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An act to create and establish the county of Custer, and to provide for holding an annual term of court therein.

Colorado General Assembly

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orado: *Provided*, that the governor may appoint the officers provided for in the fourth section of this act, at any time after the passage of this act.

Approved, January 29, 1877.

AN ACT TO CREATE AND ESTABLISH THE COUNTY OF CUSTER, AND TO PROVIDE FOR HOLDING AN ANNUAL TERM OF COURT THEREIN.

Be it enacted by the General Assembly of the State of Colorado:

401. SECTION 1. All that section of country now forming a portion of Fremont county, and further described by boundaries in section two of this act, is hereby created, set apart, and established, as the county of Custer, and shall possess all such legal functions and capacities as other counties in this state. Establishment of Custer county.

402. SEC. 2. The new county of Custer shall be bounded as follows, to wit: commencing at a point on the summit of the Sangre de Christo range of mountains, where the fourth correction line, south, if extended, would cross said range of mountains; thence running east along said fourth correction line to the line between ranges sixty-eight and sixty-nine west of the sixth principal meridian; thence south along said line to the north line of Huerfano county; thence westerly along said north line of Huerfano county to the summit of the Sangre de Christo range of mountains; thence northerly and northwesterly, along the summit of said Sangre de Christo range of mountains; to the place of beginning. Boundaries.

403. SEC. 3. The governor of this state shall, immediately after the passage of this act, appoint all the necessary county officers of and for said Custer county, who shall hold their respective offices, unless removed for cause, until the next general election. And the county commissioners so appointed shall provide a secure and safe place for the records of said Custer county, and shall designate the points at which courts shall be held, and shall make all other necessary arrangements to carry out the provisions of this act, until the next general election, when the county seat shall be established by a vote of the people. Appointment of officers.

Organization.

404. SEC. 4. The officials of Fremont county shall retain their official positions and jurisdiction in the portion of Fremont county embraced in said new county of Custer, until the officials of said new county of Custer shall have qualified, or until a sufficient number of them shall have qualified to maintain and carry on a separate county organization, in which event the offices of such officials of Fremont county as shall be living within the territory embraced in said new county of Custer at the time of the passage of this act, shall become vacant, and the governor of this state is hereby authorized and required to appoint officers to fill such vacancies in said counties until the next general election.

Apportionment
of indebtedness.

405. SEC. 5. The boards of county commissioners of said counties of Fremont and Custer, shall have full power and authority to adjust and settle all matters of revenue that it may be necessary to adjust and settle, on account of the formation of said new county of Custer, and also to apportion the present indebtedness of said county of Fremont, between the counties of Fremont and Custer, and for this purpose the board of county commissioners of either one of the counties specified, may give at least ten days' notice in writing, to the county commissioners of the other county, at any time after the officers of the new county of Custer shall have been duly elected and qualified, of the time when the boards of county commissioners of said counties of Fremont and Custer, shall meet for the purpose of adjusting said matters of revenue, and apportioning said indebtedness; said meeting shall be held at the county seat of Fremont county, and a quorum of the united boards of the counties named, shall be a legal quorum to adjust said revenue and apportion said indebtedness: *Provided*, that in case there should not be a quorum present at said meeting, or in case the different boards fail to agree on the adjustment of revenue, and the apportionment of indebtedness, then, upon request of any one of the boards of county commissioners of either of the counties of Fremont or Custer, the governor of this state is hereby authorized and required to appoint some disinterested person to adjust and settle said matters of revenue

and indebtedness, and his decision shall be final. The expenses of such arbitration, if any shall be required, shall be paid in equal proportion by said counties of Fremont and Custer.

406. SEC. 6. All cases, civil and criminal, now pending in the district and county courts of Fremont county, wherein the cause of action occurred in the territory embraced in the new county of Custer, or wherein the defendant or defendants reside therein, shall be, as soon as the officers of the said new county of Custer shall have been duly elected and qualified, transferred by the clerks or judges of said county of Fremont, to the courts of the same jurisdiction for said new county of Custer. Transfer of cases in courts.

407. SEC. 7. There shall be held annually in the county of Custer, one term of the district court, which shall begin on the last Monday in May in each year; said court and all proceedings therein shall be governed in all respects, by the existing laws regulating and governing the district courts in other counties in this state. Terms of court.

408. SEC. 8. The county of Custer is hereby attached to, and made part of the fourteenth senatorial district, of the third judicial district, and is also hereby attached to the county of Fremont, for representative purposes, and shall so remain until otherwise changed by law. Apportionment.

409. SEC. 9. All acts and parts of acts in conflict with this act are hereby repealed. Repeal.

410. SEC. 10. As this act should take effect upon its passage, so that the new county may be organized in time to hold a term of court this year, and that the assessor of Custer county may make the annual assessment at the usual time, therefore, in the opinion of this general assembly, an emergency exists, and this act shall take effect immediately. Emergency.

Approved, March 9, 1877.

AN ACT TO ESTABLISH THE COUNTY OF GUNNISON.

Be it enacted by the General Assembly of the State of Colorado:

411. SECTION 1. That the county of Gunnison is hereby