

CHAPTER LXXXIX.

FIXING THE TIME FOR HOLDING THE SUPREME COURT.

AN ACT to fix the time of holding the supreme court for the Territory of Dakota.

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

Time of holding supreme court.

SECTION 1. That there shall be held at Yankton, two terms annually, of the supreme court, commencing the fourth Tuesday of June, and the second Tuesday of December.

Certain act repealed.

SEC. 2. That chapter 14 of the acts of 1870-1, is hereby repealed: *Provided however*, That the January term, 1875, of said court, shall be held as therein provided.

Proviso.

When to take effect.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved, January 15, 1875.

TAXES.

CHAPTER XC.

EXTENDING TIME FOR PAYING SCHOOL TAXES.

AN ACT extending the time for the payment of school district taxes, and for other purposes.

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

Delinquent school taxes declared valid and time extended.

SECTION 1. That all delinquent school district taxes now in the hands of any officer of the school district board of any school district in this territory are hereby declared valid, and the time for the school district board to collect any and all such taxes is hereby extended until the first day of April, A. D. 1875.

District board to collect taxes

SEC. 2. That in all cases of any delinquent taxes now in the hands of any officer of any school district board, the said board shall proceed to the collection of such delinquent taxes in the same manner, and subject to the same rules, regulations, and with equal force and effect as such school district board now collects taxes as provided by law for the collection of taxes in any school district in this territory.

SEC. 3. That if on the first day of April, A. D. 1875, there is any delinquent taxes in the hands of any school district board officer, the school district board shall turn such delinquent taxes over to the county treasurer of the county in which such school district board is situated, and the county treasurer shall proceed to collect such delinquent taxes in the same manner that such taxes are now collected by law.

When district board shall turn taxes over to county treasurer.

SEC. 4. That all acts and parts of acts in conflict with the provisions of this act are hereby repealed so far as they apply to the cases herein provided for by this act.

Conflicting acts repealed.

SEC. 5. That this act shall take effect and be in force from and after its passage and approval.

When to take effect.

Approved, January 15, 1875.

CHAPTER XCI.

PROVIDING THAT DELINQUENT TAXES SHALL BE BROUGHT FORWARD.

AN ACT requiring the delinquent taxes to be brought forward upon the next tax list, and providing for the collection of the same, and for other purposes.

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

SECTION 1. That all delinquent county, school and territorial taxes which shall remain delinquent in this territory, on the first day of October, 1875, without regard to the year for which they were levied, shall be brought forward and entered upon and added to the tax list for the year 1875, in appropriate columns, and shall be collected together with the interest and penalty thereon, in the same manner and with like effect as though said tax had been levied and assessed in the year 1875.

When delinquent taxes shall be bro't forward.

SEC. 2. To facilitate the bringing forward of said delinquent taxes, the county clerk shall have access to and the custody of the tax books now in the hands of the county treasurer, at the time they are making up the said tax list for 1875, and it shall be the duty of said clerk to enter upon and add to such tax list for 1875, all such delinquent taxes as provided in section one of this act.

County clerk to assist in bringing forward delinquent taxes.

Certain acts
declared legal.

SEC. 3. All acts and doings of all the county, township, precinct, school and other officers in and about the assessment, levying and collection of said taxes, so far as may be necessary to legalize and validate said delinquent taxes, are hereby legalized and validated, ratified and confirmed: *Provided however*, That nothing herein contained shall be construed as legalizing or validating any tax not authorized by law to be levied or raised.

Proviso.

Duty of county
treasurer.

SEC. 4. It shall be the duty of the county treasurers of the several counties of this territory, to collect all such delinquent taxes, and all taxes which shall be levied and placed in their hands for collection, and assessed, in the manner and at the time provided by law, and if they fail so to do, and the county shall suffer any loss by reason of the neglect of any such treasurer so to perform his duty in that regard, the said treasurer shall be liable upon his official bond, together with his sureties, to the county for such loss.

Penalty for
failing to do
duty.

When to take
effect.

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

Approved, January 14, 1875.

CHAPTER XCII.

PROVIDING FOR THE PAYMENT OF DELINQUENT TAXES.

AN ACT to provide for the payment of delinquent taxes.

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

What taxes
may be paid
with county
warrants.

Section 1. That all taxes up to, and including the year 1873, now delinquent in the counties of Yankton and Bon Homme, with the exception of the territorial tax, may be paid with county warrants, and it shall be the duty of the county treasurers of said counties to receive such warrants in payment of any and all taxes up to and including the year 1873, with the exception above stated, and give receipts for such taxes: *Provided, however*, That as fast as any moneys shall be received into the treasury of the county from whatever source, except in payment of territorial taxes, such money shall be used to re-

Proviso.

imburse the special funds absorbed by the warrants received under the provisions of this act, care being taken by the board of county commissioners to keep and preserve the school funds to such condition that the schools can be maintained as provided by law.

SEC. 2. All acts or parts of acts conflicting with the provisions of this act are hereby repealed. Conflicting acts repealed.

SEC. 3. This act shall take effect and be in force from and after its passage and approval. When to take effect.

Approved, January 15, 1875.

WEIGHTS AND MEASURES.

CHAPTER XCIII.

PRESCRIBING PENALTY FOR USING FALSE WEIGHTS AND MEASURES.

AN ACT defining the penalty for using false weights and measures.

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

SECTION 1. If any person with intent to defraud, use a false balance, weight, or measure, in the weighing or measuring of any thing whatever that is purchased, sold, bartered, shipped or delivered, for sale or barter, or that is pledged or given in payment, he shall be punished by fine, not exceeding one hundred dollars, nor less than twenty-five dollars, or by imprisonment in the county jail not more than thirty days, or by both fine and imprisonment, at the discretion of the court. The fine shall be appropriated to the use of common schools, in the same county. He shall also be liable to the injured party in double the amount of damages, with costs of suit. Penalty for using false weights and measures.

SEC. 3. This act shall be in force from and after its passage and approval. When to take effect.

Approved, January 12, 1875.