

SECT. 39. The governor is hereby authorized to nominate, and with the advice and consent of the council, appoint the officers mentioned in this act, to hold their respective positions until the first general election, and their successors are elected and qualified.

Governor appoint until that time.

Approved April 24, 1862.

W. JAYNE, *Governor*.

CHAPTER 24.

AN ACT LEGALIZING THE ACTS OF CERTAIN OFFICERS OF THE COUNTY OF BIG SIOUX.

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

SECTION 1. That the official acts of James M. Allen as register of deeds, and of James McCall as justice of the peace for the county of Big Sioux, as organized under the authority of the Territory of Minnesota, be and are hereby declared legal.

Official acts legalized.

SECT. 2. That this act shall take effect from and after its passage.

Take effect, when.

Approved May 8, 1862.

W. JAYNE, *Governor*.

COUNTY WARRANTS.

CHAPTER 25.

AN ACT LIMITING THE ISSUE OF COUNTY WARRANTS.

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

SECTION 1. That all issue of county warrants amounting in the aggregate to a sum larger than the county tax levied

Issue larger than tax levied unlawful.

for the year in which they are issued, are hereby declared unlawful, unless the county commissioners shall be first authorized by a majority of the legal voters of said county at any election when the proposition shall be submitted to them.

Warrants bear upon their face amount levied and drawn. Commissioners liable for over-issue.

SECT. 2. All warrants shall bear upon their face the amount of said tax levied, and the amount that warrants have been drawn for, and all warrants drawn for a larger amount than is authorized by law, the county commissioners shall be personally liable for the same.

Take effect, when.

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

Approved May 14, 1862.

W. JAYNE, *Governor.*

COURTS AND JUDGES.

CHAPTER 26.

AN ACT TO AUTHORIZE HOLDING SPECIAL TERMS OF THE DISTRICT COURT IN CERTAIN COUNTIES [CASES].

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

If judge falls in regular term, may hold special, when.

SECTION 1. That if the judge of any district court in this territory shall, for any reason whatever, fail to hold court in any county in his district, at the time prescribed by law, such judge may order and hold a special term of the district court in such county, whenever the business of the county or the court shall, in the opinion of the judge, require it.

When special term is held, notice to be given.

SECT. 2. When a special term of the said court shall be held in any county, the presiding judge of the district shall direct notice of the time of the court to be given at least twenty days prior to the sitting of the same, in a newspaper of the county, if there be one; if not, then in some paper in the nearest or adjoining county.