

County Commissioners.

CHAPTER 32.

GRAND FORKS COUNTY—COMMISSIONER DISTRICTS.

AN ACT to Divide the County of Grand Forks, Dakota Territory, into Five Commissioner Districts.

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

§ 1. BOUNDARIES OF DISTRICTS DEFINED.] That the county of Grand Forks, within the Territory of Dakota, be and the same is hereby divided into five commissioner districts, as follows, viz:

District No. one to comprise townships one hundred and forty-nine (149), one hundred fifty (150), N. of ranges No. forty nine (49), fifty (50) and fifty-one (51) and fifty-two (52) W.

District No. two to be composed of townships No. one hundred fifty-one (151) and one hundred fifty-two (152), N. of range No. fifty (50) and fifty-one (51) W.

District No. three to be composed of townships No. one hundred fifty-two (152) N. of ranges No. fifty-two (52) W., townships one hundred fifty-three (153), one hundred fifty-four (154), one hundred fifty-five (155) and one hundred fifty-six N. of ranges No. fifty (50), fifty-one (51) and fifty-two (52) W.

District No. four to be composed of townships No. one hundred fifty-one (151) N. of range fifty-two (52) W. and townships one hundred forty-nine (149), one hundred fifty (150), one hundred fifty-one (151) and one hundred fifty-two (152) N. of ranges No. fifty-three (53), fifty four (54), fifty-five (55) and west to the county line.

District No. five to be composed of townships one hundred fifty-three (153), one hundred fifty-four (154), one hundred fifty-five (155) and one hundred fifty-six (156) N. of ranges No. fifty-three (53), fifty-four (54), fifty-five (55) and west to county line.

§ 2. NAMES OF COMMISSIONERS.] That Telif Gundersen, Jacob Eshelman and Mathew Maginnis are hereby continued as the commissioners from the first, second and third districts respectively, and shall hold their office during and for the full term to which they have been already elected by the people of said county of Grand Forks; that W. G. Williams is hereby appointed commissioner from the fourth commissioner district and Robert Warren from the fifth commissioner district, each of whom shall hold his office until the annual election in 1881, or until their successors are elected and qualified; that after the expiration of the term of office of the commissioners so elected or appointed by this act, the commissioners to be hereafter elected shall be elected for the term of three years, and each of whom shall be a resident of the district which he is to represent, and to be voted for only by the electors of said district, whose duties and powers shall be the same as now prescribed by law. *Provided, however:* That if any vacancy shall occur in said board, by death, resignation or otherwise, such vacancy shall be filled as now provided by law.

§ 3. That all acts or parts of acts inconsistent with this act are hereby repealed so far as the county of Grand Forks is concerned.

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

COUNCIL CHAMBER,
Yankton, D. T., Feb. 28th, 1881. }

I hereby certify that on the 28th day of February, 1881, this act was returned to the council, the house in which it originated, without the approval of his excellency, Governor N. G. Ordway, with his objections to this bill in writing. His objections were entered at large on the journal of the council, and the council proceeded to reconsider the bill, and after such reconsideration, two-thirds of the council voted to pass the bill, the objections of the governor to the contrary, notwithstanding.

Attest:

E. B. DAWSON,
Chief Clerk of the Council.

Approved:
GEO. H. WALSH,
President of the Council.

HOUSE OF REPRESENTATIVES, }
Yankton, Dakota, March 1, 1881. }

I hereby certify that the within bill was received in the House on the 28th day of February and postponed for action until Tuesday, the 1st day of March.

That it was taken up and considered and the question put by the Speaker, "Shall the bill pass, notwithstanding the objections of the governor," and the bill did pass, more than two-thirds of the House voting in the affirmative.

Attest:

FRANK J. MEAD,
Chief Clerk of the House.

J. A. HARDING,
Speaker of the House

CHAPTER 33.

LAKE COUNTY—REMOVING RECORDS LEGALIZED.

AN ACT Legalizing the acts of the County Commissioners of Lake County, Dakota Territory, in moving the County Records, Safe, etc., of said Lake County from the former town of Madison, the County Seat of Lake County, to New Madison; also permanently fixing and locating the County Seat of said Lake County.

WHEREAS; The removal of the people and buildings composing the former town of Madison, the county seat of Lake county, Dakota Territory, from the site of said former town of Madison to the town of New Madison, since incorporated under the name of Madison, necessitated the removal of the county records, safe, etc., of said Lake county, from said county seat; and

WHEREAS; The county commissioners of said Lake county, in conformity with the said existing necessity did remove the county records, safe, etc., of said Lake county from the said former town of Madison to the platted town of New Madison, said New Madison has since been incorporated under the name of Madison, the former town of Madison, the county seat of Lake county having been vacated; Therefore:

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

§ 1. CERTAIN ACTS LEGALIZED.] That the acts of the county commissioners of said Lake county in the removal of the county records, safe, etc., of Lake county from the former town of Madison, the county seat of said Lake county to the platted town of New Madison, be, and the same is hereby legalized, and all business transacted by said county commis-

sioners and other county officers of said Lake county at said New Madison is hereby made legal and binding, as if transacted at the former town of Madison, the county seat of said Lake county.

§ 2. COUNTY SEAT LOCATED.] That all that tract or section of land embraced within the incorporated limits of the town of Madison, Lake county, Territory of Dakota, be and the same is hereby declared to be the county seat of said Lake county.

§ 3. TWO-THIRDS VOTE MAY REMOVE.] Nothing in this act shall be so construed as to prohibit at any time in the future a removal of said county seat from the town of Madison, by two-thirds vote of the electors of said Lake county as prescribed in the general law.

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

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

Approved, February 28, 1881.

CHAPTER 34.

LAWRENCE COUNTY—RE-ASSESSMENT.

AN ACT to Legalize certain acts of the County Commissioners of Lawrence County.

WHEREAS, The assessment roll of Lawrence county was duly and properly prepared for the year 1879, and the taxes equalized as required by law, and

WHEREAS, The same with all other records of said Lawrence county were totally destroyed by fire on the 26th of September, 1879, and

WHEREAS, The board of county commissioners of said county immediately thereafter, but after the time prescribed by law, ordered a re-assessment of said Lawrence county, and

WHEREAS, The assessor of said county duly re-assessed the property of said county in accordance with the said order of the commissioners; therefore

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

§ 1. LEGALIZING RE-ASSESSMENT.] All acts of the county commissioners of Lawrence county, ordering a re-assessment of the property of said county for the year 1879, for the purpose of taxation, and the assessment made in pursuance of such order, are hereby declared legal.

§ 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 on and after its passage and approval.

Approved, February 14, 1881.

CHAPTER 35.

LAWRENCE COUNTY—SESSIONS OF BOARD.

AN ACT to amend Section 24 of Chapter 39 of the Political Code.

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

§ 1. TIME ALLOWED FOR SESSIONS OF BOARD AND PAY OF MEMBERS.] That section 24 of chapter 39 of the Political Code, be and the same is amended by adding to said section 24 of said chapter 39 of the Political Code, the following words. "§ 24. That the county commissioners of Lawrence county, Territory of Dakota, at their annual meeting in January may occupy not to exceed twelve (12) days, and at the quarterly meeting in March not to exceed six days; and at the quarterly meeting in July, when the board sits as a board of equalization, not to exceed sixteen (16) days, and at the quarterly meeting in September not to exceed 3 days, and at special sessions not to exceed three (3) days, and in all not to exceed (64) sixty-four days in each year. And it is further provided that the county commissioners of said Lawrence county shall receive

as a compensation therefor the sum of eight dollars per diem and five cents per mile for the distance actually and necessarily traveled in going to and from the county seat, and shall receive their pay in the same manner and form as heretofore provided by law; and said commissioners shall before entering upon their duties, give a good and sufficient bond, with not less than two sureties, to be approved by the clerk of the district court, in the sum of not less than three thousand dollars."

§ 2. That the provisions of this act shall be construed to apply only to the said Lawrence county.

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

ENDORSED.—Received at Executive Office, February 28, 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 36.

LINCOLN COUNTY—SETTLEMENT WITH EX-TREASURER.

AN ACT to Authorize the Board of County Commissioners of Lincoln County to settle with and accept from George W. Naylor, ex-County Treasurer of said County, such sums of money as they may deem advisable, the same to be not less than seven thousand dollars.

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

§ 1. **AUTHORITY TO SETTLE WITH EX-COUNTY TREASURER.]** The board of county commissioners of the county of Lincoln shall have power and are hereby authorized to settle with George W. Naylor, ex-county treasurer of said county, and

accept from said George W. Naylor in said settlement such sum or amount of money, not less than seven thousand dollars, as may in their judgment be deemed advisable for the best interests of said county.

§ 2. CONDITIONS OF SETTLEMENT.] When the said George W. Naylor shall have paid to the said county commissioners upon such settlement such sums of money, not less than seven thousand dollars, as the said commissioners decide to accept, then and in that case the sureties upon the bond of said George W. Naylor shall be released from any further liability or obligation upon said bond.

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

Approved, January 29, 1881.

CHAPTER 37.

STUTSMAN COUNTY—PAY OF COMMISSIONERS.

AN ACT regulating the Compensation of the County Commissioners of Stutsman County.

Be it enacted by the Legislative Assembly of Dakota Territory:

§ 1. COMPENSATION ALLOWED COMMISSIONERS.] The county commissioners of Stutsman county, Dakota Territory, shall each be allowed for the time they shall be necessarily employed in the duties of their office, the sum of three dollars per day and five cents per mile for the distance actually traveled in attending the meetings of the board, and when engaged in other official duties, to be paid out of the general county fund: *Provided*, That the aggregate amount of the allowance shall not exceed ninety dollars each in any one year: *And provided further*, That each of said commissioners shall be an actual *bona fide* resident of the commissioner district represented by him.

§ 2. All acts or parts of acts conflicting 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, Feb. 24, at 7:40 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 38.

UNION COUNTY—ELECTION OF COMMISSIONERS.

AN ACT to Provide for the Election of County Commissioners in the County of Union and limit their term of office.

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

§ 1. MANNER OF ELECTING COMMISSIONERS.] That hereafter the county commissioners of Union county shall hold their office for the term of three years—one of whom shall be elected annually in the manner herein provided. At the annual election in A. D. 1881, the qualified electors of the first commissioner district as now defined in said county shall elect one commissioner who shall hold his office for three years, and in like manner one commissioner shall be elected in the second commissioner district for the term of two years, and in the third commissioner district one commissioner for the term of one year, and thereafter each respective district shall elect one commissioner for the full term of three years in regular order as their terms of office shall severally expire.

§ 2. REPEALED.] That section 4 of chapter 9 of the special and private laws, approved January 9, 1873, 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 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.

County Seat.

CHAPTER 39.

RICHLAND COUNTY—BOUNDARIES OF COUNTY SEAT.

AN ACT defining the Boundaries of the County Seat of Richland County.

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

§ 1. BOUNDARIES DEFINED.] That all that part of section No. (8) eight, in township number one hundred and thirty-two (132), north of range number forty-seven (47) west, lying and being in the county of Richland and Territory of Dakota, is hereby declared to be the county seat of said Richland county.

§ 2. All acts and 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.

TERRITORY OF DAKOTA, }
Yankton, February 21, 1881. }

This act being an act entitled "An act to define the boundaries of the county seat of Richland county," originated in the House of Representatives of this Territory; passed the House, February 11, 1881, and was transmitted to the Council and passed that body February —, 1881; was presented to the Gov-