

shall show the date and expiration of each license. Any violation of this provision of this section shall be punished by a fine of not less than five dollars nor more than fifty dollars for each and every offense.

§ 20. DUTY OF GRAND JURY.] It shall be the duty of the grand jury at each and every term of the district court in every county or judicial subdivision to make a strict inquiry and return bills of indictment against every person violating any of the provisions of this chapter.

§ 21. INTOXICATING LIQUORS DEFINED.] The words intoxicating liquors as used in this act shall be deemed and construed to include spirituous, vinous and malt liquors and all mixtures or preparations thereof including bitters that may be used as a beverage and produce intoxication.

§ 22. All acts and parts of acts in conflict with this act are hereby repealed.

§ 23. This act shall take effect and be in force after its passage and approval.

Approved, February 22, 1879.

Judicial Districts.

CHAPTER 27.

AN ACT to amend Chapter Thirteen of the Political Code, relating to the Subdivision of Judicial Districts.

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

§ 1. FIRST DISTRICT SUBDIVISIONS. COURTS WHEN HELD.] The first judicial district is subdivided as follows:

1. The counties of Pennington, Custer, and Forsyth constitute one subdivision, and the district court shall be held herein at the county seat of Pennington county on the second Tuesday of April and November of each year.

2. The county of Lawrence and all other portions of said first judicial district, not included in the preceding subdivision shall constitute one subdivision, and the district court shall be held therein at the county seat of Lawrence county on the first Tuesday of August and January of each year, and in addition thereto special terms shall be held at said county seat on the first Mondays of March, July and September.

§ 2. SECOND DISTRICT SUBDIVISIONS. COURTS WHEN HELD.] The second judicial district is subdivided as follows:

1. The county of Clay constitutes one subdivision, and the district court shall be held therein on the third Tuesday of January.

2. The county of Union constitutes one subdivision, and the district court shall be held therein on the second Tuesday of February and on the first Tuesday of September, and in addition thereto a special term shall be held on the second Monday of July.

3. The county of Lincoln constitutes one subdivision, and the district court shall be held therein on the first Tuesday of December and June: *Provided, however, That the June term shall not be held except upon order of the county commissioners of said county.*

4. The counties of Minnehaha, McCook and Lake constitute one subdivision, and the district court shall be held therein on the second Tuesday in June and December in each year, at the county seat of Minnehaha: *Provided, however, That the December term shall not be held except upon order of the county commissioners of said county of Minnehaha.*

5. The county of Moody constitutes one subdivision, and the district court shall be held therein on the third Tuesday of June.

6. The counties of Brookings and Wood shall constitute one subdivision, and the district court shall be held therein at the county seat of Brookings county, on the Thursday next succeeding the third Tuesday of June: *Provided, however,*

That such term shall not be held except upon order of the county commissioners of said county of Brookings.

7. The county of Turner constitutes one subdivision, and the district court shall be held therein on the fourth Tuesday of June.

8. The county of Bon Homme constitutes one subdivision, and the district court shall be held therein on the second Tuesday of March and September.

9. The counties of Hutchinson, Armstrong, Hanson and Davison constitute one subdivision, and one term of the district court shall be held therein each year, at such time at Olivet, the county seat of Hutchinson county, as the judge shall appoint.

10. The county of Yankton and all other portions of said second judicial district not included in any of the preceding subdivisions, constitute one subdivision, and the district court shall be held therein at the county seat of Yankton county, on the first Tuesdays of April and November; and in addition thereto special terms shall be held at said county seat on the first Mondays of January, March, May and July; and the district court for the second judicial district exercising the powers appertaining to the district and circuit courts of the United States shall be held at Yankton on the first Tuesdays of April and November of each year.

§ 3. THIRD DISTRICT SUBDIVISIONS. COURTS WHEN HELD.] The third judicial district is subdivided as follows:

1. The counties of Cass, Stutsman, Barnes, Richland, Ransom, Lamoure, Trail, Foster and Ramsey constitute one subdivision, and the district court shall be held therein at the county seat of Cass county on the first Tuesdays of June and December in each year.

2. The county of Grand Forks constitutes one subdivision, and the district court shall be held therein at the county seat of said Grand Forks county, on the third Tuesday of September in each year.

3. The counties of Pembina and Cavalier constitute one subdivision, and the district court shall be held therein at the county seat of Pembina county, on the first Tuesday after the third Thursday in September in each year.

4. The counties of Hamlin and Codington constitute one subdivision, and the district court shall be held therein on the first Thursday after the third Tuesday of October in each year: *Provided*, That no court shall be held in this subdivision except upon the order of the county commissioners.

5. The counties of Grant and Deuel constitute one subdivision, and the district court shall be held therein at the county seat of Deuel county on the third Tuesday of October in each year.

6. All the remaining portions of said third judicial district constitute one subdivision, and the district court therein shall be held at the county seat of Burleigh county on the first Thursdays of April and September in each year.

§ 4. COURTS, WHERE HELD IN CERTAIN CASES.] The terms of the district courts for subdivisions composed of a single county only, shall be held at their respective county seats.

§ 5. POWER OF JUDGES.] The judges of the district courts respectively have the authority at any time to appoint by an order to that effect, courts to be holden in any county of a subdivision, composed of two or more counties; and from the time of the making of such order, such county wherein courts are so appointed, shall cease to be a part of the subdivision as herein provided, and shall itself constitute a subdivision; and the district courts shall be therein held at the times provided in such order.

§ 6. WHAT SHERIFF TO EXECUTE PROCESS.] In subdivisions composed of two or more counties, the sheriff of the county where the court is held shall have authority to execute all proper process in any county or other place embraced within such subdivision, the same as if such subdivision were composed of his county only.

§ 7. EXPENSES, HOW PAID.] For the purpose of paying the expenses of holding courts in those subdivisions composed of two or more counties, the county clerks of the organized counties therein shall, annually, as soon as the assessment roll is received, transmit to the clerk of the court of that county wherein the court is held, a statement of the aggregate amount of the assessment roll of their counties respectively, and at the close of each term of the district court the clerk thereof shall, under the supervision of the judge, calculate the ex-

penses of such term and the proportionate amount to be paid by each organized county, according to the proportion which the amount of the assessment roll bears to the aggregate amount of all the assessment rolls in such subdivision, and shall certify to the boards of county commissioners of the respective counties, accounts for such proportionate amounts, and in favor of the persons to whom such expenses shall be due, which accounts shall be audited and allowed and warrants issued accordingly, in like manner as other claims against the county.

§ 8. WHERE COUNTY FAILS TO FURNISH ASSESSMENT ROLL JUDGE MAY MAKE ASSESSMENTS.] If any county shall fail to furnish a statement of the amount of its assessment roll, or if no assessment shall be made therein, the judge of the district court may fix the proportionate amount of the expenses of the court which [each] county shall pay, and may at any time by mandamus, compel the assessment, and levy of a tax, or the doing of any other act necessary to carry out the provisions of this chapter.

§ 9. JUDGE MAY APPOINT ADDITIONAL TERMS OF COURT.] The judges of the district courts respectively, shall have power whenever thereunto requested by the board of commissioners of the county wherein terms of court are regularly holden, or upon their own motion without such request by an order to that effect, to appoint and hold additional terms of the district court in any county or subdivision; and such judges shall have the power to adjourn the courts from time to time as they shall deem expedient for the due administration of justice; and such additional terms shall in all respects be considered the same as the general terms provided in this act. The courts herein appointed shall continue as long as the business therein shall require.

§ 10. REPEALING CLAUSE.] All acts and parts of acts in conflict with this act are hereby repealed; and all acts and parts of acts fixing the terms of courts in the judicial subdivisions and defining the boundaries thereof, are hereby abrogated and annulled.

§ 11. This act shall take effect and be in force from and after its passage and approval.

Approved, February 22, 1879.

CHAPTER 28.

AN ACT defining the Boundaries of the First Judicial District and fixing the Terms of Court therein.

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

§ 1. BOUNDARIES OF FIRST JUDICIAL DISTRICT DEFINED.] That all that portion of the Territory of Dakota west of the right bank of the Missouri river, at low water mark, and south of the forty-sixth parallel of latitude, except the counties of Todd, Gregory, Lyman and Presho, and so much of Roseman county as lies south of Grand river, shall constitute the first judicial district, and the district court therein shall be held at Deadwood, the county seat of Lawrence county, on the first Tuesday of August and the third Tuesday of January in each year: *Provided, however,* That the first term of said court to be held on the first Tuesday of August, 1879, shall be held at Rapid City, in the county of Pennington, and all subsequent terms of said court shall be held at Deadwood, in the county of Lawrence.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, February 21, 1879.

CHAPTER 29.

AN ACT to establish the Boundaries and fix the Terms of the Courts in the Second Judicial District.

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

§ 1. SECOND JUDICIAL DISTRICT DEFINED.] That all that portion of this Territory not embraced in the first and third judicial districts shall constitute the second judicial district.

§ 2. DISTRICT COURT, WHEN HELD.] That the district court in and for the second judicial district shall be held at Yankton, in Yankton county, on the first Tuesday of April and the first Tuesday of November in each year.

§ 3. ACTS REPEALED.] That all acts and parts of acts in conflict with this act be and the same are hereby repealed, and this act shall take effect from and after its passage.

Approved, February 21, 1879.

CHAPTER 30.

AN ACT defining the boundaries of the Third Judicial District and fixing the Terms of Court therein.

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

§ 1. BOUNDARIES OF THIRD JUDICIAL DISTRICT.] That all that portion of the Territory of Dakota, bounded and described as follows, viz: commencing at the southeast corner of Deuel county; thence along the south line of Deuel and Hamlin

counties to the southwest corner of Hamlin county; thence north along the west line of Hamlin and Codington counties to the northwest corner of Codington county; thence east to the west line of the Sisseton and Wahpeton Indian reservation; thence northerly along the west line thereof to its intersection with the 46th parallel of north latitude; thence west along said parallel to the right bank of the Missouri river, at low water mark; thence down along said right bank, at low water mark, to the mouth of Grand river; thence up the center of the main channel of Grand river to the mouth of Ree river; thence up the main channel of Ree river to its point of intersection with the one hundred and third meridian of west longitude; thence due west to the Little Missouri river to the western boundary of the Territory; thence north along the western boundary of the Territory to the northern boundary thereof; thence east along the northern boundary of said Territory to the northeast corner thereof; thence southerly along the eastern boundary to the place of beginning, constitutes the third judicial district.

§ 2. DISTRICT COURT, WHEN HELD.] The district court in and for the third judicial district shall be held at the city of Fargo, in the county of Cass, on the first Tuesdays in June and December in each year.

§ 3. JURISDICTION AND POWERS OF CERTAIN COURT.] The district court in and for the county of Cass shall have and exercise the powers and jurisdiction appertaining to the district and circuit courts of the United States in and for the several judicial districts in which they are respectively located.

§ 4. All acts or parts of acts conflicting with the provisions of this act are hereby repealed.

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

Approved, February 21, 1879.