

Sec. 5. This act shall take effect and be in force from and after its passage and approval by the Governor. When to take effect.

Approved, January 8th, 1866.

COUNTY OFFICERS.

CHAPTER 10.

An Act fixing the time of Holding the Regular Meetings of the Boards of County Commissioners.

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

Section 1. That there shall be four regular meetings of the board of county commissioners, in each of the organized counties of this Territory, in each year, at the county seat of each county, at any one of which meetings the board shall make all necessary and needful provisions for carrying forward and defraying the expenses of the current business of the county. To be four meetings annually.

Sec. 2. The first regular meeting shall commence on the first Monday in January, and may continue three days. When first meeting commence and how long continue.

Sec. 3. The second regular meeting shall commence on the first Monday of April, and may continue four days. Second meeting.

Sec. 4. The third regular meeting shall commence on the first Monday of July, and may continue three days. Third meeting.

Sec. 5. The fourth regular meeting shall commence on the first Monday of October, and may continue three days. Fourth meeting.

Sec. 6. The county commissioners shall not have power to adjourn any regular meeting to a different day, but may call and hold special meetings, not to exceed four days in the year. Commissioners cannot adjourn regular meeting but may call special.

Sec. 7. All acts and parts of acts in conflict with this act, are hereby repealed. Acts repealed.

When to take effect.

Sec. 8. This act shall take effect and be in force from and after the first day of April, A. D., 1866.

Approved, January 12th, 1866.

CHAPTER 11.

An Act relative to the Commissioners and Probate Judge of Todd County.

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

Duties of probate judge in certain cases.

Section 1. That prior to any general or special election, if there be a vacancy in the office of a majority of the board of county commissioners of Todd county, the probate judge of said county is authorized, and it is hereby made his duty, in that case, to do and perform all and every act that the county commissioners are required to do under the election law of this Territory ; and if there also be, at such time, a vacancy in the office of register of deeds, or the office of sheriff, the probate judge of said county shall temporarily fill either or both of said offices by appointing a voter of said county to the office so vacant, and the register of deeds and sheriff, appointed under the provisions of this act shall qualify and give bonds as required by law, and shall perform all the duties of such offices, until a register of deeds or sheriff or both, as the case may be, be elected and qualified into office. .

Who to be canvassers in certain cases.

Sec. 2. And the returns of any election held during the time that the probate judge acts as, and performs, the duties of county commissioners, shall be canvassed by the register of deeds and probate judge of said county.

This act to be the law.

Sec. 3. This act shall be the law upon the matters therein mentioned, any law or laws to the reverse notwithstanding.

When to take effect.

Sec. 4. This act shall take effect from and after its passage and approval.

Approved, January 8th, 1866.

CHAPTER 12.

An Act requiring Justices of the Peace and Constables to Qualify and give Bond.

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

Section 1. That every justice of the peace and constable that shall hereafter be elected or appointed under the laws of this territory, (except special constables) shall, before he enters upon the duties of the office to which he has been so elected or appointed, take and subscribe to the following oath:

I, _____ do solemnly swear (or affirm under the pains and penalties of perjury) that I will support the Constitution of the United States, and the act of congress organizing the territory of Dakota, and that I will truly and faithfully perform the duties of the office of justice of the peace (or constable,) according to law and the best of my ability, so help me God. Which oath may be administered by any officer of his county, who by law is authorized to administer oaths, and said oath, after being subscribed and certified, shall be delivered to the register of deeds of such county, whose duty it shall be to record the same in a book to be kept for that purpose, for which he shall receive from the person taking such oath a fee of twenty-five cents.

Sec. 2. Each justice of the peace and constable, hereafter to be elected or appointed under the laws of this territory (special constables excepted) before entering upon the duties of his office, shall execute to the county commissioners of the county in and for which he has been so elected or appointed, a bond as hereinafter provided: the bond for a justice of the peace shall be in the penal sum of five hundred dollars, and the bond for a constable shall be in the penal sum of two hundred dollars, with surety to be approved by the register of deeds, conditioned that he (the justice or constable) shall faithfully perform the duties of his office according to law; which bond shall be recorded by the register of deeds in the book mentioned in the last section to be kept for the record of offi-

Justices and constables to take oath.

Form of oath.

Register to record oath.

Justices and constables to give bond in sum of \$200.
Bond recorded.

cial oaths, and for recording such bond the register of deeds shall receive a fee of fifty cents from the person executing the same.

Duty of officers heretofore elected.

Sec. 3. That all persons within this territory, elected to the office of justice of the peace or constable at the general election held in October last, who have not, on or before the date of the approval of this act, qualified into office agreeable to the provisions of any law now in force, shall be required to qualify and give bond as provided in this act.

Other acts to conform to this.

Sec. 4. All acts and parts of acts now in force shall be so construed as to conform to the provisions of this act.

When to take effect.

Sec. 5. This act shall take effect and be in force from and after its passage and approval.

Approved, December 27th, 1865.

COURTS.

CHAPTER 13.

An Act Fixing the time of holding the District Courts in the First, Second and Third Judicial Districts; and the time of holding the Courts in the county of Union.

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

Time and place of holding court in third district

Section 1. That the District Court in and for the third judicial district, shall be held at the town of Bon Homme, in the county of Bon Homme, on the second Monday of May and the first Monday of September in each year.

In second district.

Sec. 2. That the District Court in and for the second judicial district, shall be held in the town of Yankton, in the county of Yankton, on the first Monday of June and the first Monday of October in each year.