

of election, even if he was not elected to fill a vacancy, he shall forthwith qualify as prescribed by law, and enter upon the duties of his office.

Certain act  
repealed.

SEC. 2. Section 43, of chapter 17 of the general laws of 1870-1, be and are hereby repealed.

When to take  
effect.

SEC. 3. This act shall take effect and be in force from and after its passage and approval.

Approved, January 12, 1875.

## COUNTY BOUNDARIES.

### CHAPTER XXIX.

#### COUNTIES IN WESTERN DAKOTA.

AN ACT to define the boundaries and name certain counties in the Territory of Dakota.

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

Defining bound-  
aries of Lu-  
genbeel county

SECTION 1. That the county of Lugenbeel shall be bounded and described as follows: Commencing at the point where the one hundred and first meridian of west longitude intersects the boundary line dividing the territory of Dakota and state of Nebraska, and running thence north along said one hundred and first meridian to its intersection with the channel of White river; thence westerly along the channel of White river to the mouth of Corn creek, a tributary thereof; thence southeasterly along the channel of Corn creek to its intersection with the one hundred and second meridian of west longitude; thence south along said one hundred and second meridian to its intersection with the boundary line dividing the territory of Dakota and state of Nebraska; thence east along said boundary line to the place of beginning.

Defining bound-  
aries of Shan-  
non county.

SEC. 2. That the county of Shannon shall be bounded and described as follows: Commencing at the southwest corner of Lugenbeel county on the dividing line between the territory of Dakota and state of Nebraska; thence north along the

western boundary of said Lugenbeel county to a point where the one hundred and second meridian of west longitude intersects the channel of Corn creek; thence northwesterly along the channel of said Corn creek to its mouth and confluence with the channel of White river, and crossing said White river to the north bank thereof; thence in a westerly course across the Mauvaise Terres or Bad Lands to a point in the channel of the south fork of the Big Cheyenne river opposite to the mouth and confluence of Spring creek, a tributary of said south fork; thence southwesterly following the channel of said south fork to its intersection with the one hundred and third meridian of west longitude; thence south along said one hundred and third meridian to its intersection with the boundary line dividing the territory of Dakota from the state of Nebraska; thence east along said boundary line to the place of beginning.

SEC. 3. That the county of Forsythe shall be bounded and described as follows: Commencing at the southwest corner of the county of Shannon, at the point of intersection of the one hundred and third meridian of west longitude with the boundaryline dividing the territory of Dakota and the state of Nebraska; thence north along said one hundred and third meridian to its intersection with the channel of the south fork of the Big Cheyenne river; thence southwesterly, following the channel of said south fork to its intersection with the boundary line dividing the territory of Dakota and the territory of Wyoming; thence south along said boundary line to the southwestern corner of the territory of Dakota; thence east along the boundary line dividing the territory of Dakota and the state of Nebraska, to the place of beginning.

Defining boundaries of Forsythe county.

SEC. 4. That the county of Custer shall be bounded and described as follows: Commencing at the northwest corner of Forsythe county where the south fork of the Big Cheyenne river intersects the boundary line dividing the territory of Dakota and the territory of Wyoming; and running thence north along said boundary line to its intersection with the forty-fourth parallel of north latitude, near the source of the east fork of the Cheyenne river; thence east along said forty-fourth parallel of north latitude to its intersection with the one hundred and third meridian of west longitude; thence south along said one hundred and third meridian to its inter-

Defining boundaries of Custer county.

section with the channel of the south fork of the Big Cheyenne river; thence following the channel of said south fork along the northern boundary of the county of Forsythe, to the place of beginning.

Defining boundaries of Lawrence county.

SEC. 5. That the county of Lawrence shall be bounded and described as follows: Commencing at the northwest corner of Custer county where the boundary line between the territory of Dakota and territory of Wyoming intersects the forty-fourth parallel of north latitude; and running thence north along said boundary line to its point of intersection with the channel of the Belle Fourche or north fork of the Big Cheyenne river; thence easterly along the channel of said Belle Fourche or north fork of the Big Cheyenne to its point of intersection with the one hundred and third meridian of longitude; thence south along said one hundred and third meridian to its intersection with the forty-fourth parallel of north latitude; thence west along said forty-fourth parallel to the place of beginning.

Defining boundaries of Pennington county.

SEC. 6. That the county of Pennington shall be bounded and described as follows: Commencing at a point in the channel of the south fork of the Big Cheyenne river where the one hundred and third meridian of west longitude intersects said channel, and where the counties of Shannon, Forsythe and Custer unite; thence north along said one hundred and third meridian to its point of intersection with the channel of the Belle Fourche or north fork of the Big Cheyenne river; thence easterly along the channel of said Belle Fourche or north fork to its confluence with the south fork of the Big Cheyenne river; thence continuing easterly along the channel of the Big Cheyenne river to its point of intersection with the one hundred and second meridian of west longitude; thence south along said one hundred and second meridian to its point of intersection with the channel of White river; thence westerly along the channel of said White river and the northern boundary of the county of Shannon to its intersection with the channel of the south fork of the Big Cheyenne river; and thence southeasterly along the channel of said south fork to the place of beginning.

Defining boundaries of Cheyenne county.

SEC. 7. The county of Cheyenne shall be bounded and described as follows: Commencing at a point on the Big Cheyenne river where the one hundred and second meridian of west

longitude intersects the channel thereof; thence south along said meridian to its intersection with the channel of the Wakpa Shicha or Bad river to its intersection with the one hundred and first meridian of west longitude; thence north along said one hundred and first meridian to its point of intersection with the forty-fifth parallel of north latitude; thence westerly along said forty-fifth parallel of north latitude to its intersection with the one hundred and second meridian of west longitude; thence south along said one hundred and second meridian to the place of beginning.

SEC. 8. The county of Delano shall be bounded and described as follows: Commencing at the northwest corner of Cheyenne county where the forty-fifth parallel of north latitude intersects the one hundred and second meridian of west longitude; thence west along said forty-fifth parallel to its point of intersection with the one hundred and third meridian of west longitude; thence south on said one hundred and third meridian to its point of intersection with the channel of the Belle Fourche or north fork of the Big Cheyenne river; thence easterly along the channel of said Belle Fourche or north fork to its confluence with the south fork of the Big Cheyenne river; thence continuing easterly along the channel of the Big Cheyenne river and the northern boundary of the county of Pennington, to its point of intersection with the one hundred and second meridian of west longitude; thence north along said one hundred and second meridian to the place of beginning.

Defining boundaries of Delano county.

SEC. 9. The county of Mandan shall be bounded and described as follows: Commencing at the northwest corner of Delano county where the one hundred and third meridian of west longitude intersects the forty-fifth parallel of north latitude; thence west along said forty-fifth parallel to its point of intersection with the boundary line dividing the territory of Dakota and the territory of Wyoming; thence south along said boundary line to its point of intersection with the channel of the Belle Fourche or north fork of the Big Cheyenne river, thence in an easterly course along the channel of said Belle Fourche or north fork and along the northern boundary of the county of Lawrence, to its point of intersection with the one hundred and third meridian of west

Defining boundaries of Mandan county.

longitude; thence north along said one hundred and third meridian to the place of beginning.

**Defining boundaries of White River county.**

SEC. 10. That the county of White River shall be bounded and described as follows: Commencing at the southeast corner of Cheyenne county where the one hundred and first meridian of west longitude intersects the channel of the Wakpa Shicha or Bad river; thence in a westerly direction following the channel of said Wakpa Shicha or Bad river and the southern boundary line of Cheyenne county to its point of intersection with the one hundred and second meridian of west longitude; thence south along said one hundred and second meridian and the eastern boundary of Pennington county to its point of intersection with the channel of White river; thence in an easterly direction along the channel of said White river and the northern boundary of Lugenbeel county to its intersection with the one hundred and first meridian of west longitude; thence north along said one hundred and first meridian to the place of beginning.

**Defining boundaries of Stanley county.**

SEC. 11. That section 6 of chapter 19 of the laws of 1872-3, of an act entitled "an act defining the boundaries and naming the counties west of the Missouri river," approved January 8th, A. D. 1873, be amended so as to read as follows: "That the county of Stanley shall be bounded as follows: Beginning on the Missouri river where the same is intersected by the fourth standard parallel; thence west on said parallel to its intersection with the one hundred and first meridian of west longitude; thence south along said one hundred and first meridian to its intersection with the channel of the Wakpa Shicha or Bad river; thence easterly along the channel of said Wakpa Shicha or Bad river to its mouth and confluence with the Missouri river; and thence northwesterly along the channel of said Missouri river, to the place of beginning."

**Change of boundary lines dividing certain counties.**

SEC. 12. That the boundary line dividing Lugenbeel county from Meyer county and Pratt county, shall be the one hundred and first meridian of west longitude; and the boundary line between the county of White River and the county of Pratt shall be the one hundred and first meridian of west longitude.

**How counties may be organized.**

SEC. 13. That the foregoing counties may be organized in the manner now provided by law for the organization of new

counties, and the first boards of commissioners of the several counties shall have the power to locate the county seats of the several counties temporarily and until the county seat shall be located by a vote of the qualified electors of the several counties.

SEC. 14. That all acts or parts of acts inconsistent with or conflicting with the provisions of this act are hereby repealed. Conflicting acts repealed.

SEC. 15. That this act shall take effect and be in force from and after its passage. When to take effect.

Approved, January 11, 1875.

## CHAPTER XXX.

### COUNTIES IN NORTHERN DAKOTA.

AN ACT to define the boundaries of certain counties therein named.

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

SECTION 1. That the county of Mercer shall be bounded and described as follows: Beginning at a point on the channel of the Missouri river where the forty-seventh parallel of north latitude intersects said Missouri river, and running thence west along said forty-seventh parallel to the southeast corner of Williams county; thence north along the eastern boundary of said Williams county to its point of intersection with the Missouri river; thence following the channel of said Missouri river easterly and southeasterly to the place of beginning. Defining boundaries Mercer county.

SEC. 2. That section 12 of chapter 19 of an act entitled "an act defining the boundaries and naming counties west of the Missouri river," approved January 8th, 1873, be and the same is hereby repealed. Certain section repealed.

SEC. 3. That the county of De Smet shall be bounded and described as follows: Beginning at the intersection of the ninth guide meridian with the fourteenth standard parallel; Defining boundaries of De Smet county.

thence running west on said fourteenth standard parallel to its intersection with the tenth guide meridian; thence south on said last mentioned guide meridian to its intersection with the township line between townships one hundred and fifty and one hundred and fifty-one; thence east on said township line to its intersection with the ninth guide meridian; thence north on said last named guide meridian to the place of beginning.

Defining boundaries of Barnes county.

SEC. 4. That the county of Barnes shall be bounded and described as follows: Beginning at a point on the western boundary line of Cass county where the line dividing townships one hundred and forty-three and one hundred and forty-four intersects said boundary line; thence west on said township line to its intersection with the range line between ranges fifty-nine and sixty; thence north on said range line to its intersection with the eleventh standard parallel; thence west on said parallel to its intersection with the range line between ranges sixty-one and sixty-two; thence south on said range line to its intersection with the ninth standard parallel; thence east along said parallel to the southwest corner of Cass county; thence north along the western boundary of said Cass county to the place of beginning.

Defining boundaries of Potter county.

SEC. 5. That the county of Potter shall be bounded and described as follows: Beginning at the northeast corner of the county of Sully; thence north on the tenth guide meridian to the fifth standard parallel; thence west to the center of the main channel of the Missouri river; thence down the center of the main channel of said river to the fourth standard parallel; thence east along said parallel to the place of beginning.

How organized

SEC. 6. That the several counties above named and defined may be organized in the manner now provided by law.

Conflicting acts repealed.

SEC. 7. That all acts or parts of acts conflicting or inconsistent with this act are hereby repealed.

When to take effect.

SEC. 8. That this act shall take effect and be in force from and after its passage.

Approved, January 14, 1875.

## CHAPTER XXXI.

## THE COUNTY OF BRULE.

AN ACT to organize the county of Brule and define its boundaries.

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

SECTION 1. That all of that district of country included within the following boundary lines, to-wit: Commencing at the southwest corner of Cragin county; thence running north along the west line of said county to the first standard parallel; thence west along said standard parallel to the Missouri river; thence down the center of the main channel of said Missouri river to the north line of township number one hundred; thence east along said township line to the place of beginning, shall be known as Brule county: *Provided*, That these boundaries shall in no wise be construed to interfere with the established limits of what is known as the Crow Creek Indian Reserve: *Provided further*, That nothing in this act shall be so construed as to release said Brule county or Charles Mix county from the payment to Bon Homme county of all court expenses, costs and disbursements for cases originating in said Charles Mix county prior to the passage of this act, and have been disposed of or are now pending in the district court within and for said Bon Homme county.

Defining boundaries of Brule county.

Proviso relating to costs.

SEC. 2. And be it further enacted, that H. M. Leedy, George Trimmer and James Blacketer shall be county commissioners, and M. H. Day, register of deeds, of said Brule county; and the commissioners aforesaid shall qualify as such on or before the first day of April, 1875; and when so qualified shall have the authority to appoint all other necessary and proper officers for the county, and the said county commissioners and other officers appointed by them shall hold their respective offices until the next general election, or until their successors shall be duly elected and qualified, and shall possess all the rights and powers and perform all the duties appertaining to their offices, and in case of the failure of any of the persons herein named as commissioners to qualify as such as above provided and within the time aforesaid, then, and in that case, it shall be the duty of the governor, and he is here-

County officers



by authorized to appoint in stead of such as shall fail to qualify, suitable and proper persons, and the persons so appointed shall qualify according to law, and shall possess all the powers and perform the duties incumbent by law on them as such officers.

County seat.

SEC. 3. The county seat of said Brule county shall be and the same is hereby located temporarily at a point on the Missouri river, known and designated as Brule City, until otherwise ordered by the votes of the people as provided by law.

Conflicting  
acts repealed.

SEC. 4. All acts and parts of acts heretofore enacted which relate to the boundaries of counties in conflict with this act are hereby repealed.

When to take  
effect.

SEC. 5. This act shall take effect and be in force from and after its passage and approval.

Approved, January 14, 1875.

## CHAPTER XXXII.

### THE COUNTY OF TRAILL..

AN ACT to organize and define the boundaries of the county of Traill, and for other purposes.

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

Defining bound-  
aries of Traill  
county

SECTION 1. That all that portion of the territory of Dakota described as follows, to-wit: Commencing at a point on the eastern boundary of the territory where the 12th standard parallel intersects the same; thence west along said 12th standard parallel to the 8th guide meridian; thence south along said 8th guide meridian to the southwest corner of township 144, range 59; thence east along the township lines between townships 143 and 144 to the eastern boundary of the territory; thence down the Red River of the North along the eastern boundary of the territory to the place of beginning, be and the same is hereby made and constituted the county of Traill.

County seat.

SEC. 2. The county seat of said county of Traill is hereby located upon the southeast quarter of section 15, township 146, range 49.

SEC. 3. Asa H. Morgan, John Brown and James Ostland County officers. are hereby appointed county commissioners, George E. Weston, register of deeds, Asa Sargeant, judge of probate and *ex-officio* county treasurer, and C. M. Clarke, sheriff of said county of Traill, and said persons respectively shall hold their offices until the next general election in the fall of 1875, and until their successors are elected and qualified.

SEC. 4. At said general election in the fall of 1875, the Term of county commissioners elect. county commissioners then elected shall be elected for the term of one, two and three years respectively.

SEC. 5. The officers herein appointed shall qualify on or When officers to qualify. before the second Tuesday in March, 1875, or such office shall be vacant, and shall be filled by appointment of the governor of Dakota Territory.

SEC. 6. The county commissioners herein appointed, or that Commissioners to appoint certain officers. may be so appointed by the governor, after qualifying, shall appoint all the other officers of the same county not herein appointed, to hold until the next general election in the fall of 1875, and until their successors are elected and qualified.

SEC. 7. An election shall be held on the day of the general An election to be held. election in the fall of 1875, in said county of Traill, for all the elective officers of said county, and the terms of office of those persons shall be as regulated by law for such officers.

SEC. 8. For the purpose of completing the organization of Officers of Grand Forks county. the county of Grand Forks, from a part of which the said county of Traill is herein taken, D. P. Reeves, Alex. Griggs and George A. Wheeler are hereby appointed and continued county commissioners, James Elton, register of deeds, Thomas Walsh, judge of probate and *ex-officio* county treasurer, and Nicholas Hoffman, sheriff, of said county of Grand Forks, who shall hold their offices until the next general election in the fall of 1875, and until their successors are elected and qualified; and said officers shall qualify on or before the second Tuesday in March, 1875, or such office shall be vacant, and shall be filled by appointment of the governor of the territory.

SEC. 9. The county commissioners herein appointed or appointed by the governor, shall, after qualifying, appoint all County commissioners to appoint certain officers. the other officers of said county not herein appointed, and the persons so appointed shall hold their offices until the said

general election in the fall of 1875, and until their successors are elected and qualified.

An election to  
be held.

SEC. 10. An election shall be held on the day of the general election in the fall of 1875, in said county of Grand Forks, for all the elective officers of said county, and the terms of office of those persons then elected shall be as regulated by law for such officers.

Conflicting acts  
repealed.

SEC. 11. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

When to take  
effect.

SEC. 12. This act shall take effect and be in force from and after its passage and approval.

Approved, January 12, 1875.

## CODIFICATION OF LAWS.

### CHAPTER XXXIII.

#### TO REVISE AND CODIFY THE LAWS.

AN ACT to provide for revising and codifying the laws of Dakota Territory.

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

Governor to  
appoint  
commissioners

SECTION 1. That the governor of this territory is authorized and empowered and it is hereby made his duty to employ and commission three competent and worthy persons, learned in the law, to revise and codify the laws of this territory.

Power of  
commissioners

SEC. 2. Such persons so employed and commissioned shall have the power, and it shall be their duty, to prepare and present to the next legislative assembly, upon the first day of the meeting thereof, a revision of the laws, and for that purpose