

§ 3. PARTIES USING WATER RESPONSIBLE FOR DAMAGES.] All persons using the waters of any irrigation ditch in this Territory, shall be responsible for all damages occasioned by such waters, after the same have been diverted from such ditch.

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 All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

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

Approved, March 11, 1887.

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## JUDICIAL DISTRICTS.

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### CHAPTER 75.

#### FIRST DISTRICT—SUBDIVISIONS.

AN ACT, To Amend Subdivisions One (1) and Two (2) of Section Five (5) of Chapter Eighty-Four of the General Laws of 1881.

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

§ 1. PENNINGTON COUNTY.] That subdivisions one (1) and two (2) of section five (5) of chapter eighty-four, of the General Laws of 1881, be and the same are hereby amended to read as follows, to-wit: The county of Pennington constitutes one subdivision, and the district court shall be held therein, at the county seat of Pennington county, on the third Tuesday of May, and the fourth Tuesday of October, of each year.

§ 2. CUSTER.] The county of Custer constitutes one subdivision, and the district court shall be held therein at the county seat of Custer county, on the second Tuesday of June and the third Tuesday of October of each year.

§ 3. FALL RIVER.] The county of Fall River constitutes one subdivision, and the district court shall be held therein, at the county seat of Fall River county, on the third Tuesday of June of each year.

§ 4. REPEALED.] Subdivisions one (1) and two (2) of section five (5) of chapter eighty-four of the General Laws of 1881, and all laws and parts of laws in conflict with this act are hereby repealed.

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

Approved, March 11, 1887.

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## CHAPTER 76.

SECOND DISTRICT—SUBDIVISION OF BRULE, BUFFALO, LYMAN, PRESNO, PRATT, MEYER, TRIPP, AND GREGORY.

AN ACT Creating and Defining a Subdivision of the Second Judicial District,

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

§ 1. COUNTIES INCLUDED—TERMS OF COURT.] That the counties of Brule, Buffalo, Lyman, Presno, Pratt, Meyer, Tripp and Gregory, in the Territory of Dakota, shall constitute one subdivision of the Second Judicial District, and that the district court in and for this subdivision shall be held at the city of Chamberlain, the county-seat of the county of Brule, at such time or times as the judge of said court shall appoint.

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

§ 3. This act shall take effect from and after its passage and approval.

Approved, February 25, 1887.

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## CHAPTER 77.

FOURTH DISTRICT—BOUNDARIES OF.

AN ACT, to Amend an Act Entitled "An Act Defining the Boundaries of the Fourth (4th) Judicial District and Fixing the Time of Holding Court Therein."

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

§ 1. JUDICIAL SUBDIVISIONS.] That section one (1) of chapter seventy-eight (78) of the General Laws of 1885, be and the same is hereby amended to read as follows, viz: That the counties of Union, Clay, Lincoln, Turner, Minnehaha, McCook, Moody and Lake shall constitute the Fourth Judicial District, and each of said

counties shall constitute a judicial subdivision and the terms of the district court shall be held therein as follows, to-wit:

Clay county, the first Tuesday in February and the third Tuesday in September; Union county, the third Tuesday in February and the first Tuesday in September; Turner county, the fourth Tuesday in February and the fourth Tuesday in September; Lincoln county, the second Tuesday in March and the third Tuesday in October; Minnehaha county, the second Tuesday in April and the second Tuesday in November; McCook county, the fourth Tuesday in May; Lake county, the first Tuesday in June; Moody county, the third Tuesday in June and the first Tuesday in January; *Provided*, That for the year of 1887 the court of Turner county shall be held on the third Tuesday in March, instead of the said second Tuesday in March, and thereafter the terms of court shall be held in said counties as in this act provided.

§ 2. **CONFLICTING ACTS REPEALED.**] All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

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

Approved, February 18, 1887.

## CHAPTER 78.

### SIXTH DISTRICT—SUBDIVISIONS.

**AN ACT** To Define the Sixth Judicial District of the Territory of Dakota, to Sub divide the Same, to fix the Terms of Court Therein, and for Other Purposes, in Pursuance of the act of Congress Dividing said Territory Into six Judicial Districts.

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

§ 1. **COUNTIES INCLUDED IN SIXTH DISTRICT.**] That the Sixth Judicial District of the Territory of Dakota, shall consist of the following counties in said Territory, viz: Bowman, Villard, Billings, Dunn, McKenzie, Allred, Buford, Flannery, Wallace, Mountrail, Williams, Stark, Hettinger, Boreman, Morton, Mercer, McLean, Ward, Stevens, Renville, Wynn, Bottineau, McHenry, Sheridan, Garfield, Burleigh, Emmons, McIntosh, Logan, Kidder, Wells, DeSmet, Rolette, Benson, Foster, Eddy, Stutsman, LaMoure, Dickey, Griggs, Steele and Barnes.

§ 2. **COUNTIES INCLUDED IN FIRST SUBDIVISION—TERMS OF COURT.**] That the said Sixth Judicial District be and the same is hereby divided into subdivisions, as follows: The first subdivision shall consist of the counties of Burleigh, Boreman, Em-

mons, McLean, Stevens, Sheridan and Garfield. The district court in and for this subdivision, shall be held at the city of Bismarck, in the county of Burleigh, on the first Tuesday in March and the first Tuesday in September in each year.

§ 3. COUNTIES INCLUDED IN SECOND SUBDIVISION—TERMS OF COURT.] The second subdivision shall consist of the counties of Morton, Hettinger, Oliver, Mercer and Williams. The district court in and for this subdivision shall be held at the city of Mandan, in the county of Morton, on the first Tuesday in January and August in each year.

§ 4. COUNTIES INCLUDED IN THIRD SUBDIVISION—TERMS OF COURT.] The third subdivision shall consist of the counties of Kidder and Logan. The district court in and for this subdivision shall be held at the city of Steele in the county of Kidder, at such time in each year as the judge of said court may direct.

§ 5. COUNTIES INCLUDED IN FOURTH SUBDIVISION—TERMS OF COURT.] The fourth subdivision shall consist of the counties of Stutsman and LaMoure. The district court in and for this subdivision shall be held in the city of Jamestown, in the county of Stutsman, on the second Tuesday in May and November in each year.

§ 6. COUNTIES INCLUDED IN FIFTH SUBDIVISION—TERMS OF COURT.] The fifth subdivision shall consist of the county of Barnes. The district court in and for this subdivision shall be held at the city of Valley City, in the county of Barnes, on the last Tuesday of June of each year.

§ 7. COUNTIES INCLUDED IN SIXTH SUBDIVISION—TERMS OF COURT.] The sixth subdivision shall consist of the counties of Benson, DeSmet, Bottineau and Rolette. The district court in and for this subdivision shall be held at the county-seat of said Benson county, at such time in each year as the judge of said court may direct.

§ 8. COUNTIES INCLUDED IN SEVENTH SUBDIVISION—TERMS OF COURT.] The seventh subdivision shall consist of the counties of Dickey and McIntosh. The district court in and for this subdivision shall be held at the county-seat of Dickey county, at such time in each year as the judge of said court may direct.

§ 9. COUNTIES INCLUDED IN EIGHTH SUBDIVISION—TERMS OF COURT.] The eighth subdivision shall consist of the counties of Griggs and Steele. The district court in and for this subdivision shall be held at the county seat of Griggs county, on the second Tuesday in June of each year.

§ 10. COUNTIES INCLUDED IN TENTH SUBDIVISION—TERMS OF COURT.] The tenth subdivision shall consist of the counties of Ward, Renville, Mountraille, Flannery, Buford, McHenry and Wynn. The district court in and for this subdivision shall be held at the county seat of Ward county, at such time in each year as the judge of said court may direct.

§ 11. COUNTIES INCLUDED IN ELEVENTH SUBDIVISION—TERMS

OF COURT.] The eleventh subdivision shall consist of the counties of Stark, Bowman, Villard, Billings, Dunn, McKenzie, Allred and Wallace. The district court in and for this subdivision shall be held at the county seat of Stark county, at such time in each year as the judge of said court may direct.

§ 12. COUNTIES INCLUDED IN TWELFTH SUBDIVISION—TERMS OF COURT.] The twelfth subdivision shall consist of the counties of Foster, Wells and Eddy. The district court in and for this subdivision shall be held at Carrington in the county of Foster, at such time as the court may direct.

§ 13. PENDING ACTIONS.] All actions and proceedings, both civil and criminal, now pending in any subdivision of said Sixth Judicial District, heretofore created by act of the legislature of this Territory, shall be respectively tried, heard and determined in the district court held in the subdivision hereby created, in which the county wherein the cause of action arose, or the offense was committed, or the venue is laid, is situate or forms a part.

§ 14. All acts or parts of acts conflicting with this act or any of its provisions are hereby repealed.

§ 15. This act shall take effect from and after its passage and approval.

Approved, March 11, 1887.

## CHAPTER 79.

### SIXTH DISTRICT—SUBDIVISION OF THE FIFTH SUBDIVISION.

AN ACT To Divide the Fifth Subdivision of the Sixth Judicial District Into two Subdivisions, and to Provide for Terms of Court Therein.

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

§ 1. BARNES COUNTY A SUBDIVISION—TERM OF COURT.] That the county of Barnes shall constitute the fifth subdivision of the Sixth Judicial District, and that a term of court shall be held therein at Valley City on the last Tuesday of June in each year.

§ 2. GRIGGS AND STEELE COUNTIES A SUBDIVISION—TERM OF COURT.] That the counties of Griggs and Steele shall constitute the eighth subdivision of the Sixth Judicial District, and that a term of court shall be held therein at Cooperstown, in the county of Griggs, on the second Tuesday of June in each year, or at such other time as the court may designate.

§ 3. The sixth section of chapter eighty-one of the Session Laws of 1885, of the Territory of Dakota, is hereby repealed.

§ 4. This act shall take effect from and after its passage and approval.

Approved, February 15, 1887.