

tion stated by the Speaker: "Shall the bill pass notwithstanding the objections of the Governor," and that the bill did pass, more than two-thirds of the House voting in the affirmative.

Attest:

C. M. REED,  
*Chief Clerk of the House.*

GEO. RICE,  
*Speaker of the House.*

## Bill of Exceptions.

### CHAPTER 20.

AN ACT to Amend Section Four Hundred and Sixteen of the Code of Criminal Procedure of the Territory of Dakota.

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

§ 1. WHERE JUDGE REFUSES TO ALLOW.] That section four hundred and sixteen of chapter five of the Code of Criminal Procedure of Dakota Territory, be, and the same is hereby amended by adding thereto the following proviso:

*Provided, however,* if the judge in any case refuse to allow an exception in accordance with the facts, the party desiring the bill settled, may apply by petition to the Supreme Court, to prove the same. The application may be made in the mode and manner and under such regulations as the court may prescribe, and the bill, when proven, must be certified by a justice thereof as correct and filed with the clerk of the court in which the action was tried; and when so filed, it has the same force and effect as if settled by the judge who tried the cause.

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

Approved, February 27, 1885.