

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vitate or affect any account, charge, or entry originally made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 interest.
contract, specifying the same in writing, shall be legal and est.
valid.

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

in a note or other contract, seven per cent per annum, shall be the legal rate.

Interest on judgments.

Sec. 5. All judgments that may be hereafter recovered in any court of this territory, shall, from and after the rendition of the same, draw interest at the rate of ten per cent per annum.

Interest on balanced accounts.

Sec. 6. All balanced accounts shall draw interest at the rate of ten per cent per annum on such balance until paid.

When to take effect.

Sec. 7. This act shall take effect and be in force from and after its passage and approval by the Governor.

APPROVED, Jan. 9th, 1865.

MORTGAGES

CHAPTER XV.

AN ACT PROVIDING FOR THE FORECLOSURE OF MORTGAGES.

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

How mortgage may be foreclosed.

Section 1. Every mortgage of real estate, containing there in a power of sale, upon default being made in any condition of such mortgage, may be foreclosed by advertisement, in the cases and manner hereinafter specified.

What is requisite.

Sec. 2. To entitle any party to give a notice as hereinafter prescribed, and to make such foreclosure it shall be requisite:

First, That some default in a condition of such mortgage shall have accrued, by which the power to sell has become operative.

Second, That no suit or proceedings shall have been institu-