

## CHAPTER XLVII.

## FEES OF WITNESSES AND JURORS.

AN ACT to regulate the fees of witnesses and jurors in Justice Court.

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

Fees of witnesses in justices' courts.

SECTION 1. In all cases, civil and criminal, before a justice of the peace, the fees of witnesses shall be as follows:

For each day's attendance, one dollar;

For each half day's attendance, fifty cents;

For each mile actually traveled to attend at the place of trial one way, ten cents.

Fees to be paid in advance.

SEC. 2. No witness shall be compelled by attachment or other process, to go to or attend any place of trial until his mileage and attendance for half a day, as specified in the preceding section shall have been paid, or tendered to him.

Fees.

SEC. 3. The fees of jurors in justice court shall be as follows:

For each case, attendance, fifty cents.

When to take effect.

SEC. 4. This act shall take effect and be in force from and after its passage and approval.

Approved, January 14, 1875.

## FUNDING COUNTY INDEBTEDNESS.

## CHAPTER XLVIII.

## AUTHORIZING THE FUNDING OF COUNTY INDEBTEDNESS.

AN ACT authorizing the county commissioners of the several counties of this territory to fund the outstanding indebtedness of their respective counties.

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

Outstanding indebtedness of counties to be funded.

SECTION 1. That the outstanding indebtedness of the several organized counties of this territory, payable out of the taxes for ordinary county revenue and the sinking fund tax shall be funded as hereinafter provided.

SEC. 2. That the county commissioners of the several counties of this territory, on and after the first day of January, 1875, shall have the authority, and it is hereby made their duty, to provide that whenever warrants drawn upon the funds hereinbefore mentioned, shall be presented to the county treasurer of the county, in sums of fifty dollars, for the purpose of being funded, that such warrants shall be taken up, the interest thereon calculated to the said first day of January, 1875, and in lieu thereof, and in payment of said warrants, that the bonds of said county, in denominations of not less than fifty dollars, bearing date and with interest, and payable as hereinafter mentioned, be issued to the holders of such warrants.

Commissioners shall have authority to issue county bonds for warrants.

SEC. 3. Such bonds shall be dated the first day of January, 1875; shall be payable ten years after date, and shall bear interest at the rate of ten per cent. per annum, payable semi-annually on the first day of July and January of each year, at the county treasurer's office in said county, and the principal thereof shall be there payable.

Bonds, when dated and when payable.

SEC. 4. It shall be the duty of the county commissioners of such counties as shall fund their outstanding indebtedness, as herein provided, to levy and collect annually a tax in cash sufficient to pay the interest on said bonds, and after five years they shall levy and collect in addition thereto an annually sinking fund bond tax, sufficient to pay the principal of such bonds by the time the same shall become due and payable; and with such sinking fund bond tax, as fast as the same is collected, they shall go into the market and buy up such bonds, and retire the same, and such interest tax and sinking fund bond tax shall not be used for any other purpose whatsoever.

Commissioners shall levy tax to pay interest on bonds

May purchase bonds.

SEC. 5. The said outstanding indebtedness which shall exist on the said first day of January, 1875, only, shall be funded as herein provided, and any and all persons shall have until the first day of July, 1875, to bring in warrants in their possession, drawn on such funds, and receive the bonds as before provided, and no longer.

Certain outstanding in indebtedness only to be funded

SEC. 6. The county commissioners of any county, the indebtedness of which shall be funded as herein provided, shall at their first session of the board after the passage of this

Duty of commissioners in reference to this act.

act make such provisions as shall be necessary and proper for carrying out the provision of this act, or as soon thereafter as it can reasonably be done, and such bonds shall be either printed or lithographed, and shall be executed by the chairman of the board of commissioners for the county, shall be under the seal of the county, and attested by the clerk thereof, and shall be payable to the order of the person respectively presenting such warrants.

Disposition  
of county war-  
rants redeem-  
ed by bonds.

SEC. 7. When such warrants are so taken up and paid by the issue of bonds as herein provided, such warrants shall be marked "Paid by Bond No. —," (giving number of bond) and shall be retained by the county treasurer until his settlement with the county commissioners, shall then be carefully compared with the bond register, and if found to correspond therewith shall be then destroyed, and to facilitate settlement with such board the county treasurer shall indorse upon each warrant so taken up and paid the amount of interest allowed thereon.

County treas-  
urer to have  
bond register.

SEC. 8. The county treasurers of the several counties funding their indebtedness under the provisions of this act shall provide themselves with a book to be called the bond register, wherein they shall note the number of all bonds issued, the date when issued, the party to whom issued, and the amount of the warrant, and the amount of the interest thereon for which such bond was exchanged, and such other facts as he shall be required thereunto by the county commissioners, and such register shall immediately after the first day of July, 1875, be deposited with the county clerk, and shall remain in his office as a public record: *Provided, however,* That in the counties of Union, Minnehaha, Brookings, Clay, Bon Homme and Burleigh, it shall be optional with the board of county commissioners to fund said outstanding indebtedness as herein provided, or to pay the same in the manner now provided by law.

What to be  
cited therein.

Proviso.

When to take  
effect.

SEC. 9. This act shall take effect and be in force from and after its passage and approval.

Approved, January 14, 1875.