

House Bill No 100

By  
Fletcher

An Act, To create and organize  
the County of Fremont, and to define the boundaries  
of Bingham County.

Be it enacted by the Legislature of the State  
of Idaho:-

Section 1.- There shall be formed out of the northern part of Bingham County, in the State of Idaho, a new County to be called Fremont County, to be organized as hereinafter provided.

Section 2.- The County of Fremont shall be created from and embrace all that portion of Bingham County which lies north of a line drawn from the Provisional Base Line due East across the said County of Bingham along the Township line between Townships Three and Four north, to the East boundary Line of the State of Idaho.

Section 3.- All that portions of Bingham County within the State of Idaho not embraced within the boundary of Fremont County as described in Section 2 of this Act shall constitute the County of Bingham.

Section 4.- The Governor of the State of Idaho is hereby authorized and directed, within ten days after this act becomes a law, and said Fremont County is established, to nominate and by and with the consent of the Senate appoint, for the County of Fremont, the following officers to wit:- Three County Commissioners; One Sheriff; one Clerk of the District Court, who shall be Ex-officio Auditor and Recorder; one Assessor who shall be Ex-officio Tax Collector; one Probate Judge, who shall be Ex-officio Superintendent of Public Instruction; one Treasurer, who shall be Ex-officio Public Administrator; one Surveyor and one Coroner and the officers so appointed shall immediately qualify and enter upon the discharge of their respective duties. The officers so appointed

shall hold their respective offices and shall discharge the duties of such officers, until their successors are elected and qualified as is or may hereafter be prescribed by law.

Section 5.— The county seat of said Fremont County shall be after the establishment of the county, located at the Town of Saint Anthony; and at the next general election, in the year one thousand eight hundred and ninety-four, the Commissioners of said County must, as provided by law, submit the question of the permanent location of the county seat of the said County of Fremont, to the voters of said county, and the town, city or place receiving the highest number of legal votes is hereby declared to be the permanent county seat of said Fremont County, and the County Commissioners of said county are hereby authorized and directed to cause to be removed all of the County Records, archives and other County property to the said permanent county seat.

Section 6.— The indebtedness of the County of Bingham at the date of this act taking effect shall be apportioned between said County and the County of Fremont, by first deducting from said indebtedness all money on hand in the treasury of said Bingham County and all money belonging to said County in the possession of or in the control of the County Treasurer, except school money and school funds, and the value of all County property, less the value of such County property as may be permanently situated within the boundaries lines of Fremont County.

The remainder of the indebtedness shall be divided between said Counties in proportion as the taxable property in each County bears to the entire taxable property of the present County of Bingham having as a standard thereof the assessment of the year 1872; provided that Bingham County shall retain all the present County property of Bingham.

Section 7.— At the first regular meeting of the Board of Commissioners of Fremont and Bingham Counties, next following the establishment of Fremont County, they shall each appoint a competent accountant

County of Fremont

County of Fremont  
who shall within five days after their appointment meet at the County seat of Bingham and take the usual oath of office and proceed then and there to ascertain from the books and records of the Auditor's, Recorder, and Treasurer's office, the whole amount of the indebtedness of Bingham County, as provided in Section 6, and shall make a list of all County property, and shall immediately report the same in writing to the Judge of the District Court of the Fifth Judicial District who shall at the first next regular session of the District Court of Bingham County, fix a reasonable cash value of said County property, and apportion said indebtedness according to Section 6 and shall make a certificate showing the debts and credits, and file one each with the Chairman of the County Commissioners of each County, and whenever amount is shown to be due from either of said Counties to the other, the Board of Commissioners of the proper County shall cause County Warrants to be drawn by the Auditor of their County for the amount due, at their first regular session after the filing of the certificate aforesaid. Said accountants shall be allowed a reasonable compensation for all of their services rendered under the provisions of this act, to be audited and allowed by the Commissioners of each County.

Section 8. - The Recorder of Bingham County, shall within sixty days after the establishment of the County of Fremont transcribe all matters of record from the record books of Bingham County, that should be of record in Fremont County, into suitable books to be provided for and furnished by Fremont County, and deliver the same to the Recorder of Fremont County, and when so transcribed and delivered they shall be the official records of all property and other matters to which they refer, and shall have the same force and effect as the original.

The County of Fremont shall pay to the Recorder of Bingham County, which shall be over and above his regular fees as provided by law, twenty cents per folio for transcribing said records, including the indexing of said records. Said accounts to be audited and allowed by the Commissioners of Fremont County as other proper accounts against said County.

Section 9.- The Treasurer of Birmingham County shall within thirty days after the passage of this Act, pay over to the Treasurer of Fremont County all school moneys or moneys in the hands of said Treasurer of Birmingham County belonging to, or which did belong to the District school located in what is hereby created Fremont County and shall also appropriate and pay over to said Treasurer of Fremont County such proportion of the public school fund in his hands or which may come into his hands from taxes or other revenues collected from the year 1892, and up to and including the date of the passage of this Act, as would under the existing laws belong to the district schools situated in what is hereby created Fremont County.

Section 10.- Said County of Fremont shall form a part of the Fifth Judicial District, and the terms of Court shall be held therein, as provided by law in regard to other Counties, until further provided by law.

Section 11.- The said County of Fremont shall be attached to and form a part of the Fourth Senatorial District until a new apportionment shall be made by the Legislature.

Section 12.- All laws of a general nature applicable to the several counties of this State and the Officers thereof are hereby made applicable to the County of Fremont, and the Officers who may hereafter be elected or appointed thereon except as otherwise provided in this Act.

Section 13.- Whereas an emergency exists, this Act shall take effect and be in force from and after its passage.

Approved March 4, 1893.

W. J. McConnell,  
Governor

Fremont County

It is hereby ordered by the Board of County Commissioners of Fremont County, State of Idaho, duly appointed by the Governor of said state that a special meeting of said Board will be held at Mason Hall in the Town of Murthony Fremont County, State of Idaho on the 13<sup>th</sup> day of March, A. D. 1893. at the hour of two O'clock P. M. of said day for the following purposes to-wit:-

- 1<sup>st</sup>- To swear in all duly appointed County Officers.
- 2<sup>nd</sup>- To take action on Official Bonds.
- 3<sup>rd</sup>- To arrange for temporary officers and fixtures for County Offices.
- 4<sup>th</sup>- To arrange for temporary jail.
- 5<sup>th</sup>- To contract for County Printing.
- 6<sup>th</sup>- To contract for Books and Stationery for County Offices.
- 7<sup>th</sup>- To fill by appointment all vacancies in precinct Offices.
- 8<sup>th</sup>- To transact any and all other business that may come before said Board relating to the organization of said Fremont County.

Witness our hands this 8<sup>th</sup> day of March, A. D. 1893.

F. A. Pyle Commissioner.  
R. F. Jardine Commissioner.  
John Durakston Commissioner.