

aside the money for the payment of each registered warrant in the order of its registration, as soon as money sufficient for the payment of such warrants is received to the credit of the particular fund upon which such warrant is drawn, and the interest upon such warrant shall thereupon cease, and such treasurer shall by mail immediately notify the person in whose name the same is registered and shall pay over to the party holding such warrant such sum when called for.

§ 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.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 3, 1881.

World's Fair.

CHAPTER 141.

WHEREAS, The Senate and House of Representatives of the United States have passed an act to provide for celebrating the one hundredth anniversary of the treaty of peace and the recognition of American independence by holding an International Exhibition of arts, manufactures and the products of the soil and mines, in the City of New York, in the year 1883, and to that end have created a body corporate, known as the United States International Commission, composed of many of the best known and most highly esteemed gentlemen on this continent, of which commission Ex-President Grant is the president; and

WHEREAS, The Territory of Dakota contains within her borders not only a vast area and untold stores of the products of the soil and mines, but also millions of acres of fertile lands as yet unoccupied; and

WHEREAS, It has been proven in the past that such exhibitions as the one now proposed result always in attracting the

eyes of the world and thousands of settlers to those localities that are the most generally represented; and

WHEREAS, The International Commission of the United States, at its recent meeting in New York, determined that each State or Territory shall erect such buildings as it may require to properly exhibit its products and shall place the same, together with its exhibits, in direct charge of a sub-commission from such State or Territory; therefore

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

§ 1. COMMISSIONERS TO BE APPOINTED.] It shall be the duty of the governor, immediately after the passage of this act, to appoint five citizens of this Territory, representatives of the various sections and interests, who shall prepare and control any and all exhibits made by and have exclusive charge of all the interests of this Territory at the United States International Exhibition, in the City of New York, in the year 1883, and such persons so appointed, together with the governor of the Territory, who shall be ex-officio a member and chairman thereof, shall be known as the Board of Commissioners of the Territory of Dakota to the International Exhibition of 1883.

§ 2. BOARD OF COMMISSIONERS.] Such commissioners shall, within ninety days after their appointment, notify the governor, in writing, of their acceptance of the trust, and file with the territorial treasurer a good and sufficient bond, to be approved by him, in the sum of three thousand dollars each, conditioned for the faithful performance of their duties, and rendering a true and correct account of all moneys received and expenditures made by them for or on account of such exhibition. In case of any vacancy in the said board by refusal to qualify, resignation, death or disability, or from any other cause, the governor shall appoint to fill such vacancy.

§ 3. PAYMENT OF COMMISSIONERS.] Said commissioners shall receive no compensation whatever for the services rendered by them, and shall only be entitled to be paid out of any funds appropriated by the Territory for the purposes of said international exhibition, their actual and necessary expenses incurred in the performance of their duties, and they shall render a detailed and sworn account thereof to the board of

examiners provided for in this act, and when certified to by the chairman of the board of commissioners and approved by the board of examiners, the auditor shall draw a warrant upon the treasurer for the same.

§ 4. DUTY OF COMMISSIONERS.] It is hereby made the duty of said board of commissioners to take all necessary steps to secure a creditable display of the resources of this Territory, at such exhibition, by the erection of all necessary buildings upon the section allotted them by the international board, and to co-operate with all sections of the Territory in procuring such articles, representatives of those sections, as they may deem advisable for exhibition, and also operating any machinery that would be calculated to interest and attract the world, and do or procure to be done any and all things that may tend to acquaint the people with the industries and resources of this Territory. It is further made their duty to prepare illustrated papers, pamphlets or such other printed matter as they may deem best, to properly advertise the fertility of the soil, the wealth of the mines and the other resources of this Territory, and the inducements offered to settlement and investment therein, giving to every portion of the Territory its proper and full representation therein, which advertising matter shall be displayed in the Dakota building on the exhibition grounds and distributed to visitors thereto.

§ 5. BOARD—HOW CONSTITUTED IN CASE TERRITORY IS DIVIDED.] If before the holding of such exhibition this Territory shall be divided, then the governor of each state or territory, constituted out of the present boundaries of Dakota, shall be ex-officio a member of said board, in addition to those already herein provided for, and the expense incurred by this Territory on account of the same shall be borne and paid by the several divisions in proportion to their assessed valuation, the same to be determined by the last assessment of the various counties as returned to the territorial auditor: *Provided always*, That in case of any such division of this Territory the exhibit herein provided for to be made at the international exhibition shall be made as an entirety for the whole of the present Territory, and shall not be divided or separated in any way.

§ 6. BOARD OF EXAMINERS.] That the territorial treasurer and auditor are hereby constituted and appointed a board of examiners to pass upon, audit and allow all claims made for expenditures on account of such exhibition; and whenever any claims, after examination by them, shall be found to be true and correct, and have been approved by the board of commissioners, or the chairman thereof, the auditor shall draw a warrant therefor, payable out of any funds in the treasury appropriated for this purpose.

§ 7. For the purpose of paying the expenses necessarily incurred in the collection, preparation, transportation and exhibition of the products and manufactures of this Territory, and in the erection of suitable buildings to contain the same, and for any other purpose contemplated by this act, the sum of \$20,000, or so much thereof as may be necessary, be and the same is, hereby appropriated out of any money in the territorial treasury not otherwise appropriated.

§ 8. FUNDS—HOW DRAWN FROM TREASURY.] Said fund hereby created may be drawn upon by said board of commissioners in advance of actual expenditure, and when it may be necessary, upon application to and the approval of the board of examiners; and upon such approval, the auditor shall draw his warrant for the amount required upon the treasurer, who shall pay the same out of the funds hereby appropriated for that purpose, but from no other. And all such amounts so advanced shall be charged to the said board, who shall render vouchers therefor, to be approved by the said board of examiners before obtaining the corresponding credit therefor: *Provided, however,* That no fund shall be drawn in advance of actual expenditures for a greater length of time than one month prior to its actual disbursement: *And provided further,* That no more than five thousand dollars shall be drawn in the year 1881 for the purpose mentioned in this act, and no more than \$10,000 in the year 1882, and not more than \$5,000 in the year 1883; but if a less sum is drawn in any one year than is allowed in this section, then the balance may be added to any succeeding year or years.

§ 9. REPORTS.] At each regular session of the legislative assembly for this Territory, the said board of commissioners shall make a full report of all expenses incurred by them and

for what purpose, and at the first session of the legislature, after the holding of said International Exhibition, they shall make a final and complete report of all their proceedings had under the provisions of this act.

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

Approved, March 2, 1881.

Water Rights.

CHAPTER 142.

AN ACT Relating to Water Rights.

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

§ 1. PARTY HOLDING LAND SHALL HAVE RIGHT TO WATER.] That any person or persons, corporation or company, who may have or hold a title or possessory right or title to any mineral or agricultural lands within the limits of this Territory, shall be entitled to the usual enjoyment of the waters of the streams or creeks in said Territory for mining, milling, agricultural or domestic purposes; *Provided:* That the right to such use shall not interfere with any prior right or claim to such waters when the law has been complied with in doing the necessary work.

§ 2. MAY CONDUCT WATER FROM REMOTE STREAM.] That when any person or persons, corporation or company, owning or holding land as provided in section 1 of this act, shall have no available water facilities upon the same, or whenever such lands are too far removed from any stream or creek to so use the waters thereof, as aforesaid, such person or persons, corporation or company shall have the right of way through and over any tract or piece of land for the purpose of conducting and conveying said water by means of ditches, dykes, flumes or canals, for the purpose aforesaid.