

sponsible men to fill such vacancy, whose duty it shall be to qualify according to law as in the case of the election of county commissioners.

Register of deeds to notify judge of probate.

Sec. 9. It is hereby made the duty of the register of deeds, upon the vacancies occurring as set forth in section eight of this chapter to notify the judge of probate as soon as possible, of such vacancy, and upon such notice the judge shall appoint.

Conflicting acts repealed.

Sec. 10. All acts and parts of acts, conflicting with this act, are hereby repealed.

When to take effect.

Sec. 11. This act shall [take] effect from and after its passage.

APPROVED, December 31st, 1864.

JURORS.

CHAPTER XIII.

AN ACT IN RELATION TO SUMMONING GRAND AND PETIT JURORS.

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

When duty of judge to order a venire facias to issue.

Section 1. That whenever at any term of any territorial district court of this Territory, a grand or petit jury shall not have been selected and drawn by the county commissioners and clerk of said district court, as provided by law for drawing said grand and petit jurors, then the judge of such district court may in his discretion at any time before or during the session of such district court, order a *venire facias* to issue to the proper officers to summon the required number of lawful persons to

serve as grand or petit jurors at said term, returnable as the said judge in said venire shall direct.

Sec. 2. This act shall take effect from and after its pas- When to take effect.
sage.

APPROVED, January 11th, 1865.

MONEY

CHAPTER XIV.

AN ACT CONCERNING MONEY OF ACCOUNT AND FIX- ING A RATE OF INTEREST OF MONEY.

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

Section 1. The money of account in this territory shall be In what the money of account shall be, and how proceedings in court shall be held.
the dollar, cent and mill, and all accounts in the territorial of-
fices and all proceedings in courts shall be kept and had in con-
formity to this regulation.

Sec. 2. Nothing contained in the preceding section shall Not to vitiate.
vitate or affect any account, charge, or entry originally made
or any contract expressed in any other money of account, but
the same shall be reduced to dollars and parts of dollars in any
suit thereupon.

INTEREST OF MONEY.

Sec. 3. Any rate of interest agreed upon by parties in Rates of inter-
est.
contract, specifying the same in writing, shall be legal and
valid.

Sec. 4. When no rate of interest is agreed upon or specified Legal interest.