

Counties—Boundaries of.

CHAPTER 39.

USTER AND FORSYTHE.

AN ACT to Combine and Consolidate the Counties of Custer and Forsythe.

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

§ 1. CUSTER TO INCLUDE FORSYTHE.] All that district of country heretofore known and defined as the counties of Custer and Forsythe shall be and the same is hereby made, constituted and declared, the county of Custer.

§ 2. PROCESS TO RUN IN NAME OF CUSTER. FORSYTHE NOT LIABLE FOR INDEBTEDNESS.] Immediately upon the taking effect of this act, all process and business of every kind within said district of country shall run in the name of and be transacted in the corporate name of Custer county: *Provided*, That the district of country heretofore known as the county of Forsythe shall not be liable to the county of Custer for any part of the indebtedness of the present county of Custer, which has been or may be contracted and outstanding at and before the date of the passage and approval of this act.

§ 3. All acts or parts of acts inconsistent with this act are hereby repealed.

§ 4. This act shall take effect and be in force from and after the date of its passage and approval.

Received at Executive Office, February 16, at 5:30 P. M.

Note by the Secretary of the Territory.

The foregoing act having been presented to the Governor of the Territory for his approval, and not having been returned by him to the House of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

GEO. H. HAND,
Secretary of the Territory.

CHAPTER 40.

DICKET.

AN ACT Creating the County of Dickey and Defining its Boundaries.

Be it enacted by the Legislative Assembly of Dakota Territory:

§ 1. BOUNDARIES.] All that district of country included within the following boundary lines shall be and the same is hereby constituted and declared the county of Dickey, viz.: Beginning at the southeast corner of township one hundred and twenty-nine (129), north of range fifty-nine (59) west; thence north along the line between ranges fifty-eight (58) and fifty-nine (59) to the eighth (8th) standard parallel; thence west along the eighth (8th) standard parallel to the northwest corner of township one hundred and thirty-two (132), north range sixty-six (66) west; thence south along the line between ranges sixty-six (66) and sixty-seven (67) west, to the seventh (7th) standard parallel; thence east along the seventh standard parallel to the place of beginning; and the jurisdiction of said county of Dickey shall, upon the taking effect of this act, extend over all the district embraced in the above boundaries.

§ 2. All acts or parts of acts in conflict with this act are hereby repealed.

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

Approved, March 5, 1881.

CHAPTER 41.

GRIGGS.

AN ACT to Create the County of Griggs and Define the Boundaries thereof.

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

§ 1. BOUNDARIES] That all that district of country included within the following boundary lines, to-wit: Beginning at the extreme northeast corner of township 148 north,

range 56 west, where the township line between townships 148 and 149 intersect the range line between ranges 55 and 56; thence west between townships 148 and 149 to the northwest corner of township No. 148, north of range 61 west; thence south between ranges 61 and 62 west, to the southwest corner of township 144 north, range 61 west; thence east on township line between townships 143 and 144 north; to the southeast corner of township No. 144, range 56; thence north between ranges 55 and 56 to the point of beginning, shall be and the same is hereby declared to be and is constituted the county of Griggs.

§ 2. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

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

TERRITORY OF DAKOTA,)
Yankton, February 17, 1881. }

This act being entitled "An act to create the county of Griggs and define the boundaries thereof," originated in the House of Representatives of this Territory; passed the House, February 7, 1881, and was transmitted to the Council and passed that body February 9, 1881; was presented to the Governor of this Territory on the 12th day of February, 1881, and returned without his approval, February 16, 1881, and accompanied by his objections, which were entered at length upon the journal, and the communication made the special order for February 17, 1881, at 2 o'clock P. M. At 2 o'clock P. M., the 18th of February, 1881, the House resumed consideration of the special message, the question being, "Shall the bill pass, notwithstanding the objections of the Governor?" and the bill was passed, the necessary two-thirds of all members voting in the affirmative. And to these facts of the action of the House, I hereby certify of my own knowledge.

Attest:

FRANK J. MEAD,
Chief Clerk of the House.

J. A. HARDING,
Speaker of the House.

COUNCIL CHAMBER,)
Yankton, D. T., February 18, 1881. }

I hereby certify that on this 18th day of February, 1881, the foregoing bill, together with the objections of the Governor, was received from the House by the Council; and the Council thereupon proceeded to reconsider said bill, and the question being put, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" it was decided in the affirmative, two-thirds of the Council voting to pass the bill, and then it was approved by the Council.

Attest:

E. B. DAWSON,
Chief Clerk.

Approved,
GEO. H. WALSH,
President.

CHAPTER 42.

HANSON, DAVISON AND AURORA.

AN ACT Concerning the Boundaries of Hanson, Davison and other Counties,
Dakota Territory.

Be it enacted by the Legislative Assembly of Dakota Territory:

§ 1. BOUNDARIES OF HANSON AND DAVISON.] That the boundaries of Hanson County shall be as follows: All that district of country lying within the following boundaries, to-wit: Beginning at the southeast corner of township 101, range 57, and running thence north along the range line to the northeast corner of town 104, range 57; thence west along the township line to the northwest corner of township 104, range 59; thence south on said range line to the southwest corner of township 101, range 59; thence east to the place of beginning. And that Davison County shall include all that district of country within the following boundaries, to wit: Beginning at the southeast corner of township 101, range 60; and running thence north on said range line to the northeast corner of township 104, range 60; thence west along the township line to the northwest corner of township 104, range 62; thence south on the range line to the southwest corner of township 101, range 62; thence east to the place of beginning.

§ 2. BOUNDARIES OF HANSON COUNTY.] That the boundaries of Hanson County shall be as follows, except as hereinafter provided, to-wit: Beginning at the southeast corner of township 101, range 57; and running thence north to the northeast corner of township 104, range 57; and thence west on the township line to the northwest corner of township 104, range 61; thence south on the range line, to the southwest corner of township 101, range 61; thence east to the place of beginning.

§ 3. ELECTION TO DECIDE THE QUESTION OF BOUNDARIES.] That the boundaries of the foregoing counties, as set forth in section one and section two of this act, shall be submitted to the legal voters of the counties aforesaid, at a special election of the said counties, to be held on the second Tuesday in October, 1881, notice having been given by the officers of each county as is now required by law in the case of general elections,

and in addition thereto shall be published in the newspapers of each county for four weeks successively within forty days prior to the day of election. The said election, where not otherwise expressly provided, shall be governed in all things in the same manner as required by law in general elections. The ballots used at said election shall be as near as may be in one of the following forms, to-wit: "For the adoption of a division of counties as set forth in Section one of an act concerning the boundaries of Hanson and Davison Counties, passed at the fourteenth session, Legislative Assembly of Dakota," or "For the adoption of consolidation of counties as set forth in Section two of an act concerning the boundaries of Hanson and Davison counties, passed at the 14th session, Legislative Assembly of Dakota."

§ 4. IF MAJORITY OF VOTES FAVOR BOUNDARIES DEFINED BY SECTION 1, PRESENT ORGANIZATION REMAINS.] If upon the canvassing the votes, there shall be a majority of the votes cast at such special election in favor of the division and boundaries as set forth in Section one of this act, then the organizations of Hanson and Davison counties shall be as now organized and the jurisdiction of each shall extend respectively over the territory as described in Section one of this act as belonging to each county respectively, and any vacancies occurring in the offices, to be filled as now provided by law.

§ 5. IF MAJORITY FAVOR BOUNDARIES DEFINED BY SECTION 2, CONSOLIDATION SHALL TAKE PLACE.] If upon the canvass of the votes, there shall be a majority of the votes cast at said special election, in favor of adopting the consolidation as set forth in Section two of this act, then all that district of country as bounded and described in Section two of this act shall be the county of Hanson, and the jurisdiction of Hanson County shall extend over all the district embraced in the boundaries set forth in Section two, and all the officers of Davison County shall, immediately upon the day this act takes effect, deliver to the like corresponding officers of Hanson County, respectively, all the books, records, money and other property in their hands as such officers and belonging to Davison county, the same as required by section 14, of chapter 5, of the Political Code, to be delivered to their regular successors in office; they shall take the same to the county seat of Han-

son county and deliver the same as aforesaid, and shall be paid by the county of Hanson therefor their actual expenses and three dollars per day for the time actually employed therein.

§ 6. IF CONSOLIDATED CERTAIN OFFICES BECOME VACANT.] It is further provided that in case of consolidation of the counties of Hanson and Davison, as provided in this act, that the county offices of the said county of Davison shall become vacant as soon thereafter as the result of said election is officially announced, as hereinafter set forth, and the county officers of said county of Hanson shall become vacant when their successors are elected and qualified, which shall be at the first general election after said special election.

§ 7. IF CONSOLIDATED, LEGAL PROCESS, DEBTS, LIABILITIES, ETC.] It is further provided that in case of consolidation, as set forth in Section two of this act, all process and business of every kind within said district of country described in Section two of this act, shall run in the name of and be transacted in the corporate name of Hanson county, and the county of Hanson shall collect, receive and enforce payment to it of all debts, dues, taxes and obligations of every kind then due, or owing to the county of Davison, the same to all intents and purposes as if from the first due to Hanson county; and said Hanson county shall pay all debts, dues and obligations then due from the said county of Davison as fully as if payable by it from the first.

§ 8. CANVASS OF VOTES, RETURNS, ETC.] That the votes cast by the legal voters of said counties shall be canvassed by the board of commissioners and county clerk of each of said counties at their county seats, within ten days after the said election; and they shall certify to the whole number of ballots as cast at said election, as shown by the certificates of the judges of election returned to them; also the number of ballots cast for the adoption of the division of counties, as set forth in section one of this act; and also the number of ballots cast for the consolidation of the counties, as set forth in section two of this act; and such certificate shall be entered at length in the records of the board of commissioners, and an abstract of the same, duly certified by the county clerks, under the seals of their respective counties, and forward the

same within five days thereafter to the secretary of the Territory, who shall certify to the aggregate number of votes cast, and also which proposition has received a majority of all the votes cast, as shown by the abstract of each county, which certificate shall be forwarded by the secretary to the county clerk of each of said counties, and by them entered at length in the records of the board of county commissioners, and published for four weeks successively in the official newspapers of each of said counties; and the fees of the secretary for the performance of his duties under this act, shall be paid by the said counties respectively.

§ 9. NEITHER COUNTY SHALL CONSTRUCT PUBLIC BUILDING UNTIL, WHEN.] That it shall be unlawful for the counties of Hanson or Davison to build, construct or erect any court house or any other public building, or contract for the same, until after this act takes effect.

§ 10. COMMISSIONER DISTRICTS IN CASE OF CONSOLIDATION.] It is further provided that in the event of the adoption of the consolidation of the counties, as specified in section two, that the county of Hanson, as specified in said section two, is hereby divided into three equal districts by a north and south line, which shall be the three commissioner districts of said county until changed according to law: the east third of said county shall be district No. 1, and the commissioner elected therein, at the first election, shall hold his office for the term of three years; and the middle third shall be district No. 2, and the commissioner elected therein, at the first election, shall hold his office for the term of two years; and the west third shall be district No. 3, and the commissioner elected therein, at the first election, shall hold his office for the term of one year or until their successors are elected and qualified.

§ 11. DEBTS AND LIABILITIES IF NOT CONSOLIDATED.] If the proposition in section one be adopted by the majority of the votes so cast, then each county shall be liable and pay only its own indebtedness, and neither county shall be liable for or pay the debts of the other; and the territory lying within the boundary of each county shall not be liable or holden for any debts or liabilities of the other county.

§ 12. COUNTY SEAT, IF CONSOLIDATED.] That it is further provided that in the event of the adoption of the consolidation

of the counties as specified in section two, that the county seat of Hanson shall be as now located at Alexandria temporarily, and shall be voted upon as designated for the location of county seats in section six of chapter twenty-one, relating to counties and county officers, in Political Code, which provides for the location of county seat by a majority of all the votes cast at such election, and such election shall be governed as set forth in said section.

§ 13. BOUNDARIES OF AURORA COUNTY.] It is further provided that in the event of the adoption of the consolidation of the counties as specified in section two of this act, that all that district of country lying and being within the following boundaries shall be Aurora county, to-wit: Beginning at the northeast corner of township 108 of range 63; thence running west on the second standard parallel to the northwest corner of township 108 of range 66; thence south between ranges 66 and 67 to the first standard parallel; thence east on said parallel to the northwest corner of township 104 of range 66; thence south between ranges 66 and 67 to the southwest corner of township 101 of range 66; thence east on the base line to the southwest corner of township 101 of range 61; thence north between range 61 and 62 to the northwest corner of township 104 of range 61; thence west on the first standard parallel to the southeast corner of township 105 of range 63; thence north between ranges 62 and 63 to the place of the beginning.

§ 14. RESULT OF SPECIAL ELECTION TO BE PROCLAIMED BY THE SECRETARY OF TERRITORY.] That the proposition of this act adopted at the special election hereinbefore named shall be in force and effect from and after the same is declared by the secretary of this Territory as heretofore named, and the proposition not adopted at said special election shall have no effect.

Approved, March 1, 1881.

CHAPTER 43.

HARDING.

AN ACT Creating the County of Harding and Defining the Boundaries of the same.

Be it enacted by the Legislative Assembly of Dakota Territory:

§ 1. BOUNDARIES OF HARDING COUNTY.] All that district of country included within the following boundaries, viz.: The northern boundary line of the county of Mandan, the western boundary line of the Territory of Dakota, the southern boundary line of the county of Billings, and the one hundred and third degree of longitude west from Greenwich, shall be and the same is hereby constituted and declared the county of Harding; and the jurisdiction of said county of Harding shall, upon the taking effect of this act, extend over all the district embraced in the above boundaries.

§ 2. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

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

Approved, March 5, 1881.

CHAPTER 44.

LA MOURE.

AN ACT Defining the Boundaries of the County of La Moure and for other Purposes.

Be it enacted by the Legislative Assembly of Dakota Territory:

§ 1. BOUNDARIES.] All of that district of country included within the following boundary lines shall be and the same is hereby constituted and declared the county of La Moure, viz: Beginning at the southeast corner of township one hundred and thirty-three (133), north of range No. fifty-nine (59) west, and running thence north and along the line between ranges fifty-eight (58) and fifty-nine (59) to the northeast corner of township one hundred and thirty-six (136), north of range No. fifty-nine (59) west; thence west and along the ninth (9th)

standard parallel to the northwest corner of township one hundred and thirty-six (136), north of range No. sixty-four (64) west; thence south and along the line between ranges sixty-four (64) and sixty-five (65) to the southwest corner of township one hundred and thirty-three (133), north of range sixty-four (64); thence east along the eighth (8th) standard parallel to the place of beginning; and the jurisdiction of said county of La Moure shall, upon the taking effect of this act, extend over all the district embraced in the above boundaries.

§ 2. COUNTY SEAT.] The county seat of said La Moure county shall be and is hereby located at Grand Rapids, on sections five and nine (5 and 9), township one hundred and thirty-four (134) North of range sixty-one (61) west: *Provided*, That such location may be changed by vote of the qualified electors of said county, as now provided by law in such cases.

§ 3. GOVERNOR TO APPOINT COMMISSIONERS, ETC.] It shall be the duty of the governor, upon the passage of this act, to select and appoint three commissioners for the said La Moure county. The commissioners so appointed shall be empowered, and it is hereby made their duty, after having been duly qualified, to appoint all the officers of said La Moure county, as provided in the code of the Territory; and the said county commissioners, and the officers so appointed by them, shall each and all hold their several offices and discharge the duties thereof until the general election of 1882, and until their successors are elected and qualified, as provided in the general laws of this Territory.

§ 4. All acts and parts of acts inconsistent with this act are hereby repealed.

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

ENDORSED.—Received at Executive Office, Feb. 21, 1881, at 8 o'clock P. M.

Note by the Secretary of the Territory.

The foregoing act having been presented to the Governor of the Territory for his approval, and not having been returned by him to the House of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

GEO. H. HAND,

Secretary of the Territory.

CHAPTER 45.

LAWRENCE.

AN ACT to more definitely Define the Boundaries of Lawrence County.

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

§ 1. BOUNDARIES.] That section 3 of chapter 42, Political Code, be, and the same is, hereby amended to read as follows, to-wit: That the county of Lawrence shall be bounded as follows: Commencing at a point on the boundary line dividing the Territory of Dakota and the Territory of Wyoming at the northwest corner of Pennington county; thence east along the northern boundary of Pennington county to its intersection with the channel of the South Fork of the Big Cheyenne river; thence northerly along said South Fork to its confluence with the Belle Fourche or North Fork; thence northeasterly along said North Fork to the point where the said North Fork intersects the boundary line dividing the Territories of Dakota and Wyoming; thence south along said boundary line to the place of beginning.

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

ENDORSED.—Received at Executive Office, February 16, at 1:05 P. M.

Note by the Secretary of the Territory.

The foregoing act having been presented to the Governor of the Territory for his approval, and not having been returned by him to the House of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

GEO. H. HAND,

Secretary of the Territory.

CHAPTER 46.

McCOOK, HANSON AND DAVISON.

AN ACT to Define the Boundaries of McCook and other Counties.

Be it enacted by the Legislative Assembly of Dakota Territory:

§ 1. McCook COUNTY BOUNDARIES.] All of that district of country included within the following boundary lines shall be and the same is hereby made, constituted and declared, the county of McCook, viz: Beginning at the southwest corner of the county of Minnehaha, and running thence north and along the west boundary line of said Minnehaha county to the northwest corner of the same; thence west along the first standard parallel to the northwest corner of township number one hundred and four, north of range number fifty-six west; thence south and along the line between ranges number fifty-six and fifty-seven west, to the southwest corner of township number one hundred and one of range number fifty-six west; and thence east and along the southern boundary of township one hundred and one to the place of beginning.

§ 2. HANSON COUNTY BOUNDARIES.] The boundaries of Hanson county, Dakota Territory, shall be as follows, to-wit: Beginning at the southeast corner of township (101) one hundred and one of range (57) fifty-seven, and thence west on the township line to the southwest corner of township 101, range 62; thence north on said range line to the northwest corner of township 102, range 62; thence east on township line to the northeast corner of township 102, range 57; thence south to the place of beginning.

§ 3. DAVISON COUNTY BOUNDARIES] The boundaries of Davison county, Dakota Territory, shall be as follows, to-wit: Beginning at the southeast corner of township 103, range 57; thence west to the southwest corner of township 103, range 62; thence north to the northwest corner of township 104, range 62; thence east to the northeast corner of township 104, range 57; thence south to the place of beginning.

§ 4. Section one of chapter twelve of the session laws of 1879 is hereby repealed.

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

ENDORSED.—Received at Executive Office, February 21, 1881, at 8 o'clock,
P. M.

Note by the Secretary of the Territory.

The foregoing act having been presented to the Governor of the Territory for his approval, and not having been returned by him to the House of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

GEO. H. HAND,
Secretary of the Territory.

CHAPTER 47.

MINER.

AN ACT Defining the Boundaries of Miner County, Dakota Territory.

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

§ 1. BOUNDARIES.] All that district of country included within the following boundary lines shall be and is hereby made, constituted and declared the county of Miner, viz: Beginning at the southwest corner of the county of Lake, said corner being the intersection of the first standard parallel and the line between ranges number 54 and 55 west, and running thence north and along the said range line between ranges number 54 and 55 west, the same being the west boundary of Lake county, to the point where the said line between ranges 54 and 55 west intersects the second standard parallel, the said point being the northwest corner of Lake county; thence west and along the second standard parallel to the northwest corner of township number 108 north of range number 62 west; thence south and along the line between ranges number 62 and 63 west to the first standard parallel; thence east and along the said first standard parallel to the place of beginning.

§ 2. All acts and parts of acts in conflict with this act are hereby repealed.

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

Approved, March 3d, 1881.

CHAPTER 48.

MARTIN.

AN ACT Creating the County of Martin and Defining the Boundaries of the same,

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

§ 1. BOUNDARIES.] All that district of country included within the following boundaries, viz: The north line of Delano county; the south line of Stark county; and between the 102nd and 103rd degrees of longitude west from Greenwich, shall be constituted and declared the county of Martin, and the jurisdiction of said county of Martin shall, upon the taking effect of this act, extend over all the district embraced in the above boundaries.

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

Approved, March 5th, 1881.

CHAPTER 49.

MERCER.

AN ACT Restoring the Boundaries of Mercer County.

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

§ 1. BOUNDARIES.] That the boundaries of the county of Mercer are hereby fixed and established as follows: Commencing at the channel of the Missouri river where the twelfth guide meridian intersects the said river; thence easterly and southeasterly along the channel of the said Missouri river to where the tenth standard parallel intersects the said Missouri river; thence west upon and along the tenth standard parallel

to the point where the said tenth standard parallel intersects the twelfth guide meridian; thence north along the said twelfth guide meridian to the place of beginning.

§ 2. All acts and parts of acts inconsistent with this act are hereby repealed.

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

ENDORSED.—Received at Executive Office, February 19, at 4:30 P. M.

Note by the Secretary of the Territory.

The foregoing act having been presented to the Governor of the Territory for his approval, and not having been returned by him to the Council of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

GEO. H. HAND,
Secretary of the Territory.

CHAPTER 50.

MORTON.

AN ACT to Establish and Define the Boundaries of Morton County and for other Purposes.

Be it enacted by the Legislative Assembly of Dakota Territory:

§ 1. BOUNDARIES.] That the boundaries of the county of Morton be and are hereby changed, modified and fixed, as follows: Beginning at the main channel of the Missouri river where the tenth (10th) standard parallel intersects the said channel: thence west on said line to the one hundred and second (102d) meridian west from Greenwich; thence south on said meridian to the south fork of the Cannon Ball river; thence easterly along the channel of the said Cannon Ball river to the point where the said Cannon Ball river forms a junction with the said Missouri river; thence northerly along the main channel of the said Missouri river to the place of beginning.

§ 2. COUNTY SEAT.] The county seat of said Morton county is hereby fixed and located at the town of Mandan, situated on section twenty-seven (27), town one hundred and thirty-nine (139) north, range eighty-one (81) west.

§ 3. APPOINTMENT OF COMMISSIONERS, ETC.] It shall be the duty of the governor, upon the passage of this act, to select and appoint three commissioners for the said Morton county, which said commissioners shall be *bona fide* residents of the county to be so organized. The said commissioners so appointed shall be empowered, and it is hereby made their duty, after having been duly qualified, to appoint all the officers of said Morton county, as provided in the laws of the Territory; and the said county commissioners and the officers so appointed by them shall each and all hold their several offices and discharge the duties thereof until the general election of 1882, and until their successors are elected and qualified as provided in the general laws of this Territory.

§ 4. SHALL NOT BE LIABLE FOR DEBTS OF BURLEIGH COUNTY, ETC.] No portion of said Morton county as above bounded and described shall be held liable for any bonded or floating debt or liability whatsoever incurred by the board of county commissioners of Burleigh county, or by any vote of the people of said Burleigh county; nor shall the said county of Morton be entitled to any of the proceeds of any taxes which shall have been or may be collected in the county east of the Missouri river. But the taxes as assessed west of the Missouri river, in said county, during the year 1880 by the assessor of the said Burleigh county, are hereby legalized, and said taxes ordered paid into the county treasury of Morton county when the organization of said Morton county shall have been fully completed as herein provided for.

§ 5. CERTAIN CLAIMS TO BE AUDITED.] The board of county commissioners of Morton county are hereby empowered to audit and order the payment of such claims against the county of Morton, under its former organization, as may to them seem just and equitable, not exceeding the sum of five hundred dollars (\$500), and also to provide for the transcribing of all such records from the books of the various offices of Burleigh county as may be necessary to make the records of said Morton county complete.

§ 6. All acts and parts of acts inconsistent with this act are hereby repealed.

§ 7. This act shall take effect and be in force from and after its passage and approval by the governor.

Approved, February 8, 1881.

CHAPTER 51.

WALSH.

AN ACT Creating the County of Walsh, Defining its Boundaries and for other Purposes.

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

§ 1. BOUNDARIES.] That all that district of country included within the following boundary lines, to-wit: Beginning at a point on the west bank of the Red River where the township line between townships 158 and 159 north, intersects the same; thence west between townships 158 and 159 to the northwest corner of township No. 158, north of range 59 west; thence south between ranges 59 and 60 to the southwest corner of township 155, north of range 59 west; thence east on township line between townships 154 and 155 north, to a point where the said township line intersects the west bank of the Red River; thence north along the west bank of the Red River to the point of beginning; shall be and the same is hereby declared to be and is constituted the county of Walsh.

§ 2. ELECTION IN GRAND FORKS AND PEMBINA COUNTIES. CANVASS OF VOTES, ETC.] That for the purpose of carrying out the provisions of section one of this act, it is hereby made the duty of the county clerk of each of the counties of Grand Forks and Pembina, of this Territory, to call a special election within the limits of the boundaries of the new county proposed to be organized, to be held at the several precincts within said counties on the first Monday in May, 1881, and shall cause three notices to be posted in each of said precincts at least twenty days prior to the election, which said

notices shall state where the polls shall be, the day of the week as well as the day of the month, the hour at which the polls shall be opened and closed, and the purpose for which the election is called. The ballots to be used by the electors within the county of Grand Forks shall have printed or written, or partly printed or written, "For division of Grand Forks; no, or yes," as the case may be; and the ballots used by the electors of Pembina county shall have printed or written, or partly printed or written, "For division of Pembina county; no, or yes," as the case may be. The judges of election shall make returns to the county clerk of their respective counties, showing how many votes were cast "For county division, No;" "For county division, Yes." The county commissioners shall, together with the register of deeds of the county, meet at the county seat of their respective counties within twenty days from the day of election to canvass the votes of the several precincts. And the county clerk of each of said counties of Grand Forks and Pembina shall make a certified abstract of the vote of their county, and forward the same to the secretary of the Territory and one to the governor of the Territory; and if the governor and secretary shall find that each of said counties of Grand Forks and Pembina have voted in favor of the division, then it shall be the duty of the governor to issue his proclamation organizing said county and calling a special election within said county for the election of county officers and for the location of the county seat.

§ 3. That all acts and parts of acts conflicting with the provisions of this act are hereby repealed.

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

TERRITORY OF DAKOTA, }
Yankton, February 17, 1881. }

This act being entitled "An act creating the county of Walsh, defining its boundaries and for other purposes," originated in the House of Representatives of this Territory; passed the House, February 5, 1881, and was transmitted to the Council and passed that body February 10, 1881; was presented to the Governor of this Territory on the 12th day of February, 1881, and returned without his approval the 16th day of February, 1881, and accompanied by his objections, which were entered at length upon the journal, and the communication made the special order for the 17th of February, 1881, at 2 o'clock.

P. M. At 2 o'clock P. M. the 18th of February, 1881, the House resumed consideration of the special message, the question being, "Shall the bill pass, notwithstanding the objections of the Governor?" and the bill was passed, the necessary two-thirds of all members voting in the affirmative. And to these facts of the action of the House, I hereby certify of my own knowledge.

Attest:

FRANK J. MEAD,
Chief Clerk of the House.

J. A. HARDING,
Speaker of the House.

COUNCIL CHAMBER, }
Yankton, February 18, 1881. }

I hereby certify that on this 18th day of February, 1881, the foregoing bill, together with the objections of the Governor, was received from the House by the Council; and the Council thereupon proceeded to reconsider said bill, and the question being put, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" it was decided in the affirmative, two-thirds of the Council voting to pass the bill, and then it was approved by the Council.

Approved,

Attest:

E. B. DAWSON,
Chief Clerk.

GEO. H. WALSH,
President.

CHAPTER 52.

WALSH.

AN ACT to amend An Act, entitled "An Act creating the County of Walsh, Defining its Boundaries and for other Purposes."

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

§ 1. BOUNDARIES.] That section one of an act, entitled "An act creating the county of Walsh, defining its boundaries and for other purposes," passed at the session of the Dakota Legislative Assembly of 1881, be, and the same is, hereby amended as follows: "That the eastern boundary line of the county of Walsh shall be the center of the main channel of the Red River of the North, and that the northern and southern boundary lines of the county of Walsh as therein described shall be extended eastward so as to intersect said eastern boundary line, as herein provided.

§ 2. CLERKS OF GRAND FORKS AND PEMBINA TO ISSUE PROCLAMATION IN CERTAIN CASE.] That section two of said act be so amended so as to provide that if the clerk of each of said

counties of Grand Forks and Pembina shall find by the return of the votes of the several precincts or townships within the limits of said county of Walsh, in each of the counties of Grand Forks and Pembina shall be in favor of the division of said counties of Grand Forks and Pembina, then it shall be the duty of each of said register of deeds to issue a proclamation within his respective county, declaring the result of said vote in his county, and also forward to the governor of the Territory, at Yankton, a certificate of such result; and if it appears to the governor that each of said counties of Grand Forks and Pembina have given a majority in favor of said division, then it shall be his duty to organize the said county of Walsh, when petitioned so to do by at least fifty actual residents of said county of Walsh, and organize the same as now provided by law for the organization of new counties.

§ 3. That all parts of said act in conflict with this act are hereby repealed.

§ 4. This act shall take effect and be in full force and effect from and after its passage and approval and adoption by a vote of the people as herein provided.

ENDORSED.—Received at Executive Office, February 25, at 1:30 P. M.

Note by the Secretary of the Territory.

The foregoing act having been presented to the Governor of the Territory for his approval, and not having been returned by him to the House of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

GEO. H. HAND,
Secretary of the Territory.

CHAPTER 53.

WELLS.

AN ACT amending Section 12, Chapter 18, of the Laws of 1872 and 1873, relating to New Counties.

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

§ 1. CHANGE OF NAME.] That section 12, chapter 18, Session Laws, 1872 and 1873, be, and the same is hereby amended, by striking out the word "Gingras," where it occurs in said section and inserting in lieu thereof the word "Wells."

§ 2. All acts or parts of acts in conflict with this act are hereby repealed.

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

ENDORSED.—Received at Executive Office, February 23, at 9 A. M.

Note by the Secretary of the Territory.

The foregoing act having been presented to the Governor of the Territory for his approval, and not having been returned by him to the Council of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

GEO. H. HAND,
Secretary of the Territory.

Counties.—Judgments Against.

CHAPTER 54.

AN ACT to amend Section Fourteen of Chapter Twenty-one of the Political Code.

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

§ 1. POWER OF COMMISSIONERS TO ASSESS TAX.] That section fourteen, of chapter twenty-one, of the political code, be and