

the time for the keeping or shelter of horses, cattle, sheep or swine, or within one mile of any public highway in this territory.

~~Misdemeanor.~~

Sec. 2. All persons who shall disregard any of the provisions of section first, shall be guilty of a misdemeanor.

When to take effect.

Sec. 3. This act shall take effect from and after its passage.

APPROVED, January 11, 1865.

PUBLIC INSTRUCTION.

CHAPTER XX.

AN ACT QUALIFYING SECTION FIFTY-ONE OF CHAPTER NINETEEN, GENERAL LAWS OF 1863-64.

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

Board of education to appoint superintendent of public instruction.

Section 1. That section fifty-one of an act entitled "An act to regulate elections, to prescribe the qualifications of voters, to prevent illegal voting, and to prescribe the canvass and return of the same," approved January 14, 1864, shall be so construed as to authorize the board of education for the Territory of Dakota to appoint a suitable person as superintendent of public instruction for the Territory of Dakota, even if such person so appointed shall not have resided in this territory for the period of nine months next preceding said appointment;

Provided, That but one appointment shall be made under the provisions of this act.

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

APPROVED, Dec. 29th, 1864.

ROADS.

CHAPTER XXI.

AN ACT ENTITLED AN ACT LOCATING A TERRITORIAL ROAD IN CLAY COUNTY.

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

Section 1. Franklin Taylor, John W. Boyle and Benjamin Shepherd be and they are hereby appointed commission- Commissioners
to lay out a
road.
ers to survey and locate a territorial road, commencing on the east line of Clay county, at a point that will intersect the road from Pacquett's ferry, on the Sioux river, running on the bottom to Vermillion, in Clay county, thence westwardly, on the most direct course, to intersect the territorial road at William Benedict's in said Clay county, in township number 92 north, of range 52 west.

Sec. 2. The said commissioners shall meet at the house of Commissioners
to meet—free.
Jesse L. Fisher, at Greenpoint on or before the first day of June, A. D. 1865, and shall proceed to survey and locate said