

thereafter select three pharmacists who shall be members in good standing from which number the Governor of the Territory shall appoint one to fill the vacancy annually occurring in said board. The term of office shall be for three years. In case of resignation or removal from the district of any member of said boards, or of a vacancy occurring from any cause, the governor shall fill the vacancy by appointing a pharmacist from the names last submitted to serve as a member of the board for the remainder of the term.

§ 2. REPEAL.] That all acts and parts of acts in conflict with this act be and the same are hereby repealed.

§ 3. EFFECT WHEN.] That this act shall take effect immediately after its passage and approval.

Approved, February 28th, 1889.

PUBLIC OFFICERS.

CHAPTER 100.

ANNUAL REPORTS.

AN ACT Providing for the Printing of the Reports of the Territorial Officers and Institutions for the Fiscal Years 1887 and 1888.

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

§ 1. ANNUAL REPORTS.] All accounts for the printing and binding of the annual and bi-annual reports of the Auditor, Treasurer and other Territorial Officers, to the Governor and Legislative Assembly as required by law, shall be properly verified and certified to by the respective Territorial Officers, and after being examined and determined by the Auditor of the Territory, the Auditor is hereby instructed to draw his warrant or warrants on the Territorial Treasurer for such sum or sums as may be found to be due for such printing, and the Territorial Treasurer is hereby authorized to pay said warrants out of the general fund of the Territory, and there is hereby appropriated a sufficient sum to pay for the printing required by this act.

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

Approved, March 7, 1889.

CHAPTER 101.

TENURE OF OFFICE.

AN ACT to Limit the Terms of Territorial Officers, Directors, Regents and Trustees.

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

§ 1. TERMS OF OFFICE.] That hereafter the terms of office of all Territorial Officers, Directors, Regents and Trustees of public institutions whose offices are created by the Laws of this Territory and filled by appointment of the Governor with or without the advice and consent of the Legislative Council, shall expire at the end of ten days after the expiration of the term of office of the Governor by whom said appointments were made, or ten days after the qualification of his successor, should said office of Governor become vacant by death, resignation or otherwise, *Provided*, however, that such officers, directors, regents and trustees shall hold their respective offices until their successors are appointed and shall have qualified.

§ 2 VACANCIES.] All vacancies created by death, resignation, removal or under the provisions of this act, shall be filled by appointment by the Governor and the terms of office of such appointees shall expire at the end of the session of the Legislative Assembly next ensuing unless sooner terminated under the provisions of this act.

§ 3. SUBJECT TO REMOVAL.] That all officers of the Territory appointed by the Governor by and with the advice and consent of the Council or such as may be appointed by him, to fill vacancies, shall be subject to removal at the pleasure of the executive without assigning cause therefor, and the vacancies thus created shall be filled by the Governor, *provided*, however, that this act shall not be construed as applying to the Governor of any state created out of this Territory.

§ 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, March 5th, 1889.

CHAPTER 102.

TO PROVIDE FOR MAINTENANCE OF OFFICES.

AN ACT for Maintenance of the Public Offices of the Territory.

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

§ 1. ACCOUNTS FOR MAINTENANCE.] That the Territorial Auditor be and he is hereby authorized and empowered to hear and determine any accounts or claims for services or supplies furnished prior to the next session of the Legislative Assembly, for heating and lighting the public offices of the Territory, for care of the same and for expenses necessary to their maintenance, and for necessary repairs upon the Capitol building. And he is also empowered to draw his warrants for such sums as he shall deem to be due on such accounts or claims, not exceeding in the aggregate five thousand dollars in any one year. And the Territorial Treasurer is hereby directed to pay such warrants from the general fund of the Territory.

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

Approved, March 5, 1889.

CHAPTER 103.

LIMIT OF TERM OF CERTAIN.

AN ACT Limiting the Term of Holding the offices of County Treasurer and Sheriff.

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

§ 1. Two TERMS.] That no treasurer or sheriff of any county in this Territory shall be eligible for election to said offices for more than two successive terms of two years each.

§ 2. REPEAL.] All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

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

Approved February 11, 1889.

CHAPTER 104.

FEE FOR COMMISSION OF NOTARIES PUBLIC REDUCED.

AN ACT Amending Section 2, Chapter 116, of Session Laws of 1887, Relating to Notaries Public.

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

§ 1. **FEE FOR COMMISSION.**] That section 2, of chapter 116, of the general laws of 1887 be and the same is hereby amended so as to read as follows:

The secretary shall issue a commission and duplicate thereof to each notary public appointed by the governor, one of which shall be by said notary public posted in a conspicuous place in his office for public inspection, and the secretary shall be entitled to charge and receive for the issuance of said commission and duplicate a fee of two (2) dollars. The secretary shall keep in his office a careful record of such appointments and the date of expiration and shall notify each notary by mailing, postage prepaid, at least thirty (30) days before the expiration of his term a notice of the date upon which his commission expires, which notice shall be addressed to said notary at his last known place of residence.

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

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

HOUSE OF REPRESENTATIVES.

BISMARCK, D. T., February 11, 1889. }

I hereby certify that on the 7th day of February, A. D. 1889, this act was returned to the House of Representatives, the house in which it originated, without the approval of his Excellency, Governor Louis K. Church, and with his objections to this bill in writing; that the said objections were entered at length on the Journal of the House; that the House considered the bill and the question put by the speaker, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" And the bill did pass, more than two thirds of the House voting in the affirmative.

Attest: JNO. G. HAMILTON,
Chief Clerk.

H. H. KEITH,
Speaker of the House.

COUNCIL CHAMBER.

BISMARCK, D. T., February 11, 1889. }

I hereby certify that the within act, together with the objections of his Excellency, Governor Louis K. Church, was received from the house on the 9th day of February, 1889; that the objections of the Governor were read at length and the question stated, "Shall this act be passed, the objections of the Governor to the contrary notwithstanding?" The roll of members was called and the act did pass, more than two-thirds of the members of the council present and voting in the affirmative.

Attest: R. E. WALLACE,
Chief Clerk.

SMITH STIMMEL,
President of the Council.