

L A W S.

CHAPTER LXII.

PROVIDING FOR THE DISTRIBUTION OF THE VOLUMES OF LAWS.
 AN ACT relating to the distribution and preservation of the
 volumes of laws of Dakota Territory.

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

Names of
 officers entitled
 to laws.

SECTION 1. That hereafter and until otherwise provided by law, the following named officers of this territory and of the counties therein, and none others, shall be entitled to receive, without cost to the person holding such office, one copy of the bound volumes of laws enacted by the legislative assembly of this territory, to-wit:

The chief justice of the supreme court of the district of Dakota; each associate justice of said supreme court; each clerk of court; the United States attorney for the district of Dakota; the United States marshal for the district of Dakota; each United States commissioner appointed by any judge of this territory; the governor of the territory; the secretary of the territory; the auditor; the treasurer; the superintendent of public instruction; the commissioner of immigration; the librarian of the historical society of Dakota Territory; each judge of probate; each sheriff; each register of deeds; each justice of the peace; each coroner; each county superintendent of public instruction; each assessor of any county or township; each chairman of the board of county commissioners; and one copy to each library association organized for the benefit of the public in any county or town in this territory; and one to each member of the legislative assembly of the session of which he was a member.

Secretary of
 territory
 to
 distribute
 to
 certain persons

SEC. 2. That it is hereby made the duty of the secretary of this territory, whenever any volumes of the laws of this territory shall come into his hands, to transmit to each federal and territorial officer and United States commissioner and clerks

of the United States district and supreme court, one volume of such laws, pre-paying the postage thereon if sent by mail, and the said secretary shall state an account of his disbursements for postage or carriage of such volumes so sent by him, to the auditor of the territory, who is hereby authorized to audit the same if in his judgment it be just and correct, and when so audited, the treasurer of the territory is authorized to pay the same out of any money in his hands not otherwise appropriated.

Payment of postage or carriage.

SEC. 3. That the register of deeds of the several counties of this territory, shall, on the first Monday of February next succeeding the time when any session of the legislative assembly of this territory shall be held, make a requisition upon the secretary of the territory for as many copies of the laws of said session, as may be required to supply one copy to each county, district or township office entitled to the same, as provided in this act, and shall forward said requisition to said secretary, who shall thereupon, or as soon thereafter as he shall receive the said volumes of laws, forward the number of copies called for by said requisition of the register, to said register, either by express, or in any other secure manner, the charges of said carriage to be borne by the county receiving such laws. The register of deeds upon receiving the laws, shall distribute them to the several officers entitled by law to the same, taking, in every instance, the official receipt of the officer to whom they are delivered, said receipt to describe the date of the volume so delivered, and to be thereafter filed in the office of said register of deeds.

Register of deeds to make requisition for laws.

Register to distribute laws and take receipt.

SEC. 4. That whenever any person shall be elected to fill any of the county, town or district offices mentioned in section one of this act, it shall be such persons duty, before taking possession of the said office, to procure from the register of deeds of their county a copy of the receipt filed with said register by the out-going officer, for any volumes of the laws of this territory, which copy of said receipt the person so elected shall exhibit to his predecessor in office at the time when he shall assume the duties of his office, and shall require from his said predecessor all the volumes of laws which his said predecessor may have received, as shown by the receipt on file with the register of deeds; and it shall be the duty of the said officer after having received from his predecessor

Duty of newly elected officials with reference to volumes of laws.

the volumes of laws as heretofore specified, to make out duplicate receipts of the same, one of said receipts to be given to his predecessor in office, and the other to be forthwith transmitted to the register of deeds of the county who is hereby required to file the same in his office.

Penalty where
out-going offi-
cer refuses to
turn over laws.

Proviso.

SEC. 5. That in case any person holding an office in this territory, or in any county, town or district thereof, shall, upon relinquishing said office to his successor, fail or refuse to deliver over to his successor in office all the volumes of laws that have come into his possession by virtue of holding such office, such person so failing or refusing shall be liable, upon conviction, to a fine of fifty dollars, or to imprisonment in the county jail not exceeding twenty days, and it is hereby made the duty of the person succeeding to the office of such delinquent to file complaint against him before a justice of the peace; *Provided*, That in case the person so failing or refusing to deliver said volumes of laws can show to the satisfaction of the justice that the said laws have been destroyed or stolen in a manner for which the said delinquent person should not be held responsible, then and in that case no penalty shall be imposed.

How to pro-
cure copies of
laws in certain
cases.

Payment
therefor to be
made by coun-
ty.

SEC. 6. That whenever any county, town or district officer, entitled to a copy of the laws of this territory, shall, through the neglect or refusal of his predecessor in office to turn such laws over to him, or through loss occasioned by fire, theft, or other cause for which said person cannot be held responsible, be without such laws, such person is hereby authorized to make a written requisition upon the register of deeds of his county, for such volumes of laws as may be required, and the said register is authorized to proceed according to section three of this act, to supply the said requisition: *Provided*, That the secretary of the territory shall be authorized to charge the county from which said requisition is made, the cost, with ten per cent. added, for each and every additional volume so furnished, which said amount shall be allowed by the board of commissioners of said county, and paid over to the secretary of the territory, in cash, who shall in turn pay the same to the territorial treasurer, taking his official receipt therefor, and that officer shall place all such amounts so received to the credit of the territorial fund for the purposes of immigration.

SEC. 7. That the secretary of the territory is hereby authorized and empowered to sell, to any party applying therefor, the volumes of laws of this territory for the cost and ten per cent. added per volume, and to pay over to the territorial treasurer all sums so received, taking the official receipt of said treasurer therefor, and the said treasurer is instructed to place all sums so received to the credit of the immigration fund of the territory.

Secretary authorized to sell the volumes of laws.

SEC. 8. That ten volumes of the laws of Dakota, passed by the legislative assembly, at this and at all subsequent sessions, shall be placed in the territorial library by the secretary of the territory, and shall be kept therein for the use of any persons visiting said library, but shall not be loaned or otherwise disposed of.

Secretary to retain ten volumes.

SEC. 9. All acts or parts of acts inconsistent or conflicting with this act are hereby repealed.

Conflicting acts repealed.

SEC. 10. This act shall take effect and be in force from and after its passage.

When to take effect.

Approved, January 15, 1875.

LIBRARY.

CHAPTER LXIII.

PROVIDING FOR THE CARE AND CUSTODY OF THE TERRITORIAL LIBRARY.

AN ACT to provide for the care and custody of the Territorial Library.

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

SECTION 1. That the territorial library, including statutes, reports, documents and miscellaneous books of every nature and description, belonging to said library, is hereby placed in the care and custody of the secretary of the territory,

Secretary of territory to have care of library—his duty.