

place and all concessions of rates, rebates, drawbacks and contracts for special rates, shall be open to and allowed to all persons, companies and corporations, and they shall charge no more for transporting from any point on its line than a fair and just proportion of the price it charges for the same kind of freight transported from any other point within the Territory.

§ 3. CERTAIN LAW TO APPLY.] All the provisions of an act entitled "an act to provide for the establishment of a board of railroad commissioners, defining their duties and to regulate the receiving and transportation of freight on railroads in this Territory" shall apply to the receiving and shipments of coal and other fuel so far as the same is applicable: and it shall be the duty of the railroad commissioners to enforce the provisions of this act.

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

Approved, March 12, 1885.

Grand Juries.

CHAPTER 62.

AN ACT to Amend Section Six of Chapter Nineteen of the Political Code and to Amend Section One Hundred and Sixty-three of the Code of Criminal Procedure.

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

§ 1. HOW SUMMONED. NUMBER.] That section six of chapter nineteen of the Political Code of the Territory of Dakota is hereby amended to read as follows: § 6. "A grand jury shall be summoned in the same manner provided for summoning petit jurors; *Provided*, that in all cases the grand jury shall consist of not less than sixteen nor more than twenty-three jurors.

§ 2. DEFINED.] That section one hundred and sixty-three of the Code of Criminal Procedure be and the same is hereby amended to read as follows: § 163. "A grand jury as (is) a body of men consisting of not less than sixteen nor more than twenty-three jurors impaneled and sworn to inquire into and true presentment make of all public offenses against the territory committee or triable within the county or sub-division for which the court is holden.

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

Approved, March 12, 1885.