

CHAPTER LXXVI.

An Act creating the County of Johnson.

Section 1. Be it enacted by the Legislature of the State of Texas, That all that portion of territory lying west of Ellis county and north of Hill county and south of Tarrant county, beginning at the north-west corner of Ellis county, on the south boundary of Tarrant county; thence running due west, passing the south-west corner of Tarrant county and continuing due west to the bank of the Brazos river; thence continuing due west ten miles; thence south thirty degrees east to Bosque county; thence north sixty degrees east to the west bank of the Brazos River; thence down the same with its meanders to the north-west corner of Hill county; thence north seventy-five degrees east to the north-east corner of Hill county on the south-west boundary line of Ellis county; thence north thirty degrees west to a point directly west of the south-west corner of Dallas county to the place of beginning, shall be and the same is hereby created a separate county and called the county of Johnson.

Sec. 2. That the citizens of said county of Johnson shall be entitled to all the privileges, rights and immunities enjoyed by the citizens of other counties of this State, except the right of a separate representation, which shall remain as heretofore, to wit: for representative they shall vote with the counties of Ellis and Tarrant; for Senator, they shall vote with the counties of Dallas, Tarrant and Ellis.

Sec. 3. That the first Monday in April, eighteen hundred and fifty-four, be set apart as the day for electing county officers for said county of Johnson, and that returns of said election shall be made to and opened by Elbert M. Heath, within the time prescribed by law.

Sec. 4. That it shall be the duty of the Chief-Justice of Ellis county to divide the same into convenient precincts, and also to appoint some suitable person, by authority given under his hand and official seal, to hold said election in accordance with the existing laws of the State of Texas, who shall in accordance with the power in him vested, qualify the Chief-Justice elect and give him a certificate of his election, with all the returns of said election, and thereupon the Chief-Justice elect shall proceed to issue certificates to the proper officers elect, in and for said county, and who, after being sworn, shall proceed to take charge of the offices to which they are elected respectively.

Sec. 5. That William Balch, William Hunter, Archibald Robinson, D. Kinard and Reverend — Odam, be, and they are hereby appointed Commissioners to select three suitable places to be voted for the county seat, and all those who may see proper, may offer for the use and benefit of said county any amount of lands, moneys or other property they may think proper, and said lands so donated, shall be within five miles of the centre of said county, which donation, should the place or places put in nomination fail to be the county seat of said county, shall be null and void, but which donations for the place established as said county seat, shall be valid and obligatory, and shall be appropriated to the erection of a jail, courthouse and other public buildings for the use of said county; and all those offering donations as above stated, shall give bond with good and sufficient security to the Chief-Justice of said county at least in double the amount of said donation thus offered, to make a good and sufficient title to such lands, money or other property so donated, and on a failure to comply with this requisition, the Chief-Justice shall bring suit in the name and on behalf of said county for such failure, and recover damages on said bond before any court having competent jurisdiction of the same.

Sec. 6. That so soon as the county of Johnson shall be organized, the Chief-Justice shall give at least twenty days' notice for an election, to vote for the places put in nomination for county seat.

Sec. 7. That should there be more than two places put in nomination for the said county seat, the Chief-Justice, upon opening the polls and no one having received a majority of the votes polled, shall immediately put in nomination the two highest number of votes, and advertise a new election between the two places having received the highest number of votes, in at least four public places in said county, for at least ten days, and the place receiving the highest number of votes shall be the place established as the county seat of said county of Johnson and shall be called Wardville.

Sec. 8. That the Chief-Justice shall report the same, together with all the proceedings, to the County Court thus organized in said county.

Sec. 9. That this act take effect from and after its passage.

Approved, February 13, 1854.