

CHAPTER 71.

LIMIT ON TERRITORIAL WARRANTS.

AN ACT Providing Interest at Seven Per Centum Per Annum on Territorial Warrants Hereafter Issued.

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

§ 1. SEVEN PER CENT.] All Territorial Warrants hereafter drawn by the proper authorities, shall draw interest after presentation for payment at the office of the Territorial Treasurer, and indorsement by that officer as "not paid for want of funds," at the rate of seven per centum per annum.

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

Approved, March 2, 1889.

JUDICIAL DISTRICTS.

CHAPTER 72.

TURNER COUNTY IN THE FOURTH.

AN ACT Entitled An Act to Include Turner County Within the Boundaries of the Fourth Judicial District and Fixing the Time for Holding Court Therein.

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

§ 1. TURNER COUNTY.] The County of Turner is hereby included within the boundaries and made part of the Fourth Judicial District, and said county shall constitute a judicial sub-division and the terms of the District Court shall be held therein as follows, to-wit: The second Tuesday in March and the third Tuesday in October in each year.

§ 2. EFFECT WHEN.] This act shall take effect immediately.

Approved, Jan. 16 1889.

CHAPTER 73.

BOUNDARIES OF THE EIGHTH DISTRICT.

AN ACT Entitled An Act to Define the Boundaries of the Eighth Judicial District and to Provide for a Judicial Sub-Division Therein.

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

§ 1. EIGHTH DISTRICT.] The Eighth Judicial District of the Territory of Dakota, shall consist of the Counties of Grand Forks, Walsh, Pembina, Nelson, Cavalier, Ramsey and Towner.

§ 2. TOWNER ATTACHED TO RAMSEY.] The County of Towner is hereby attached to said County of Ramsey for judicial purposes, and said Counties of Ramsey and Towner shall constitute one judicial sub-division until otherwise provided by law, or changed by order of the court.

§ 2. EFFECT WHEN.] This act shall take effect immediately.

Approved, January 26th, 1889.

CHAPTER 74.

THE SIXTH DISTRICT.

AN ACT to Amend An Act Entitled, "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 to Attach the County of Pierce to the County of McHenry for Judicial Purposes.

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

§ 1. MCHENRY STRICKEN OUT.] That Section ten of Chapter 78, of the General Laws of the Seventeenth Legislative Assembly of 1887, be amended by striking out the word "McHenry" when it occurs in said section.

§ 2. THIRTEENTH SUB-DIVISION.] That the Thirteenth Sub-Division of the Sixth Judicial District is hereby created and shall consist of the Counties of McHenry and Pierce. That the District Court for this sub-division shall be held at Towner, in said County of McHenry at such time as the judge of said court may direct.

§ 3. PIERCE ANNEXED.] The County of Pierce is hereby constituted a part of and included within the boundaries of the Sixth Judicial District, and is hereby attached to the County of McHenry for judicial purposes.

§ 4. REPEAL.] All acts and parts of acts in conflict herewith are hereby repealed.

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

Approved, Feb. 4, 1889.

CHAPTER 75.

SEVENTH JUDICIAL DISTRICT.

AN ACT Providing for the Sub-division of the Seventh Judicial District of the Territory of Dakota and Fixing the Terms of Court Therein.

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

§ 1. COUNTY INCLUDED IN—TERMS WHEN HELD.] The County of McPherson, in the Seventh Judicial District of the Territory of Dakota, shall constitute one judicial sub-division of the Seventh Judicial District and a term of court shall be held at the county seat of McPherson County, commencing on the first Tuesday in June in each year and all actions arising from said county and now pending in the judicial sub-division in which said county is located shall be triable in said McPherson County.

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

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

COUNCIL CHAMBER,

BISMARCK, February 8th, 1889. }

I hereby certify that on this day of February, 1889, this act was returned to the Council, the House in which it originated, without the approval of his Excellency, Governor Louis K. Church, and with his objections thereto in writing; that said objections were read at length and entered in the Journal of the Council and that thereupon the Council considered the bill and the question put by the President, "Shall this bill pass, the objections of the Governor to the contrary notwithstanding?" and the roll being called the bill did pass, more than two-thirds of the Council voting in the affirmative.

Attest: R. E. WALLACE,
Chief Clerk.

SMITH STIMMEL,
President of the Council.

HOUSE OF REPRESENTATIVES,

BISMARCK, February 8th, 1889. }

I hereby certify that the within act together with the objections of his Excellency, Governor Louis K. Church, was received from the Council on the 8th day of February, 1889; that the objections of the Governor were read at length and the question stated, "Shall this bill pass, the objections of the Governor to the contrary notwithstanding?" The roll was called and the act did pass, more than two-thirds of the house voting in the affirmative.

Attest: JOHN G. HAMILTON,
Chief Clerk.

H. H. KEITH,
Speaker of the House.

CHAPTER 76.

SUB-DIVISION OF THE SIXTH DISTRICT.

AN ACT Constituting LaMoure County as one Judicial Sub-Division in the Sixth District, to fix the Terms of Court Therein, and for other purposes.

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

§ 1. LAMOURE COUNTY.] That the County of LaMoure in the Territory of Dakota, shall constitute one judicial sub-division in the Sixth Judicial District, and the District Court therein shall be held at the county seat of said LaMoure county at such time as the judge of said court may direct.

§ 2. ACTIONS PENDING.] All actions or proceedings, civil or criminal now pending in the sub-division formerly composed of the Counties of Stutsman and LaMoure, which properly belong in said County of LaMoure under the code of civil and criminal procedure, shall be changed to said County of LaMoure, upon the written stipulation of the attorneys of record in such action or proceeding, or, upon motion by order of the judge of said court.

§ 3. PROCESS, ETC.] All process, writs, bonds, notices, appeals, continuances, recognizances and proceedings in actions arising or properly belonging in said County of LaMoure, issued and made returnable to the district court in said Stutsman county, as fixed by law prior to the passage of this act, shall be taken and considered as made, taken and returnable to the district court for said LaMoure county as fixed by this act.

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

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

Approved, February 11, 1889.

CHAPTER 77.

SEVENTH DISTRICT SUB-DIVISION.

AN ACT Providing for a Sub-division of the Seventh Judicial District of the Territory of Dakota.

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

§ 1. COUNTIES INCLUDED IN—TERMS—WHEN HELD.] That the counties of Walworth and Campbell, in the Seventh Judicial District, of the Territory of Dakota, shall constitute one judicial sub-division of the Seventh Judicial District, and a term of court shall be held at the county seat of Walworth County at such time as the court may direct.

§ 2. REPEAL.] All acts and part of acts in conflict with the provisions of this act are hereby repealed.

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

Approved February 15th, 1889.

CHAPTER 78.

FIRST DISTRICT SUB-DIVISION.

AN ACT Creating and Defining a Sub-Division of the First Judicial District.

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

§ 1. COUNTIES INCLUDED, TERMS OF COURT.] That the Counties of Butte, Harding, Burdick and Ewing, in the Territory of Dakota, shall constitute one sub-division of the First Judicial District, and that the district court in and for this sub-division shall be held at the county seat of Butte county at such time or times as the judge of said court shall appoint, at least one term in each year.

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

§ 3. EFFECT—WHEN.] This act shall take effect from and after its passage and approval.

Approved, February 26, 1889.

CHAPTER 79.

ATTACHING COUNTIES TO DISTRICTS.

AN ACT to Detach the Counties of Stanley, Sterling and Nowlin from the Seventh Judicial District and to Attach Them to the Fifth Judicial District and to Hughes County for Judicial Purposes, and also to Detach the Counties of Pratt and Presho from Said Seventh District and to Attach them to the Second Judicial district and to Brule County for Judicial Purposes.

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

§ 1. ATTACHED TO FIFTH.] That the counties of Stanley, Sterling and Nowlin be and the same are hereby detached from the Seventh Judicial district and attached to the Fifth Judicial District and to the County of Hughes for judicial purposes.

§ 2. ATTACHED TO THE SECOND.] That the counties of Pratt and Presho be and the same are hereby detached from the Seventh Judicial District and attached to the Second Judicial District and to the County of Brule for judicial purposes.

§ 3. REPEAL.] All acts and parts of acts in conflict with this act are hereby repealed.

§ 4. EFFECT WHEN.] This act shall take effect and be in force from and after its passage and approval.

Approved February 27, 1889.

CHAPTER 80.

SUB-DIVISION OF THE SIXTH.

AN ACT Creating and Defining a Sub-Division of the Sixth Judicial District.

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

§ 1. ROLETTE COUNTY A SUB-DIVISION.] That the County of Rolette, in the Territory of Dakota, shall constitute the Fourteenth Sub-Division of the Sixth Judicial District, and that the district court in and for this sub-division shall be held at the county seat of said Rolette county at such time or times as the judge of said court shall appoint, at least one term in each year.

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

§ 3. IN EFFECT—WHEN.] This act shall take effect and be in force from and after its passage and approval.

Approved March 4, 1889.

LIMITATION.

CHAPTER 81.

NOT TO APPLY TO CERTAIN RISKS OF INSURANCE.

AN ACT to Amend Section 409, of Chapter 8, of the Civil Code.

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

§ 1. INSURANCE POLICY.] That the first paragraph of section 409, of chapter 8, of the civil code of Dakota be amended by adding thereto as follows: *Provided*, however, that the above limitations shall not apply to the policy risks of insurance companies on which no loss has occurred, or the notes, bonds or debentures of any loan or trust company organized under the provisions of this chapter where the payment of such notes, bonds or debentures shall be secured by the actual transfer of real estate by trust deed or mortgage for the payment of such notes, bonds or debentures, which said real estate so transferred shall be of twice the value of the par value of such notes, bonds or debentures:

Provided further, that said limitation shall not apply to any loan or trust company's guarantee for payment after transfer of any notes, bonds or debentures where the same is secured by trust deed or mortgage as above stated.

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

Approved February 27, 1889.