

Appeals.

FROM COURTS OF JUSTICES OF THE PEACE.

CHAPTER 4.

AN ACT to amend Section Eighty-nine of the Justices' Code.

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

§ 1. WHO MAY APPEAL. HOW TAKEN. WHAT NOTICE TO STATE.] That section eighty-nine of the justices' code be and the same is hereby amended to read as follows: § 89. Any party dissatisfied with a judgment rendered in a civil action in a justice's court, may appeal therefrom to the district court of the county or sub-division at any time within thirty days after the rendition of the judgment. The appeal is taken by serving a copy of the notice of appeal on the adverse party or his attorney, and by filing the notice of appeal with the justice. The notice must state whether the appeal is taken from the whole or a part of the judgment, and if from a part, what part, and whether the appeal is taken on questions of law or fact, or both.

§ 2. This act shall take effect and be in force from and after its passage and approval.

Approved, February 21st, 1881.

CHAPTER 5.

PROCEEDINGS IN DISTRICT COURT.

AN ACT to amend Section 96 of the Justices' Code.

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

§ 1. PROCEEDING IN DISTRICT COURT.] That section ninety-six of the justices' code be amended by adding thereto the following: No notice of trial and note of issue shall be required

to be served or filed in order to bring the cause appealed upon the trial calendar in the district court, but said appeal shall be filed by the clerk on payment of his costs and entered upon the calendar and shall stand for trial as soon as the same is reached in the regular call of the calendar thereafter. If not so filed within fifteen days from the time such appeal was perfected, then the same shall be dismissed by the order of the court at any time thereafter, upon motion of the appellee, after three days notice to the appellant or his attorney.

§ 2. This act shall take effect and be in force from and after its passage and approval.

Approved, February 17th, 1881.

Apportionment.

CHAPTER 6.

AN ACT amending Chapter Two of the Session Laws of 1879, relating to Apportionment of Representation in the Legislative Assembly.

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

§ 1. FIRST DISTRICT.] That chapter two of the session laws of 1879 be and the same is hereby amended as follows: The counties of Union and Clay shall constitute the first council and representative district, and shall be entitled to one member of the council and two members of the house of representatives, and Union county shall be the senior county.

§ 2. SECOND DISTRICT.] The counties of Lincoln, Turner and McCook shall constitute the second council and representative district, and shall be entitled to one member of the council and two members of the house of representatives, and Turner county shall be the senior county.

§ 3. THIRD DISTRICT.] The county of Minnehaha shall constitute the third council and representative district, and shall be entitled to one member of the council and one member of the house of representatives.