

duty to audit said account and to issue to said publisher a territorial warrant for said account, and the territorial treasurer is authorized to pay said warrant the same as other warrants drawn upon the territorial treasurer.

§ 3. APPROPRIATION.] There is hereby appropriated out of any moneys in the territorial treasury the sum of four hundred dollars to defray the expense of such purchase.

§ 4. HOW DISTRIBUTED.] That it is hereby made the duty of the librarian of the Territory, upon receiving said book, to distribute them as follows, to-wit: One copy to each of the justices of the supreme court of the Territory; one copy to each of the district attorneys of Dakota Territory; one copy for the U. S. attorney for Dakota; also to transmit one copy by mail to the public library of each State and organized Territory in the United States, that have exchanged or will exchange with this Territory; also one copy to the library of congress; and one copy to the library of the supreme court of the United States; and one copy to the attorney general of the United States; and the remaining copies shall be disposed of as provided by law.

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

Approved, February 25, 1881.

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## Townships.

### CHAPTER 129.

#### JURISDICTION OF JUSTICES.

AN ACT Defining the Jurisdiction of Township Justices of the Peace.

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

§ 1. JURISDICTION OF TOWNSHIP JUSTICES.] That all justices of the peace of any township of this Territory shall have the

same power and jurisdiction in their respective counties as is now or hereafter may be conferred upon justices of the peace by law and by an act, entitled, "An act to establish a Code of Procedure in courts of justices of the peace, and to limit the jurisdiction of the same," approved February 13th, 1877, and all amendments made or which may be hereafter made to said act.

§ 2. PROCEEDINGS—HOW GOVERNED.] That the civil and criminal proceedings before all justices of the peace of any township shall be governed and controled by an act, entitled, "An act to establish a Code of Procedure in courts of justices of the peace and to limit the jurisdiction of the same," approved February 13th, 1877, and the Code of Criminal Procedure and all amendments made or which may be hereafter made to said act and codes.

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

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

Approved, March 1, 1881.

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## CHAPTER 130.

### ORGANIZATION, CANVASS OF VOTE AND DUTY OF ROAD SUPERVISORS.

AN ACT to Amend certain Sections in Chapter Fifty-nine (59) of the Laws of 1879, entitled "An Act providing for the Organization of Civil Townships and the Government thereof," approved, February 18, 1879.

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

§ 1. POWER OF ELECTORS.] That section 7 of chapter 59 of the laws of 1879, be amended so as to read as follows: "§ 7. The electors of each township shall have power at the annual election to elect such officers for the township as are by law required to be chosen, and shall be elected and named upon a separate ballot at the general election."

§ 2. NOTICE TO PERSONS ELECTED.] That section 10 of chapter 59 of the laws of 1879, be amended so as to read as follows: "§ 10. The township clerk shall within ten days after the canvass of the votes as provided in the next section, transmit to each person elected to any office in the township a certificate of his election: *Provided, however,* That at the first election for the election of township officers the judges and clerks of the election shall immediately after the canvass of votes as provided in the next section, transmit to each person elected to any office in the township a certificate of his election, signed by the judges and clerks of such election: *And provided further,* That in case of a tie vote for any office it shall be determined by the township clerk in the same manner as provided for settling tie votes in county officers."

§ 3. CANVASS OF VOTE AT FIRST ELECTION.] That section 11 of chapter 59 of the laws of 1879, be amended by adding to the end of said section the following words: "*Provided, however,* That at the first election for township officers in any township the judges and clerks of elections shall canvass the vote under the provisions of this section."

§ 4. QUALIFICATION.] That section 12 of chapter 59 of the laws of 1879, is hereby amended so as to read as follows: "§ 12. All township officers who are not required by section 13 of this act to give bonds shall qualify by oath of office, on the back of their appointment, commission or certificate of election, in writing, an oath to support the constitution of the United States and the act organizing this Territory, and to faithfully and impartially perform all the duties of their office (naming it fully) to the best of their knowledge and ability, which oath shall be filed with the township clerk and within the period required for county officers to qualify. Said oath may be taken and subscribed before the township clerk or any other officer legally qualified to administer oaths."

§ 5. DUTY OF ROAD SUPERVISORS.] That section 64 of chapter 59 of the laws of 1879, be amended so as to read as follows: "The *owners* [overseers] of the highways in each district shall give at least three days' verbal personal notice of the day and place designated to work the highways to all persons subject to work thereon, or who are charged with a highway and poll tax, residing in his district; and all persons so notified must

meet said overseer at such time and place, with such tools, implements and teams as the overseer may designate, and shall labor diligently under the direction of the overseer, per eight hours each day and, if requested by the *owner* [overseer], shall continue to work from day to day as above stated until he shall have worked out all the tax charged to him on the list of the *owner* [overseer] at the rate as provided in section 59 of this chapter, and for such labor performed the overseer shall give to the person a receipt which shall be evidence of the payment of said tax to the amount specified in the receipt."

§ 6. CLERKS' FEES.] That all township clerks shall receive two dollars for each day necessarily engaged in the discharge of the duties of his office and in addition thereto such fees as are now or hereinafter may be provided by law.

§ 7. That all acts and parts of acts in conflict with the provisions of this act are hereby repealed.

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

Approved, February 25, 1881.

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## CHAPTER 131.

### PAYMENT OF FUNDS FROM COUNTY.

AN ACT to amend Section 50 of Chapter 59 of the Session Laws of 1879, in Regard to the Time of Paying over Township Funds by the County Treasurers.

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

§ 1. TIME FOR PAYMENT OF FUNDS TO TOWNSHIP.] That section 50 of chapter 59 of the session laws of 1879, be amended by striking out in line 2 the words "April and October," and in lieu thereof insert the words "April, July, October and January," and in line 7 of said section strike out the words "May and November," and in lieu thereof insert the words "May, August, November and February."

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

Approved, March 3, 1881.