

SECT. 22. Every special partner who shall violate any provisions of the two last preceding sections, or who shall concur in or assent to any such violation of the partnership, or by any individual partner, shall be liable as a general partner. Same.

SECT. 23. In case of the insolvency or bankruptcy of the partnership, no special partner shall, under any circumstances, be allowed to claim as a creditor, until the claims of all the other creditors of the partnership shall be satisfied. No special partner claims until all others are satisfied.

SECT. 24. No dissolution of such partnership by the act of the parties shall take place previous to the time specified in the certificate of its formation, or in the certificate of its renewal, until a notice of such dissolution shall have been filed and recorded in the office of the register of deeds in which the original certificate was recorded, and published once in each [week] for four weeks, in a newspaper printed in each of the counties where the partnership may have places of business; and, if there be no newspaper published in such county or counties, then by publishing the same as aforesaid, in a newspaper published at the capital of the territory. Dissolution before time specified, how.

SECT. 25. This act shall take effect and be in force from and after its passage. Take effect, when.

Approved May 12, 1862.

W. JAYNE, *Governor.*

PENITENTIARY.

CHAPTER 66.

AN ACT TO LOCATE THE PENITENTIARY.

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

SECTION 1. That the penitentiary for Dakota Territory is hereby located at Bon Homme, in said territory, on the Located at Bon Homme.

north-east quarter (1-4) of section number thirteen (13), in township ninety-three (93), of range number fifty-nine (59) west, and shall not be removed except by a two-third vote of the legislative assembly of Dakota Territory, and the approval of said vote by the governor.

Take effect,
when.

SECT. 2. This act to take effect from and after its passage, and approval by the governor.

Approved May 5, 1862.

W. JAYNE, Governor.

PUBLIC LANDS.

CHAPTER 67.

AN ACT TO PROTECT PERSONS HOLDING CLAIMS ON THE PUBLIC LANDS.

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

Persons hold-
ing may main-
tain action, &c.

SECTION 1. Any person settled upon the public lands belonging to the United States, on which settlement is not expressly prohibited by congress, or some department of the general government, may maintain an action for any injuries done to the same, also an action to recover the possession thereof, in the same manner as if he possessed a fee-simple title to said lands.

Possessory right
considered to ex-
tend to bounda-
ries.

SECT. 2. On the trial of any such cause, the possession or possessory right of the plaintiff shall be considered as extending to the boundaries embraced by the claim of such plaintiff, so as to enable him to have and maintain any of the aforesaid actions without being compelled to prove a natural inclosure: *Provided*, That such claim shall not exceed in any case one hundred and sixty acres.

Proviso.

Every claim
must be marked
out, how, &c.

SECT. 3. Every such claim, to enable the holder thereof to maintain any of the aforesaid actions, shall be marked out,