town of Emmetsburg had been established. Although the old town of Emmetsburg had disappeared the name survived and was transferred to the new town. In the fall of 1875 the county seat was changed by almost a unanimous vote from the mythical town of Paoli to the new town of Emmetsburg. That this change was a fortunate one can not now be

doubted. Emmetsburg has become a thriving town and a center of population in the county. Its claim to county seat honors is now well established.¹⁵⁴

Plymouth County.—Plymouth County was established in 1851 and in 1858 was organized under the direction of the county judge of Woodbury County to which it had been temporarily attached. County business was for a time transacted in the homes of the various county officers. In a short time, however, the taxpayers were convinced of the need of a permanent seat of justice and Andrew Leach of Sioux City and Lemuel Parkhurst of Cherokee were appointed to locate the county seat. In October, 1859, they selected the site of the town of Melbourne, where the first courthouse of the county was erected at a cost of \$2000. This continued to be the county seat until the year 1872.

In 1870, the town of Le Mars was platted and two years later by a vote of the people, the county seat was removed from Melbourne to Le Mars. Being relatively near the center of the county with good railroad facilities, Le Mars has developed into a prosperous county seat town.¹⁵⁵

Pocahontas County.—Pocahontas County, in common with many of the counties of Iowa, was established in 1851. It was temporarily attached to Webster County and, under the direction of the judge of that county, was organized in 1859.¹⁵⁶

¹⁵⁴ *Laws of Iowa, 1850-1851*, p. 36; McCarty's *History of Palo Alto County, Iowa*, pp. 58-61, 131-133.

¹⁵⁵ *History of the Counties of Woodbury and Plymouth, Iowa (1890-1891)*, pp. 413, 433, 434; Freeman's *History of Plymouth County, Iowa*, Vol. I, pp. 407, 437; Andreas's *Illustrated Historical Atlas of the State of Iowa (1875)*, p. 372.

¹⁵⁶ *Laws of Iowa, 1850-1851*, p. 34; Flickinger's *The Pioneer History of Pocahontas County, Iowa*, pp. 184, 185, 207.

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In August, 1859, upon application of a majority of the citizens of the county, A. W. Hubbard, judge of the fourth judicial district, appointed C. C. Carpenter of Webster County, Niles Mahan of Palo Alto County, and Hiram Benjamin of Humboldt County as commissioners to locate the county seat. Two of these men, C. C. Carpenter and Hiram Benjamin, visited the county and on August 20, 1859, selected a site in section 26 of Des Moines Township. The name first suggested for this place was Highland or Highland City, and the use of this name prevailed during the year 1860. In January, 1861, the town was surveyed and platted and given the name of Milton. Later when application was made for a post office it was refused because of the fact that there was a town of the same name in Van Buren County. The name was then changed to Rolfe, in honor of John Rolfe who married the Indian princess, Pocahontas. This name received popular approval because of its historic interest and was for a time considered as permanent. In 1882, however, when two railroads crossed at a point four miles from Rolfe, the death knell of the town had been sounded. The name was changed to Parvin, but it soon became a "deserted village" and the present town of Rolfe was later established at a new location.

Several years prior to the passing of the old town of Rolfe, there had developed an agitation for a removal of the county seat to a central location. As early as June, 1873, petitions were presented asking for a removal. These were rejected because of defective signatures. On June 8, 1875, in response to other petitions a vote was ordered upon the question of removal to Pocahontas Center — now known as Pocahontas. This proposition was carried by a majority of 299 votes.¹⁵⁷ In October, 1876, the board of supervisors

¹⁵⁷ Flickinger's *The Pioneer History of Pocahontas County, Iowa*, pp. 165, 185, 196, 279, 563, 564, 870.

met for the first time at the new county seat and in December of the same year a session of the district court was held in the newly erected courthouse at Pocahontas.

Polk County.—Settlers began to locate in Polk County in considerable numbers as early as 1845. Indeed by the fall of that year there were two rival localities desiring the county seat—Fort Des Moines, a military camp, on the west bank of the Des Moines River, and Brooklyn on the east side of the river somewhat farther north. When the territorial legislature met at Iowa City in the winter of 1845 and 1846 both of these settlements were represented in the lobby agitating legislation relative to county organization. On January 13, 1846, a law was passed which established twelve new counties of which Polk was one.

Thus far neither of the contesting parties had any advantage. The Brooklyn lobbyists, supposing the matter settled, returned home. The Fort Des Moines representatives, however, were more persistent and after their rivals had gone they secured the passage of a supplementary bill which changed the boundaries of the county in such a way as to place Fort Des Moines near the geographic center of the county. This bill appeared on its face to be entirely foreign to the question of a county seat, but it was drafted with this intent and did in fact virtually secure a victory for the Fort Des Moines forces. On the same day on which this supplemental bill was passed another measure was enacted relative to the organization of the county. This latter law appointed Thomas Hughes of Johnson County, M. T. Williams of Mahaska County, and Giles M. Pinneo of Scott County as commissioners to locate the county seat.¹⁵⁸

In May, 1846, the commissioners met and spent eight days

¹⁵⁸ *Laws of the Territory of Iowa, 1845-1846*, pp. 73-75, 92-94; *History of Polk County, Iowa* (1880), pp. 424-427.

in visiting various points in the county. Finally on the 25th of the month they agreed upon the site of Fort Des Moines. This point was favored because it was near the center of the county according to the new boundary lines. Later the boundaries were changed, giving to Warren County the townships which had formerly been added to Polk. When this change was made the county seat was no longer in the center of the county, but the political intrigue that secured the original change had served its purpose. The county seat had been established, and had become so firmly fixed that it could not be changed.

Fort Des Moines as a military camp ceased to exist after a few years, although "the name, later shortened to Des Moines, was adopted by the town which grew up on the site of the old fort." Thus Des Moines became the county seat of Polk County.¹⁵⁹

Pottawattamie County.— On February 24, 1847, a law was passed which provided that the land within the limits of the Pottawattamie purchase should be organized into a county, at any time when in the opinion of the judge of the fourth judicial district, the public good required it.¹⁶⁰ The county was organized in accordance with this provision of 1848.

In 1851 the county was reduced to its present size, and provision was made for selecting a county seat. The county commissioners were directed to designate two places to be voted for at an election called for the purpose.¹⁶¹ In compliance with this order the commissioners designated Kaneshville — now Council Bluffs — as one of the places to be voted upon, and Pleasant Grove, about eight miles from

¹⁵⁹ Gallaher's *Fort Des Moines in Iowa History in Iowa and War*, No. XXII, p. 19; *History of Polk County, Iowa* (1880), pp. 424-433.

¹⁶⁰ *Laws of Iowa, 1846-1847*, p. 115.

¹⁶¹ *Laws of Iowa, 1850-1851*, pp. 27, 28, 56.

Kanesville, as the other. At the election which occurred on April 7, 1851, the county seat was located at Kanesville — only seven votes being cast against it.

At this time the town of Kanesville was growing very rapidly. As early as 1852 the town with its suburbs had a population of seven thousand. Early in 1853 the name Kanesville was changed to Council Bluffs and the city was chartered under that name.

In the location of county seats through the State, one of the leading, if indeed not the chief determining factor, has been to secure a central location. In this respect Pottawattamie County presents a striking contrast. Kanesville, or Council Bluffs as it soon came to be called, was selected not because of its central location, but rather by virtue of its being the center of population. The development of the city has been such as to retain its position in this regard and it remains the county seat in spite of the fact that it is located on the border of the county.¹⁶²

Poweshiek County.— Poweshiek County was established on February 17, 1843, but was not organized as a separate county until five years later. On January 24, 1848, a law was passed which provided for the organization of the county. By the terms of this law David Edmundson of Jasper County, John White of Mahaska County, and John Rose of Polk County were appointed commissioners to locate the county seat.¹⁶³ On June 17th of the same year these men made their report in which they declared that they had given consideration to present and future conditions as well as to the geographical center of the county

¹⁶² Babbitt's *Early Days at Council Bluffs*, pp. 94, 95; Field and Reed's *History of Pottawattamie County, Iowa*, Vol. I, p. 15.

¹⁶³ *Revised Statutes of Iowa, 1842-1843*, p. 131; *Laws of Iowa, 1847-1848*, pp. 55-57.

and had selected the site on section 6, township 78, range 14, to which they had given the name of Montezuma.

The records show that on July 3, 1848, the county commissioners authorized the negotiation of a loan of \$200 with which to enter the quarter section designated as the county seat. The land was entered and platted, and in 1850 the proceeds from the sale of lots were used to erect a frame building for a courthouse. This building served until 1858, when a more commodious structure was built of brick and stone, at a cost of \$22,000. Montezuma still remains the county seat.¹⁶⁴

Ringgold County.— Ringgold County, together with Taylor, Page, and Fremont counties, was established on February 24, 1847. It was organized under a special act of legislation which was approved on January 18, 1855. A few days prior to this date a law had been passed by which George W. Jones of Mahaska County, A. Hawley of Decatur County, and Robert Stafford of Page County were appointed commissioners to locate the county seat. They were authorized to locate it as near the geographical center as seemed practicable, having due regard to a proper site and the general interest of the county.¹⁶⁵ On the 18th of April the commissioners reported that they had selected a part of section 6, township 68, range 29, and had given it the name of Mt. Ayr. The land thus selected was owned by John S. Sheller of Lucas County. As an inducement toward securing the county seat Mr. Sheller promised to convey to the county one-half of the quarter section selected and this offer was accepted. This transfer constituted the first deed recorded in Ringgold County.

¹⁶⁴ Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 379; *History of Poweshiek County, Iowa* (1880), p. 376.

¹⁶⁵ *Laws of Iowa, 1846-1847*, p. 114, 1854-1855, pp. 2, 50.

In accordance with the instruction given the commissioners, the site chosen was very near the geographical center of the county. This has doubtless been a factor in preventing contests relative to a relocation. At any rate Mt. Ayr is still the county seat.¹⁶⁶

Sac County.— Sac County was established in 1851 and was attached to Greene County in 1855.¹⁶⁷ The following year it was given a separate organization and a full staff of county officers was elected.

The early records of the county show that there was an attempt made to locate the county seat at a point almost in the exact center of the county. With this in view a petition was presented to Judge Samuel H. Riddle of the seventh judicial district, asking that commissioners be appointed. In response to this request the judge appointed Jesse Mason, E. Buterick, and Doctor Bonnie as commissioners. Soon after their appointment these men met and designated the geographic center as the site of the county seat.

For some reason, however, this plan was not carried out, and Judge C. J. McFarland of Greene County appointed a new commission consisting of Talmage E. Brown, Crandall W. Williams, and Cyrus Huxford. These men met in September, 1857, and selected Sac City as the location for the county seat.

Sac City was the first town laid out in the county. It had the advantages of water power and a good supply of timber. Thus it became well established at an early time and has maintained its position as a leading town as well as the county seat up to the present time.¹⁶⁸

¹⁶⁶ *Biographical and Historical Record of Ringgold and Union Counties, Iowa* (1887), pp. 406, 407.

¹⁶⁷ *Laws of Iowa, 1850-1851*, p. 32, 1854-1855, p. 211.

¹⁶⁸ Hart's *History of Sac County*, pp. 45, 46; Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 373.

Scott County.— On December 21, 1837, a law was approved dividing Dubuque County into fourteen counties, one of which was Scott. It was provided that the county seat of this county should be either at Davenport or Rockingham, as might be decided by an election to be held on the third Monday in February, 1838. This law stipulated further that returns of the election should be sent to the Governor of the Territory, who should thereupon declare the results of the election and designate the place receiving the highest number of votes as the seat of justice.

Following the enactment of this law a vigorously contested campaign ensued. The Rockingham advocates were confident that if a fair election were held they would win, as the center of population was at that time in the southern part of the county. The Davenport advocates, on the other hand, were determined to win. It is said that a few days before the close of the contest the Davenport people became aware that they were in need of more laborers in the vicinity, and accordingly sent a recruiting agent to Dubuque to secure men. He succeeded in securing the services of several sleigh loads "of the most wretched looking rowdies that had ever appeared in the streets of Davenport. They were the dregs of the mining districts of that early day, filled with impudence and profanity, soaked in whisky and done up in rags." By admitting these men to the polls a majority of votes was secured for Davenport. The results of the election were sent to Governor Henry Dodge of Wisconsin Territory and there was enthusiastic rejoicing at Davenport. Bonfires and illuminations expressed their joy in this great and final triumph.

While the victors were celebrating, however, the rival party dispatched messengers to Mineral Point, Wisconsin, to see Governor Dodge, and present evidence of the fraud which had been perpetrated at Davenport. Upon receiving

this evidence, the Governor refused to issue his certificate of election and accordingly nothing resulted from the contest.

Thus conditions remained until the legislature met in June, when an act was passed for the holding of another election in August to determine the choice between Davenport and Rockingham. This law more particularly defined the manner of voting, requiring a sixty days residence of all voters. The returns of this election, unlike those of the previous one, were sent to the sheriff of Dubuque County who was to count the votes in the presence of the county commissioners. The results were to be entered on the books of the county commissioners and the place receiving the highest number of votes was to be declared the seat of justice.

At this election Rockingham seems to have "laid aside all conscientious scruples", and resolved to win by fair means or foul. The struggle was harder than before, and the corruption much greater, though of a different character. This time the ballot box was stuffed and other illegal voting was permitted. Non-residents were sworn in as "old settlers", and more votes were cast than the population warranted. All of which, however, seemed to be in strict conformity with the oath taken by some of the judges: that they should "to the best of their ability, see that votes were polled to elect Rockingham the county seat."

When the election was over, the returns were sent to the sheriff of Dubuque County, and counted in the presence of the county commissioners. When it was found that Rockingham had a majority of the votes cast, the commissioners failed to make entry of the results, but instead took the liberty of "purging the polls" by throwing out a sufficient number of votes to give Davenport a majority of two votes. Thereupon the Rockingham party made application to the

Supreme Court asking for a writ of *mandamus* requiring the county commissioners to make the proper entry. The court, however, held that it had no original jurisdiction in the matter, and thus the contest continued.

At the next session of the legislature a law was passed providing for another election. This time there were four contestants: Davenport, Rockingham, the "geographical center", and Winfield — more frequently referred to as the "Duck Creek cornfield" since it was located near the mouth of Duck Creek. The "geographical center" soon dropped out of the race. Then the contestants began offering land, town lots, and money for the use of the county as a means of securing the location. A donation of ninety acres of land and \$825 in money and materials was offered for the location at Winfield. The citizens of Davenport, not to be outdone, gave a considerable number of town lots and contributed liberally in money. Rockingham at length tired of the contest, withdrew her claims, and the election was left to Davenport and Winfield.

The result was that Davenport won in the election, erected public buildings free of cost to the county, and thus terminated one of the most interesting county seat contests recorded in the annals of the State.¹⁶⁹

Shelby County.—Shelby County was established in 1851 and two years later it was organized and county officers were elected. By order of the court a committee consisting of L. D. Butler, John E. F. Vails, and Marshall Turley was appointed to locate the county seat. These men met and agreed upon a location on section 27, township 81, range 40, in what was later known as Grove Township. This location

¹⁶⁹ *Laws of the Territory of Wisconsin*, 1836-1838, pp. 136, 556; *Laws of the Territory of Iowa*, 1840 (Extra Session), pp. 20, 33, 68; *History of Scott County, Iowa* (1882), pp. 262-270; Wilkie's *Davenport, Past and Present*, pp. 54-61.

was given the name of Shelbyville and soon developed into a thriving pioneer hamlet. In April, 1857, a vote was taken upon the question of erecting a courthouse at Shelbyville, but the proposition was lost by three votes. Soon the question was again submitted to a vote, with the sum to be expended fixed at \$3000. This was likewise defeated.

There were at this time three factions in the county, each desirous of securing the county seat. The settlers in the northwestern part of the county wanted the county seat left at Shelbyville. A second faction consisted of a group of speculators who had come into the county in advance of the government survey and platted the town of Simoda near the center of the county with the express intent of making it the county seat. The third faction had in mind a location near the center of the county on the Rock Island and Pacific Railroad which was being projected across the county at this time. This faction favored the location at Harlan. In response to a petition the question of removing the county seat to Harlan was voted upon in April, 1859. In this contest the three factions were reduced to two as the citizens favoring Shelbyville joined with the Simoda party, apparently upon the ground that a little gain in distance was better than going the full way to Harlan. In spite of this union of forces, however, Harlan won the contest by nine votes and the county seat was moved to that place.

This was followed by a series of contests and disputes relative to the building of a courthouse which were not satisfactorily settled for a considerable time. The question of a further removal of the county seat, however, seems not to have been seriously considered.¹⁷⁰

Sioux County.—Sioux County was established in 1851 and

¹⁷⁰ *Biographical History of Shelby and Audubon Counties, Iowa* (1889), pp. 245-248.

was attached to Woodbury County until 1860 when county organization was perfected and the county seat located at Calliope in the southern part of the county.

In 1870 the population of the county was greatly increased by the influx of a large number of immigrants from the Netherlands. These newcomers laid out a town and named it Orange City in honor of William of Orange. This town made a rapid growth and was soon the leading town of the county. In 1872, by a vote of the people, the county seat was removed from Calliope to Orange City where it has been located since that date.¹⁷¹

Story County.—Story County belongs to the group of twelve counties which were established by legislative enactment on January 13, 1846. The county was organized in 1853. Joseph M. Thrift of Boone County, Johnson Edgar of Jasper County, and Thomas Mitchell of Polk County were appointed commissioners to locate the county seat. Two of these men, Joseph M. Thrift and Johnson Edgar, met on June 27, 1853, and agreed upon a site near the center of the county. Mr. Thrift had been a "Forty-niner" in California, and in his trip across the continent had been an admirer of the Sierra Nevada Mountains. Because of this admiration he suggested that the new county seat town be called Nevada, a suggestion which was adopted.

The county seat having been located on land still belonging to the government, it became the duty of E. C. Evans, county judge, to enter the land for the county and obtain possession of the town plat. Judge Evans, however, was slow in taking action in this matter and Jenkins W. Morris, a Des Moines speculator, entered the land and obtained

¹⁷¹ Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 384; Gue's *History of Iowa*, Vol. III, p. 412; *Laws of Iowa*, 1850-1851, p. 36, 1852-1853, p. 24.

possession of the site of the proposed county seat. He was willing, however, to sell the location, reserving certain lots within the platted town. Thus he eventually secured a good return on his investment.

The location of the county seat at Nevada has remained permanent, its central location doubtless being one of the large determining factors in retaining this position for it. In spite of the fact that in recent years Ames, which is located in the western part of the county, has surpassed Nevada in population, it is probable that no change of location of the county seat will be made.¹⁷²

Tama County.—Tama County was one of the nine counties established on February 17, 1843, and was attached to Benton County until 1853 when the county was organized and a full staff of officers was elected. In the fall of that year James B. Carlton, judge of the district court, appointed Joseph M. Furgeson of Marshall County and R. B. Ogden of Poweshiek County to locate the seat of justice. These men met at the house of John C. Vermilya on October 20th and proceeded to search for a desirable site. They first examined a quarter section near Bruner's Mill in Howard Township, but rejected this as being too far north. Finally they decided upon a location to which they gave the name of Toledo, in honor of Toledo, Ohio. With the location selected, a contract was soon let to T. A. Graham to erect a courthouse for the sum of thirteen hundred dollars. In due time this building was completed and continued to serve its purpose until 1866 when a new building was erected.

As in the case of Story County, the county seat of Tama County does not at present represent the largest city within

¹⁷² *Laws of the Territory of Iowa, 1845-1846*, pp. 73-75; *Payne's History of Story County, Iowa*, Vol. I, pp. 43-45.

the county borders for the city of Tama has surpassed Toledo in population. By virtue of its priority of possession and because it is somewhat nearer the center of the county Toledo, however, continues to be the county seat of Tama County.¹⁷³

Taylor County.—Taylor was one of a group of four counties established by the legislative enactment of February 24, 1847. The county was given a separate organization in 1851 and in February of that year locating commissioners were appointed. Nothing seems to have resulted from this appointment, however, and county business continued to be transacted at the house of Judge Jacob Ross until 1853, when new commissioners, consisting of Jesse Majer, William R. Robbins, and S. F. Snyder were appointed by the legislature to locate the county seat. The law by which these commissioners were appointed provided that the site when selected should be given the name of Bedford.¹⁷⁴

In March, 1853, the commissioners met and agreed upon a location in section 26, township 68, range 34. Bedford grew slowly at first. Indeed, it seemed for a time that the rival town of Lexington in Marshall Township might eventually become the county seat. With the increase in population, however, Bedford became relatively the more important of the two, and the building of a courthouse at that place in 1864 extinguished the last hope for the town of Lexington, which soon passed into history, leaving the county seat at Bedford where it still remains.¹⁷⁵

Union County.—Union County was established in 1851.

¹⁷³ *Revised Statutes of the Territory of Iowa, 1842-1843*, p. 133; *History of Tama County, Iowa* (1879), pp. 19-23.

¹⁷⁴ *Laws of Iowa, 1846-1847*, p. 114, 1850-1851, p. 75, 1852-1853, pp. 41, 42.

¹⁷⁵ *History of Taylor County, Iowa* (1881), pp. 384-388, 392-394, 600.

Two years later, on January 12, 1853, a law was passed which provided for the organization of the county and appointed A. J. Hanscom, Colonel Mills, and Lewis F. Perry as commissioners to locate the county seat. These men failed for some reason to assume the responsibility placed upon them and the county remained without a county seat until 1855 when the legislature appointed other locating commissioners, consisting of S. S. Walker, Adrian Miles, and George A. Hawley. The men were authorized to meet at Peters Mill and proceed to locate the county seat as near the geographical center of the county as a suitable site could be secured. They were also to name the site chosen.¹⁷⁶

The commissioners met in accordance with the provision of the law and selected a site to which was given the name of Afton. There was another aspirant for the county seat, however. In 1854, Justus Clark of Des Moines County had laid out a town three miles west of Afton very near the center of the county. This point was called Highland and because of its location laid claim to the county seat. This matter was submitted to a vote of the people which resulted in favor of Afton. With the loss of the county seat contest, Highland began to decline and most of the buildings were subsequently removed to Afton.

In 1869 the town of Creston was laid out as the terminus of the Burlington Railroad then under construction. Machine shops were established and Creston grew with unusual rapidity. For this reason it was successful in obtaining a removal of the county seat from Afton to Creston in 1890, in spite of the fact that the former has the more nearly central location in the county.¹⁷⁷

¹⁷⁶ *Laws of Iowa, 1850-1851*, p. 27, 1852-1853, pp. 26-28, 1854-1855, pp. 55, 56.

¹⁷⁷ *Andreas's Illustrated Historical Atlas of the State of Iowa* (1875), p. 417; *Gue's History of Iowa*, Vol. III, pp. 417, 418; *Tuttle's An Illustrated History of the State of Iowa* (1876), pp. 645, 646.

Van Buren County.—The law of December 7, 1836, which divided Demoine County, established Van Buren County and designated the town of Farmington as the place of holding court. Although Farmington was not officially designated as the county seat it appears to have assumed that position, for in May, 1837, the first meeting of the county commissioners was held there. Objection to this location soon arose, however, and on December 16, 1837, the legislature of the Territory of Wisconsin presented to Governor Henry Dodge a bill which provided among other things that the county seat of Van Buren County be removed from Farmington to Rochester. The Governor expressed a belief that a change in location should be made, but thought that the town of Rochester should not be selected. Accordingly, he returned the bill to the legislature with a recommendation that the people be allowed to vote directly upon the question, or that a commission be chosen to select a location.

In accordance with this recommendation the legislature on January 18, 1838, passed a law which provided that at the next regular election the electors should vote upon such places as seemed proper. Further provision was made for a second election in case no location received a majority of votes at the first. This law also provided that the seat of justice should be retained at the town of Farmington until a change as above provided could be arranged.

It does not appear that any action was taken with regard to this law. At any rate the legislature passed another law about five months later, on June 22, 1838, for the purpose of submitting to the people the question of relocation. It would seem that this act resulted in the removal of the county seat to Keosauqua although this fact is not clearly established. The question was not definitely settled, however, for in January, 1839, the legislature appointed

Benjamin F. Chastain, Michael H. Walker, and Stephen Gearhart as commissioners to relocate the county seat. They were authorized to meet at the town of Keosauqua on the first Monday in May for the purpose of making their selection.

This law provided an exceedingly unique device for soliciting local coöperation: it stipulated that if the citizens of Keosauqua should, before April first, give bonds to the amount of five thousand dollars — the money to be used in the construction of county buildings — then the act should be null and void. That is to say, if the citizens of Keosauqua would contribute five thousand dollars toward the construction of county buildings no action would be taken toward removing the county seat.

The required sum must have been raised and the law thereby annulled for no change was made in the location and the county seat remains at Keosauqua although even at the present time there is some opposition to the location.¹⁷⁸

Wapello County.— On February 17, 1843, a law was passed which established the boundaries of Wapello County. Prior to this date, however, shrewd speculators had foreseen that the counties to be laid out in this section of the State would probably be of uniform size, and with this idea in view John Arrowsmith had surveyed the land and arrived at what he believed would be the geographical center of the new county. This site was given the name of Otumwa. In order to obtain possession of this land a group of promoters organized themselves into the "Appanoose

¹⁷⁸ *Laws of the Territory of Wisconsin, 1836-1838*, pp. 76, 78, 381, 382, 539; *Laws of the Territory of Iowa, 1838-1839*, p. 96; *Annals of Iowa (First Series)*, Vol. IX, p. 455; *Shambaugh's Messages and Proclamations of the Governors of Iowa*, Vol. I, p. 30; *Andreas's Illustrated Historical Atlas of the State of Iowa (1875)*, p. 412.

Rapids Company". They surveyed the land, set aside certain lots which were to be donated to the county provided the seat of justice should be located there, and completed all arrangements possible to obtain the county seat. When the boundaries of the county were established it at once became apparent that the promoters had been accurate in their estimates and that they had located almost the exact center of the county.

In February, 1844, Joseph B. Davis of Washington County, John H. Randolph of Henry County, and Solomon Jackson of Lee County were appointed as commissioners to locate the county seat. These men met in May and selected the site at Ottumwa. By an agreement between the county board and the representatives of the Appanoose Rapids Company certain lots agreed upon were transferred to the county and preparation was made for the erection of a courthouse. The name of the county seat, in accordance with the suggestion of the locating commissioners, was given the name of Louisville. This name was retained for only a short time, however, and the original name of Ottumwa was soon restored.

Thus Ottumwa became the first county seat of Wapello County and its right to retain this position has never been seriously questioned.¹⁷⁹

Warren County.—The boundaries of Warren County were established in January, 1846, and the county was organized under the general law for the organization of counties passed in 1847.¹⁸⁰ The following year commissioners were appointed to locate the county seat. Two of these men,

¹⁷⁹ *Revised Statutes of the Territory of Iowa, 1842-1843*, p. 132; *History of Wapello County, Iowa* (1878), pp. 462-467; *Waterman's History of Wapello County, Iowa*, Vol. I, pp. 96-105.

¹⁸⁰ *Laws of the Territory of Iowa, 1845-1846*, pp. 73-75.

Alfred D. Jones and William Ware, met and agreed upon a location at the present site of Indianola, which was selected because of its central location and natural material advantages. A log courthouse was built at Indianola in 1851 and for some time this served as a church and schoolhouse as well as a courthouse. From the date of its selection as the seat of government Indianola became the leading business center of the county. Its early and continued interest in education has made it one of the leading cities in that section of the State and its title to the position as county seat of Warren County has remained undisputed.¹⁸¹

Washington County.— Washington County was established on January 18, 1838, under the name of Slaughter County. By the terms of this law the town of Astoria was designated as the seat of justice. On January 25, 1839, the name of the county was changed to Washington. At this time John Gilleland, Thomas Richey, and William Chambers were appointed to locate and establish the seat of justice. The provision was made, however, that it should be "temporarily established at the town of Astoria", until another location should be selected.

It appears that the town of Astoria never existed in reality and that only one building was erected, a log house, about sixteen feet square, which was intended for a courthouse. This was never completed although it is probable that one session of court was held there. Even the exact location of Astoria is unknown but it was near Ainsworth in Oregon Township.

The commissioners who had been appointed to select a location for the county seat chose the southwest quarter section of section 17, township 75 north, range 7 west, and the county commissioners at an early meeting gave it the

¹⁸¹ *History of Warren County, Iowa* (1879), pp. 347, 475-479.

name of Washington. Thus in Washington County the seat of government was given a central location at an early date, and there has not been any concerted effort to relocate it.¹⁸²

Wayne County.—Wayne County was established by legislative enactment on January 13, 1846, and attached to Appanoose County for judicial, revenue, and election purposes. The county was organized in 1850 under the general law for the organization of counties. In January of the following year George W. Perkins of Appanoose County, William Davis of Decatur County, and Lamaster M. Boggs of Monroe County were appointed commissioners to locate the county seat.¹⁸³ Two of these men, George W. Perkins and William Davis, met and subscribed to the oath in May, 1851, and reported their selection of a location very near the geographical center, the present site of Corydon. The commissioners at first selected the name of Springfield for the new county seat, but George W. Cleary, Secretary of State, wrote to the clerk stating that there was another town of that name in the State and suggested the name of Anthony. The clerk, William McPherson, was favorably impressed with this name but the county judge, Seth Anderson, preferred the name of Corydon, the name of a town in Indiana. As the parties were unable to agree upon a name, it is said they finally decided to settle the question by means of a game of poker.¹⁸⁴ In this the judge proved himself the more skilful and thus won for the newly selected

¹⁸² *Laws of the Territory of Wisconsin*, 1836-1838, p. 383; *Laws of the Territory of Iowa*, 1838-1839, p. 100; *Annals of Iowa* (First Series), Vol. VII, pp. 76-80.

¹⁸³ *Laws of the Territory of Iowa*, 1845-1846, pp. 73-75; *Laws of Iowa*, 1850-1851, pp. 46-48.

¹⁸⁴ Stuart's *History of Lucas and Wayne Counties, Iowa*, Vol. I, pp. 179, 182-185.

county seat the name of Corydon. This town has retained the county seat down to the present.

Webster County.—As has been noted in connection with Hamilton County, Webster County was formed from the two counties of Risley and Yell. Soon after the organization of the county in 1853, the judge of the fifth judicial district appointed three commissioners to locate the county seat. These men met and agreed upon the southwest quarter of section 6, township 87, range 26, where the town of Homer was established. Homer was centrally located within the county and became the leading town of northwestern Iowa.

Fort Dodge and Webster City, one on either side of Homer, however, soon came into prominence and coveted the honor of becoming the county seat. The government land office, which had been originally located at Homer and had been in a large measure responsible for the rapid growth of that town, was removed to Fort Dodge. As the county was large it was not difficult for shrewd politicians to devise a scheme for its division, thus placing the town of Homer on the dividing line, and making the towns of Fort Dodge and Webster City respectively the county seats of the newly organized counties. The first move in this direction was to secure a removal of the county seat from Homer to Fort Dodge. The question was put to a vote with the result that Fort Dodge received 407 votes while Homer received only 264. That the ballot boxes were stuffed is scarcely to be questioned and the Homer faction stoutly protested. Indeed it is reported that a lawyer, John D. Maxwell, suggested that the contesting parties "fight it out", whereupon his challenge was accepted by John Francis Duncombe and a wrestling match was staged to settle the question. In this Duncombe was successful, thus sub-

stantiating the vote. However much the wrestling match may have influenced the case, the fact remains that the county seat was removed to Fort Dodge. A part of Webster County was then organized as Hamilton County of which Webster City was made the county seat. Thus the Fort Dodge and Webster City combination succeeded.

With the county seat established at Fort Dodge the next step was the erection of county buildings. Early in 1857 petitions in regard to this matter were presented to the county judge and in April, 1858, the question was presented to the voters of the county. The citizens in the southern part of the county generally opposed erecting buildings at Fort Dodge but in spite of this the proposition carried. In the hope of preventing the erection of buildings, petitions were signed asking for a removal of the county seat to Border Plains. A remonstrance was also signed and supported by the judge, which prevented this question from coming to a vote. During the following year — 1858 — another attempt was made to secure a removal to Border Plains but this also failed. An attempt was then made to have township number 90, in the northern part of the county, transferred to Humboldt County. Such a change, it was thought, would have a large influence in securing a removal since the citizens of that township had supported Fort Dodge. This change was not made, however, as the Supreme Court decided that the township in question belonged to Webster County.

In recent years Fort Dodge has maintained the county seat without opposition. Its present position as the foremost city of the county and as the county seat will doubtless be continued.¹⁸⁵

¹⁸⁵ *Northwest Iowa*, pp. 12, 13; *Annals of Iowa* (First Series), Vol. VII, p. 293; Lyon's *The Passing of Homer in The Palimpsest*, Vol. III, pp. 381-389; *The Des Moines Register*, November 19, 1922; *The Fort Dodge Chronicle*, September 12, 1914.

Winnebago County.— Winnebago County was established in 1851 and was for a time under the jurisdiction of Boone County, but in 1855 it was placed under the jurisdiction of Webster County where it remained until its separate organization in 1857.¹⁸⁶ T. E. Brown of Polk County, William Church of Webster County, and William Farmer of Boone County were appointed commissioners to locate the county seat. After making an examination of the different localities the commissioners finally agreed upon the east half of the northeast quarter of section 35, township 98, range 24. Here in the fall of 1857, Robert Clark laid out the town of Forest City.

This location is open to the objection that it is not the center of the county: indeed, it is very near the southern boundary. In spite of this fact, however, Forest City has retained the county seat, and is at the present time the chief city of Winnebago County.¹⁸⁷

Winneshiek County.— Winneshiek County, together with Allamakee County, was established on February 20, 1847, but was not given a separate county organization until January, 1851. The law which authorized a county organization provided also that the sheriff should place stakes at three points in the county to be voted upon for the county seat. The places thus designated were Louisville, Swainey's Mill — later known as Moneek — and Decorah.¹⁸⁸ The election to determine which of these sites should be selected was held on April 7, 1851. The majority of the settlers were at this time in and near Moneek, while the center of

¹⁸⁶ *Laws of Iowa*, 1850-1851, p. 37, 1854-1855, p. 211; *Iowa Official Register*, 1909-1910, p. 715.

¹⁸⁷ Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), p. 397.

¹⁸⁸ *Laws of Iowa*, 1846-1847, p. 81, 1850-1851, p. 39.

interest seems to have been at Decorah. When the day of election came, the people of Moneek failed, for some reason, to receive the required poll book and were left to their own resources to devise a poll book and conduct the election. Under the circumstances it is not strange that they made some legal mistakes, and allowed a few illegal votes to be cast. Whether or not the failure to deliver a poll book was part of a scheme to bring about this result and thus defeat Moneek has never been known. At any rate, as a result of irregularities in voting the votes cast at Moneek were all discarded and the result declared in favor of Decorah. This ended the contest in so far as Moneek was concerned, but Decorah was soon confronted with a contest from another source.

The town of Freeport had by this time become prominent in the county, and aspired to the honor of obtaining the county seat. Pursuant to this idea a petition was circulated in 1856 asking for a vote upon the question of removal from Decorah to Freeport. This was signed by 420 voters, but was met by a remonstrance signed by about 800 persons asking that no vote be taken. Accordingly Judge David Reed of the county court ruled that no election should be held. In the following July another petition was presented. This, too, was met by a remonstrance and again a vote was denied. Thus Decorah retained the county seat.

Following this contest, the location of the government land office at Decorah and the erection of a courthouse costing \$6000 virtually settled the county seat contest in favor of Decorah.¹⁸⁹

Woodbury County.—One of the fifty counties established in 1851 was given the name of Wahkaw. By the terms of

¹⁸⁹ Alexander's *History of Winneshiek and Allamakee Counties, Iowa*, pp. 173-176; Andreas's *Illustrated Historical Atlas of the State of Iowa* (1875), pp. 350, 351.

the law passed on January 12, 1853, relative to the organization of counties, Charles Wolcott of Mills County, Thomas L. Griffith of Pottawattamie County, and Ira Perdu of Harrison County were appointed commissioners to locate the county seat. This law, under the provisions of the Code, became effective on July 1, 1853. On the same day that this law was approved another law was passed which changed the name of Wahkaw County to Woodbury. This law became effective by publication on January 22, 1853.¹⁹⁰

The locating commissioners met and agreed upon a part of section 1, township 88, range 48, as a place for the county seat. This was given the name of Floyd's Bluff, but was sometimes called Sergeant's Bluff — both names being in honor of Sergeant Charles Floyd, a member of the Lewis and Clark expedition who died at this location in 1804.¹⁹¹ A year or two after the organization of the county a town was established about two and one-half miles from Floyd's Bluff and was given the name of Sergeant's Bluff City which is the present town of Sergeant's Bluff. In April, 1855, a petition was presented to Judge Orrin B. Smith of the county court, asking for a removal of the county seat from "Sergeants Bluffs to Sergeants Bluffs City". Although there is a report that this question was voted upon and carried, it does not appear that any change was made. At all events early in the year 1856, the county judge held a session of court at Sioux City, because, as he said, there was no proper place at the county seat. This could not truthfully have been said of Sergeant's Bluff City. In March, 1856, a petition was presented to the judge for a

¹⁹⁰ *Laws of Iowa, 1850-1851*, p. 33, 1852-1853, pp. 22, 28; *Code of 1851*, p. 5.

¹⁹¹ *History of the Counties of Woodbury and Plymouth, Iowa*, pp. 50, 74, 265.

vote upon the question of a removal of the county seat to Sioux City. This was voted upon at the following April election, and carried by a large majority. Thus Sioux City became the county seat and has retained that position to the present time.¹⁹²

Worth County.—Worth County was another of the counties established in 1851. It was organized under the provisions of the general law passed in 1853 for the organization of counties, although officers were not elected until 1857.¹⁹³ Even before the county was organized there developed a rivalry for the county seat between the towns of Bristol and Northwood. The former being in the western part of the county was given an advantage in 1857 by the influx of a large number of immigrants to that section. In order to make their position more secure the citizens of Bristol made application to the legislature at its session in 1857-1858 for a law changing the boundary of the county, their purpose being to secure such a change as would place Bristol near the geographical center. This plan, however, did not prove successful.

Early in the spring of 1858 Judge Samuel Murdock of the tenth judicial district appointed O. P. Harwood of Mitchell County, a Mr. Van Patten of Cerro Gordo County, and George Finney of Winnebago County as commissioners to locate the county seat of Worth County. These men located the county seat at Bristol on May 7, 1858. Here the first court was held, and county business continued to be transacted here until 1863, in spite of the fact that Northwood made repeated attempts to secure the county seat.

¹⁹² *History of the Counties of Woodbury and Plymouth, Iowa*, pp. 50, 74, 264, 265; *Marks's Past and Present of Sioux City and Woodbury County, Iowa*, pp. 792, 793, 809, 810.

¹⁹³ *Laws of Iowa, 1850-1851*, p. 37, 1852-1853, pp. 28, 29.

In 1863 the question was submitted to a vote, which resulted in a removal to Northwood by a vote of 115 to 40. This ended the county seat controversy.¹⁹⁴

Wright County.—Wright County was established in 1851 and four years later it was attached to Webster County. In the fall of 1855 the county was given a separate organization, a full staff of county officers was elected, and the county seat was located at the village of Liberty in Liberty Township. This being located near the western border of the county there developed an agitation for a county seat in a more nearly central location. In 1865 an election was held submitting to a vote of the people the question of a removal to Clarion, the geographical center of the county. This change was approved, and Clarion became the county seat. This location is quite universally accepted as a fortunate one.¹⁹⁵

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¹⁹⁴ *History of Mitchell and Worth Counties, Iowa* (1884), pp. 557, 558, 713; Gue's *History of Iowa*, Vol. III, pp. 435, 436.

¹⁹⁵ *Laws of Iowa, 1850-1851*, p. 30, 1854-1855, p. 211; Gue's *History of Iowa*, Vol. III, p. 437.