

of habeas corpus shall be issued for the purpose of bringing into court any person to testify, or the principal, to be surrendered in discharge of bail, and such principal or witness shall be confined in any jail in this territory out of the county in which such principal or witness is required to be surrendered, or to any county in this territory, and there be executed and returned by any officer to whom it shall be directed, and the principal, after being surrendered, or his bail discharged, or a person testifying as aforesaid shall by the officer executing such writ, be returned by virtue of an order of the court, for the purpose aforesaid, an attested copy of which, lodged with the jailer, shall exonerate such jailer from being liable for an escape. The party praying out such writ of habeas corpus shall pay to the officer executing the same, such reasonable sum for his services as shall be adjudged by the courts respectively.

Sec. 20. This act shall take effect and be in force from and after its passage.

APPROVED January 9, 1863.

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## HOLIDAYS.

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### CHAPTER 45.

AN ACT TO DESIGNATE THE HOLIDAYS TO BE OBSERVED IN THE ACCEPTANCE AND PAYMENT OF BILLS OF EXCHANGE AND PROMISSORY NOTES.

*Be it enacted by the Legislative Assembly of the Territory of Dakota :*

Certain holidays upon which demands for payment of notes, &c., cannot be made.

Section 1. The following days, namely : the first day of January ; Washington's birthday, or the twenty-second day of February ; the fourth day of July ; thanksgiving days on the proclamation of the Governor ; the twenty-fifth day of December, commonly called Christmas day, shall for all purposes what-

sover, as regards the presenting for payment or acceptance, and of the presenting and giving notice of the dishonor of bills of exchange, checks and promissory notes, made after the passage of this act, be treated and considered as is the first day of the week, usually called Sunday. Three days, commonly called days of grace, shall be allowed, except on sight bills or drafts; and any one of the holidays specified in this act, coming within the three days of grace, shall be counted as one of such days of grace.

Sec. 2. This act shall take effect and be in force from and To take effect when. after its passage.

APPROVED January 2, 1863.

## JUDICIAL DISTRICTS.

### CHAPTER 46.

AN ACT CONCERNING THE JUDICIAL DISTRICTS OF THE TERRITORY, AND FIXING THE TIME FOR HOLDING THE COURTS AND FOR OTHER PURPOSES.

*Be it enacted by the Legislative Assembly of the Territory of Dakota:*

Section 1. The counties of Clay, Cole, Lincoln, Minnehaha, First judicial district; when court shall be held. Brookings and Deuel shall constitute the first judicial district, and the district court shall be held at Vermilion in Clay county on the first Tuesday of May, and the first Tuesday of September in each year, and the counties of Kittson, Stephens, Chipewa and Cheyenne, shall be attached to and form part of said first judicial district for all judicial purposes.

Sec. 2. The counties of Yankton and Jayne shall constitute Second district; when court shall be held. the second judicial district, and the district court shall be held at Yankton on the third Tuesday of May, and the third Tuesday of September in each year, and all that portion of the ceded lands within the territory not embraced within any county or