

SEC. 4. The provisions of any act in conflict with this act <sup>Conflicting acts repealed.</sup> are hereby repealed.

SEC. 5. This act shall take effect from and after its passage <sup>When to take effect.</sup> and approval.

Approved, January 15, 1875.

## JUSTICES OF THE PEACE.

### CHAPTER LIX.

#### JURISDICTION CONFERRED UPON JUSTICES OF THE PEACE IN CERTAIN CASES.

AN ACT to confer jurisdiction upon justices of the peace in certain cases.

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

SECTION 1. Any person convicted of petit larceny, as defined by law, shall be punished by fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding thirty days, or by both such fine and imprisonment: <sup>Penalty for petit larceny.</sup> *Provided*, That this act shall not affect any case in which the accused is held to answer under existing law, at the time of the passage of this act: *Provided further*, That nothing in <sup>Provided.</sup> this act shall apply to cases where the property taken amounts to more than fifteen dollars.

SEC. 2. This act shall take effect and be in force from and <sup>When to take effect.</sup> after its passage and approval.

Approved, January 15, 1875.

## CHAPTER LX.

## REQUIRING QUARTERLY REPORT TO BE MADE TO COUNTY BOARD.

AN ACT requiring justices of the peace to make a quarterly report to the county commissioners of their respective counties.

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

Justices re-  
quired to make  
reports to coun-  
ty commission-  
ers—when.

SECTION 1. It shall be the duty of all justices of the peace to make a full report, under oath, of all their proceedings in actions or matters in which the county or territory is a party, or interested therein, to the county commissioners of each of their respective counties, on the first Monday of January, April, July and October of each year.

What report  
to contain.

SEC. 2. Such report shall contain the names of the parties to the action on proceeding, a statement of all orders made by said justice, whether the defendant be bound over or otherwise, the judgment whether of dismissal or imprisonment, or for a fine and costs, or either; if for imprisonment, the extent thereof and costs; if for a fine, the amount thereof and costs; the amount of fine and costs paid, if any, and the disposition thereof; an itemized account of the fees of said justices, and of all officers and witnesses, and the names of each.

Justices re-  
quired to pay  
over moneys.

SEC. 3. Said justices shall pay into the treasury of their respective counties, all fines and moneys collected by them in behalf of the county or territory at the time of making their reports, as provided in this act; but if at any time such moneys in their hands amount to two hundred dollars, they shall pay the same into the treasury forthwith.

Penalty for  
violating this  
act.

SEC. 4. Any justice of the peace violating any of the provisions of this act shall be liable to a fine of not less than ten, nor more than one hundred dollars, to be recovered in a civil action by the county, which action may be brought originally in a justices' court or the district court.

When justice  
commits mis-  
demeanor.

SEC. 5. And if any justice of the peace shall neglect or refuse to make such report, or neglect or refuse to pay over the aforesaid moneys collected by them, or shall refuse to allow the county commissioners, or any of them, to examine their

records in regard to such matters, they shall be deemed guilty of willful and corrupt misconduct in office.

SEC. 6. This act shall take effect from and after its passage <sup>When to take effect.</sup> and approval.

Approved, January 15, 1875.

## CHAPTER LXI.

### PROVIDING FOR THE SERVICE AND EXECUTION OF WRITS AND PROCESS.

AN ACT providing for the service and execution of all writs and process issued by a justice of the peace.

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

SECTION 1. That all writs and process issued by any justice of the peace in the several counties of this territory, shall be directed to the sheriff or any constable of the county: *Pro-* <sup>Writs—how directed.</sup> *vided*, That nothing in this act shall be so construed as to <sup>Provide.</sup> prevent any justice appointing a special constable, as provided for in section sixteen of the justices' code.

SEC. 2. All acts and parts of acts conflicting with the provisions of this act are hereby repealed. <sup>Conflicting acts repealed.</sup>

SEC. 3. This act shall take effect from and after its passage <sup>When to take effect.</sup> and approval.

Approved, January 11, 1875.