

shares issued by such Associations shall be exempt from taxation.

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

HOUSE OF REPRESENTATIVES,  
BISMARCK, Dakota, March 6th, 1889. }

I hereby certify that on the 6th day of March, A. D., 1889, this act was returned to the House of Representatives, the House in which it originated, without the approval of his Excellency, Governor Louis K. Church, and with his objections to this bill in writing. That said objections were entered at length on the Journal of the House; that the House considered the bill and the question put by the Speaker, "Shall this bill pass, the objections of the Governor to the contrary notwithstanding?" The roll was called and the bill did pass, more than two-thirds of the members present and voting, voting in the affirmative.

Attest: JOHN G. HAMILTON,  
Chief Clerk.

H. H. KEITH,  
Speaker of the House.

COUNCIL CHAMBER,  
BISMARCK, D. T., March 6th, 1889. }

I hereby certify that the within act together with the objections of his Excellency, Governor Louis K. Church, was received from the House on the 6th day of March, A. D. 1889. That the objections of the Governor were read at length and entered upon the Journal of the Council; thereupon the question was put, "Shall this bill pass, the objections of the Governor to the contrary notwithstanding?" The roll was called and the bill did pass, more than two-thirds of the members present and voting, voting in the affirmative.

Attest: R. E. WALLACE,  
Chief Clerk.

SMITH STIMMEL,  
President of the Council.

## COUNTIES.

### CHAPTER 42.

#### POWER TO ERECT BUILDINGS AND ISSUE BONDS.

AN ACT Authorizing and Empowering Organized Counties of Dakota to Erect County Buildings for Court House and Jail Purposes, and to Issue and Dispose of Bonds to Provide Funds to pay Therefor, and to Provide for the Payment of Principal and Interest of Such Bonds.

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

§ 1. POWER TO BOND.] That whenever any county of this Territory having five hundred voters or more shall have been organized for four years or more and the county seat of such county has been permanently located, as provided by law, and the building or buildings occupied by such county for court house, office or jail purposes are inadequate to the wants thereof, or unsafe by reason of extraordinary risk or fire or otherwise, then such county may issue its bonds for the purpose of purchasing the site for and the erection of

a court house or jail, or both, under the restrictions and according to the provisions of this act.

§ 2. LIMIT.] No county shall issue its bonds under the provisions of this act, in excess of four per cent of its valuation according to the last assessment thereof, and including all the outstanding indebtedness of such county at the time of issuing such bonds.

§ 3. ELECTION.] Whenever, in the judgment of a majority of the board of county commissioners in any county which comes under the provisions of this act, such county has insufficient or inadequate buildings for its use for court house or jail, or both, such board may order an election for the purpose of determining by a vote of the electors of such county the question of issuing its bonds for the purpose of the erection of a court house or jail, or both, as by this act provided, including the purchase of a site for such court house, jail, or both, at such county seat, if none is provided. Such election shall be held in the manner and upon the notice prescribed by law for other elections, but the published and posted notices of such election shall state its object, the amount of bonds to be issued, the denominations of such bonds, the length of time for which they shall run, and the rate of interest which they shall bear, and the ballots shall have printed or written or partly printed and partly written thereon "For issue of bonds," or "Against issue of bonds," and if a majority of the ballots so cast shall be for the issue of bonds, then the county commissioners shall issue and dispose of said bonds, as provided by this act, and erect a court house or jail, or both, for the use of such county according to the provisions of this act.

§ 4. CONTRACTS.] The board of county commissioners of any county erecting county buildings under the provisions of this act shall have power to purchase ground for site if necessary, let contracts for the building and completion of such court house or jail, or both, and the buildings connected therewith, and shall have the entire supervision of its construction: *Provided*, that all contracts connected with the erection of said buildings shall be let to the lowest and best bidder, after notices of the letting of such contracts shall have been published in at least one of the leading newspapers of such county, and in case there are no newspapers in such county, then in one of the leading newspapers in some adjoining county, for at least once a week for four consecutive weeks, before the letting of said contracts, and the board shall have power to reject any or all bids.

§ 5. AUDITORS.] The county clerk or auditor, county treasurer and some qualified elector and freeholder of such county appointed by the board of county commissioners outside of their own number, shall act as a board of auditors to audit accounts of such board of county commissioners in connection with the erection of county buildings, pursuant to the provisions of this act, and said board of auditors shall receive for their services the sum of \$3.00 each for every

day actually and necessarily employed in such capacity, to be paid upon the warrant of such board of county commissioners.

§ 6. DENOMINATIONS OF BONDS—FORM.] All bonds issued pursuant to and under the provisions of this act, shall be in denominations of not less than one hundred (100) dollars and not more than one thousand (1,000) dollars, shall bear the date of their issue, shall be made payable to purchaser or bearer and become due in not less than ten and not more than twenty years from their date and shall bear interest at the rate of not exceeding seven per cent per annum, payable annually with coupons attached for each interest payment. The bonds and each coupon shall be signed by the chairman of the board of county commissioners and shall be attested by the county clerk or auditor. The seal of the county shall be affixed to each bond but not to the coupons, and said bonds shall each contain a recital in substantially the following words: "Issued in pursuance of an act of the Eighteenth Legislative Assembly of the Territory of Dakota entitled an act authorizing and empowering organized counties of Dakota to erect county buildings for court house and jail purposes and to issue and dispose of bonds to provide funds to pay therefor, and to provide for the payment of the principal and interest of such bonds." Said bonds shall be printed, engraved or lithographed on good bond paper; said bonds may be made payable anywhere in the United States; shall be sold by the board of county commissioners at not less than their par value and the proceeds applied solely to the payment of the indebtedness incurred in the erection of court house or jail or both, and purchase of site therefor. Said bonds or any of them shall not be sold until after having been duly advertised at least once a week for four consecutive weeks in one of the leading newspapers published at the seat of government, Territory of Dakota, and for the same length of time at any other point deemed advisable by said board of county commissioners. The proceeds of the sale of said bonds shall be deposited in the treasury of said county, to be paid out by the county treasurer of said county on order of said board of county commissioners. The county treasurer of said county shall give an additional bond to the said board of county commissioners in double the amount of the bonds so issued and sold, and shall receive as compensation for the receiving and disbursing of all funds arising from the sale of said bonds one per centum of the par value of said bonds, and the compensation herein provided for shall be in lieu of all other commissions allowed him by law.

§ 7. TAX.] The board of county commissioners shall levy each year upon the taxable property of the county a sufficient tax to pay the interest on said bonds as the same accrues and a reasonable time before maturity, sufficient tax to provide a sinking fund for the payment of the bonds when they mature.

§ 8. PAYMENT.] When said bonds and the several coupons thereto attached mature it shall be the duty of the county treasurer

to pay the same on presentation and to cancel them when paid.

§ 9. **REGISTRY.**] Before the bonds are delivered to the purchaser they shall be presented to the county clerk or auditor, who shall register them in a book kept for that purpose and known as "The bond register," in which register he shall enter the number of each bond, its date, date of maturity, amount, rate of interest, to whom and where payable.

§ 10. **NEGOTIABLE.**] Bonds issued in substantial conformity to this act shall be in law considered negotiable.

§ 11. **FUNDING BONDS.**] Any county in this Territory which has issued warrants or other evidence of indebtedness since January 1st, 1887, for the purpose of building a court house or jail, or both may issue bonds under the provisions of this act to fund such warrants or other evidence of indebtedness and if such indebtedness was authorized by a majority vote of the qualified electors of such county previous to the incurring of the same no new election shall be had, and the board of county commissioners of any such county is hereby authorized and empowered when in the judgment of such board it is deemed to the best interests of such county to issue such bonds, and to apply the proceeds solely to the redemption of such warrants or other evidences of indebtedness, *provided*, the bonds issued under the provisions of this section shall bear a lower rate of interest than the outstanding indebtedness proposed to be funded.

§ 12. **POWER EXTENDED.**] Any county in this territory which has heretofore and since January 1st, 1887, submitted to the voters of such county the question of building a court house or jail, or both, and issuing bonds therefor and upon such election the building of a court house or jail, or both, and the issuing of bonds therefor was authorized or directed by a majority vote of the qualified electors of such county as evidenced by a majority of votes cast at such election upon said question so submitted to them, no new election shall be had but such elections and the bonds when issued thereunder are hereby held and declared legal and valid as if the election had been held after the passage and approval of this act, and the board of county commissioners of any such county are hereby authorized and empowered to issue such bonds, and with the funds so obtained from the sale thereof to construct a court house or jail, or both, and are also hereby empowered to purchase a site for such court house or jail, or both, at such county seat if none is provided and pay for the same out of any unappropriated moneys in the county treasury; or contract in the name and in behalf of the county for the sale and conveyance of such site, to be paid for from the proceeds of such bonds when negotiated.

§ 13. **REPEAL.**] All acts or part of acts in conflict with this act are hereby repealed.

§ 14. **EFFECT WHEN.**] This act shall take effect and be in force from and after its passage and approval.

## HOUSE OF REPRESENTATIVES,

BISMARCK, D. T., February 21, 1889. }

I hereby certify that on the 18th day of February, A. D. 1889, this act was returned to the House of Representatives the House in which it originated without the approval of his Excellency, Governor Louis K. Church, and with his objections to this bill in writing; that said objections were entered at length on the journal of the House, that the House considered the bill, and the question put by the Speaker, "Shall the bill pass the objections of the Governor to the contrary, notwithstanding?" And the roll was called, and the bill did pass, more than two-thirds of the House voting in the affirmative.

Attest: JNO. G. HAMILTON,  
Chief Clerk.

H. H. KEITH,  
Speaker of the House.

## COUNCIL CHAMBER,

BISMARCK, D. T., February 21, 1889. }

I hereby certify that the within act, together with the objections of His Excellency, Governor, Louis K. Church, was received from the House of Representatives on the 20th day of February, A. D. 1889; that the objections of the Governor were read at length and the question stated, "Shall this act be passed, the objections of the Governor to the contrary, notwithstanding." The roll of members was called and the act did pass, more than two-thirds of the members of the Council voting in the affirmative.

Attest: R. E. WALLACE,  
Chief Clerk.

SMITH STIMMEL,  
President of the Council.

## CHAPTER 43

## POWER TO BOND FOR SEED WHEAT.

AN ACT, Authorizing Counties to Issue Bonds to Procure Seed Wheat for Needy Farmers Resident Thereof.

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

§ 1. PETITION.] Whenever a number of voters equal to one-third of the vote cast at the last general election in any county, shall petition to the Board of County Commissioners of such county, asking that said board proceed under the provisions of this act, said board may at a meeting thereof duly called for that purpose prior to the first day of April, 1889, issue the bonds of such county in an amount not to exceed two thousand dollars for each one hundred votes cast at the last general election therein; provided, that the total amount of bonds issued by any county under the provisions of this act, shall not exceed twenty-five thousand dollars and shall be in denominations of five hundred dollars, bearing date the first day of April, 1889, with interest payable semi-annually, at some place in the city of New York, in the state of New York, to be specified in said bonds, on the first day of April and October in each year, at a rate of interest, not exceeding seven per cent. per annum, running ten years, and payable at the option of the county after five years from the date thereof.

§ 2. BONDS.] Such bonds shall be executed for the county, and under the seal thereof by the chairman of the board of county commissioners and shall be attested by the County Auditor or County Clerk and shall be negotiated by said board in the manner hereinafter provided.

§ 3. SALE.] It shall be the duty of such board, to receive sealed proposals for the purchase of said bonds, after giving notice for ten days in three newspapers of general daily circulation, published as follows: One in the city of St. Paul, in the state of Minnesota; one in the city of Bismarck, in the Territory of Dakota, and one in the county where the bonds are to be issued, and said bonds shall be sold to the highest bidder for cash; provided said bonds shall not be sold for less than their par value, provided further, the said board may reject all bids and postpone the sale of said bonds for a time, not exceeding twenty days.

§ 4. PROCEEDS.] The proceeds arising from the sale of said bonds shall be deposited by the purchaser thereof in the treasury of the county, and shall be paid out only on the order of the Board of County Commissioners.

§ 5. TREASURER'S BOND.] It shall be the duty of said board to require the County Treasurer to give a further and additional bond, with good and sufficient sureties, in a sum to be determined by said board before said bonds are paid into the treasury. Said bond shall be approved by said board.

§ 6. TAX.] For the purpose of prompt payment of principal and interest of the bonds herein provided for, there shall be levied by the board of county commissioners, at the time the other taxes are levied, such sums as shall be sufficient to pay such interest and at reasonable time prior to the maturity of said bonds in addition thereto, a sinking fund tax shall be annually levied sufficient to retire and pay said bonds at their maturity, and it shall be the duty of the County Treasurer to pay promptly on the first days of April and October in each year, such interest as shall then be due, and to purchase said bonds at not more than their par value, and retire and cancel the same with the sinking fund tax as fast as the same shall be received. And no tax or fund provided for the payment of such bonds, either principal or interest, shall at any time be used for any other purpose. *Provided*, that the Board of County Commissioners may deposit any portion of the sinking fund provided for hereby in any National Bank in the Territory of Dakota, which shall furnish to the county a good and sufficient bond, and receive interest on the same which shall be credited to the sinking fund itself. It shall be the duty of the Treasurer when said bonds or any coupons attached thereto are paid to cancel the same by writing upon the face thereof the date of payment.

§ 7. REGISTRY.] Before the bonds are delivered to the purchaser they shall be presented to the County Treasurer, who shall register them in a book to be kept for that purpose, and known as the bond register, in which register he shall enter the number of each bond, its date, date of maturity, amount, rate of interest, to whom and where payable.

§ 8. PURCHASE SEED WHEAT.] The fund arising from the sale of said bonds shall be applied by the said board to the purchase of seed

wheat for residents of the county who suffered partial or total loss of their crops by frost in the year 1888, and who are unable to procure the same; provided that not more than one hundred and fifty bushels of wheat shall be furnished to any one person.

§ 9. LIEN ON CROP.] The person receiving seed wheat in accordance with this act, shall become indebted to the county, furnishing the seed in the amount of the purchase price therefor, with the cost of transportation and all other expenses necessarily attendant upon the carrying out of the provisions of this act, which total amount shall be a lien upon the crop of such person and in favor of the county, in accordance with Chapter 150 of the General Laws of the Territory of Dakota entitled, "An Act creating liens on the crops of persons buying seed on credit, and providing the manner of filing and foreclosing the same." Approved March 11, 1887, which is hereby made applicable to counties furnishing seed grain under the provisions of this act. The amount of such indebtedness shall become due and payable by each person receiving such aid, on Nov. 1, 1889, together with interest on such amount from the 1st day of April, 1889, at the rate of seven per cent. per annum. If the said indebtedness be not paid on November 1, 1889, the amount thereof shall be entered upon the tax list of such county for the year 1889, as a tax on the land upon which such seed wheat was sown, to be collected as other taxes are and the sum so entered and levied shall be a first lien upon the crops of grain raised each year by the person receiving said seed grain, and also upon the real estate owned by such person until the said tax is fully paid, and the board of county commissioners shall keep a complete and accurate record of all its proceedings under the provisions of this act, which record shall contain the names and residences of all persons receiving seed wheat, the extent of the loss sustained by each person, the acreage to be sown, the amount of seed furnished and all other facts and circumstances connected with the transaction; provided, that seed shall be furnished to no person until all existing chattel mortgages and other seed liens upon the crop to be grown shall be satisfied or made subject to the lien herein provided for.

§ 10. RESIDUE OF FUND.] If any portion of the funds provided for in this act shall be unexpended on the first day of May, 1889, the same shall become a part of the General Fund of the county, and shall be so treated by the County Treasurer.

§ 11. GENERAL FUND.] The money received by the County Treasurer in payment of the debt incurred by the persons receiving seed wheat shall become a part of the county general fund.

§ 12. NOTICE OF PURPOSE.] The county commissioners of every county proposing to distribute seed wheat under the provisions of this act, shall advertise such intention for at least ten days prior to the 15th day of March, 1889, giving notice that all applications must be filed with the Auditor or County Clerk by that date (March 15th), at which time if more seed wheat is called for than can be supplied

by such commissioners, a pro rata distribution shall be made among those applying and the commissioners shall have the right to refuse any application which they may deem it improper to grant.

§ 13. APPROPRIATION.] The board of county commissioners of any county having funds in its treasury belonging to the general fund of said county, not otherwise appropriated, may at the time, and subject to all the conditions and limitations in this act contained, appropriate any portion thereof, not exceeding the sum of twenty-five thousand dollars, for the purpose specified in this act.

§ 14. AFFIDAVIT.] The affidavit provided for by Chapter 150, of the General Laws of 1887, may be made by the County Auditor or Chairman of the Board of County Commissioners.

§ 15. APPLICATION.] All persons wishing to avail themselves of the benefit of this act, shall file with the County Auditor of the county where said applicant resides, on or before the fifteenth day of March, A. D., one thousand eight hundred and eighty-nine (1889), an application duly sworn to before said County Auditor, which application shall be attested by at least two (2) witnesses. Said application shall contain a true statement of the number of acres the applicant has plowed or prepared for seeding, how many acres the applicant intends to have plowed and prepared for seeding time; how many bushels are necessary and what kind of wheat to seed the ground so prepared as aforesaid; that said applicant's crop was in the year one thousand eight hundred and eighty-eight entirely destroyed by frost, or if only partially destroyed, how many bushels the applicant harvested in the year one thousand eight hundred and eighty-eight, and each kind of grain; also, what amount of seed grain said applicant desires to borrow of said county, that the applicant has not procured and is unable to procure the necessary seed wheat; also, that the applicant desires the same for seed and for no other purpose, and that the applicant will not sell or dispose of the same, or any part thereof. Said application shall also contain a true and full description of all real and personal property owned by the applicant, and whether encumbered or otherwise, and also the government sub-division or sub-divisions upon which the party intends to sow said seed. And the County Auditor shall upon the granting of the prayer of the applicant cause to be filed, recorded and indexed in the office of the Register of Deeds, in the same manner that mortgage deeds are filed, recorded, and indexed, a certified copy of such application which the Register of Deeds shall file, record and index, and the record so made shall be notice of the lien created by this act, to all subsequent encumbrancers. The fee of the Register of Deeds for each application filed and recorded shall be 50 cents which shall be paid by the applicant.

§ 16. LIMIT OF TIME.] Said applications shall be filed in said County Auditor's office and be open to public inspection and no applicant shall be entitled to receive any of the benefits of this act unless on or before the fifteenth day of March, one thousand eight hun-

dred and eighty-nine, the applicant shall have made and filed with the County Auditor of the county in which the applicant resides, the application as required and in the manner and form mentioned in this act.

§ 17. **CONDITION OF ISSUANCE.**] The bonds herein provided for shall not be issued unless the same are authorized by the vote of all the members of the Board of County Commissioners of said county.

§ 18. **WHEN PAYABLE.**] Said board may at any time after the first day of November, with the concurrence of the owner, pay any of the bonds issued under the provisions of this act, out of the funds provided for that purpose, at not more than the par value thereof.

§ 19. **NOTICE IN WEEKLY.**] If there be no daily newspaper published in the county issuing bonds under the provisions of this act, then the notice provided for in Section 3, of this act, may be published in a weekly newspaper in said county.

§ 20. **MISDEMEANOR.**] Any person who shall obtain seed wheat under the provisions of this act, and who shall use the same, or any part thereof, for any other purpose, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by imprisonment in the county jail not exceeding six months, or by a fine not exceeding five hundred dollars, or by both such fine and imprisonment.

§ 21. **EFFECT—WHEN.** This act shall be in force from and after its passage and approval.

HOUSE OF REPRESENTATIVES,  
BISMARCK, February 6th, 1889. }

I hereby certify that on the 6th day of February, A. D. 1889, this act was returned to the House of Representatives, the House in which it originated without the approval of his Excellency, Louis K. Church, and with his objections to this bill in writing that said objections were entered at length on the journal of the House; that the House considered the bill and the question put by the Speaker, "Shall the bill pass, the objections of the Governor to the contrary, notwithstanding?" The bill did pass, more than two-thirds of the House, voting in the affirmative.

Attest: JNO. G. HAMILTON,  
Chief Clerk of the House.

H. H. KEITH,  
Speaker of the House.

COUNCIL CHAMBER,  
BISMARCK, D. T., Feb'y 6, th 1889. }

I hereby certify that the within act, together with the objections of his Excellency, Governor Louis K. Church, was received from the House of Representatives on the 6th day of February, 1889. That the objections of the Governor were read at length and the question stated: "Shall this act be passed, the objections of the Governor to the contrary, notwithstanding?" The roll of members was called and the act did pass, more than two-thirds of the members of the Council present and voting, voting in the affirmative.

Attest: R. E. WALLACE,  
Chief Clerk

SMITH STIMMEL,  
President of the Council.

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## CHAPTER 44.

### AMENDMENT TO SEED WHEAT BONDING ACT.

AN ACT Amending an Act of the Eighteenth Legislative Assembly, Entitled "An Act Authorizing Counties to Issue Bonds to Procure Seed Wheat for Needy Farmers Resident Thereof."

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

§ 1. TIME WHEN DUE.] That an act of the eighteenth session of the legislative assembly of the Territory of Dakota entitled "An act authorizing counties to issue bonds to procure seed wheat for needy farmers resident thereof," which became a law February 6th, 1889, be and the same is hereby amended by striking out at the end of section one (1) thereof the words "running ten years and payable at the option of the county after five years from the date thereof," and by inserting in lieu thereof the following: "To become due and payable in not less than five nor more than ten years from the date thereof, the date of maturity to be fixed by the county board at the time the bonds are issued."

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

#### 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.

M. L. McCORMACK,  
Secretary of the Territory.

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## CHAPTER 45.

### FUNDING BONDS.

AN ACT, Amending Chapter 13 of the Laws of the Seventeenth Legislative Assembly, Entitled "An Act, Authorizing and Empowering the Organized Counties of Dakota to Issue and Dispose of Bonds to Provide Funds to Pay Outstanding Indebtedness, and to Provide for the Payment of the Principal and Interest Thereof."

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

§ 1. AMENDMENTS.] That chapter 13, of the laws of the 17th legislative assembly be and the same is hereby amended by striking out January 1st, 1887 where they occur in the eighth line of sec-

tion 1 of said act and inserting in lieu thereof: February 1st, 1889, and by striking out the word "semi-annually" where it occurs in the 19th line of section 1 of said act, and inserting in lieu thereof the word "annually," and by striking out of section 1 of said act the 39th and 40th lines thereof and the words "each bond" in the 41st line thereof, and inserting in lieu thereof the words, "which became a law March 7th, 1887, and as amended by the 18th Legislative Assembly."

Approved, February 26, 1889.

## CHAPTER 46.

### FUNDING BONDS.

AN ACT Authorizing the Refunding of Outstanding County Bonds.

*Be it Enacted by the Legislative Assembly of the Territory of Dakota.*

§ 1. POWER OF BOARD.] Each and every organized county of this Territory is hereby authorized and empowered by and through its Board of County Commissioners, when in the judgment of said Board it is deemed to be to the best interests of the county to issue its negotiable bonds in the name of the county corporation for the sole purpose of funding the outstanding bonded indebtedness existing against the county, that is due and payable, or is about to become due and payable, or whenever said indebtedness can be refunded at a lower rate of interest.

§ 2. FORM OF BONDS.] The bonds issued under the provision of this act shall be in denominations of not less than \$100.00 nor more than \$1,000.00; shall bear the date of their issue; shall be made payable to the purchaser or bearer, and shall be made payable in not less than ten nor more than twenty years from their date, and bear interest at a rate not exceeding six and one-half ( $6\frac{1}{2}$ ) per cent. per annum, and payable annually or semi-annually as may be agreed upon, with coupons attached for each interest payment. The bonds and each coupon shall be signed by the Chairman of the Board of County Commissioners, and shall be attested by the County Clerk or Auditor. The seal of the county shall be affixed to each bond but not to the coupons. Said bonds shall be engraved or lithographed on good bond paper, and each bond shall recite upon its face that it is issued under the provisions of this act, designating it by its title and date of approval or becoming a law. Said bonds may be made payable anywhere in the United States.

§ 3. EXCHANGE OR SALE.] Said bonds may be exchanged at not less than par value for an equal amount of bonds permitted to be

funded under the provisions of section 1 of this act, of the county issuing them, or said bonds may be sold by the Board of County Commissioners, at not less than par value, and the proceeds applied solely to the payment of such indebtedness. When such bonds are so taken up and paid by the issue of bonds as herein provided for, such bonds shall be marked "Paid by bond No. ....," (giving number of bond) and shall be retained by the county treasurer until his settlement with the county commissioners, and shall then be carefully compared with the bond registered and after such comparison shall be placed in the custody of the county auditor or county clerk and it shall be his duty to preserve the same.

§ 4. TAX.] The board of county commissioners shall each year levy upon the taxable property of the county a sufficient tax to pay the interest on said bonds as the same accrues and a reasonable time before maturity, a sufficient tax to provide a sinking fund for the payment of the bonds when they mature.

§ 5. PAYMENT.] When said bonds and the several coupons thereto attached mature, it shall be the duty of the county treasurer to pay the same on presentation out of any funds in his hands applicable thereto, and shall cancel them when paid by writing or stamping across the face of each coupon or bond the words: "Cancelled by payment this ... day of ....." (inserting the day of payment).

§ 6. REGISTRY.] Before the bonds are delivered to the purchaser they shall be presented to the county treasurer, who shall register them in a book to be kept for that purpose and known as the "bond register," in which register he shall enter the number of each bond, its date, date of maturity, amount, rate of interest, to whom and where payable.

§ 7. NEGOTIABLE.] Bonds issued in substantial conformity to this act shall in law be considered negotiable.

§ 8. REPEAL.] All acts or parts of acts in conflict with this act are hereby repealed.

§ 9. EFFECT WHEN.] This act shall take effect and be in force from and after its passage and approval.

Approved March 2, 1889.

## CHAPTER 47.

## BOUNDARIES OF BUTTE AND HARDING.

AN ACT to Define the Boundaries of the Counties of Butte and Harding.

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

§ 1. BOUNDARIES.] All that district of country included within the following boundary lines shall be and the same is hereby declared the County of Butte, viz: Beginning on the western boundary line of Dakota where it intersects the parallel of latitude forty-five degrees and fifteen minutes north, running thence east along said parallel to the one hundred and third meridian of longitude west of Greenwich, thence south along said meridian to the township line between townships seven and eight, north of Black Hills base line, thence west along said line to Red Water creek, running thence westerly up said creek to the boundary line of Dakota Territory, thence north along said boundary to the place of beginning.

§ 2. HARDING.] The County of Harding shall be bounded and described as follows: Beginning on the western boundary line of Dakota Territory where it intersects the parallel of latitude forty-five degrees and forty minutes north, thence running east along said parallel to the one hundred and third meridian of longitude west of Greenwich, thence south along said one hundred and third meridian to the parallel of latitude forty-five degrees and fifteen minutes north, thence west along said parallel to the western boundary line of the Territory of Dakota, thence north along said boundary line to the place of beginning.

§ 3. REPEAL.] All acts and parts of acts in conflict with this act are hereby repealed.

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

Approved February 28th, 1889.

## CHAPTER 48.

## QUARTERLY STATEMENT.

AN ACT to Amend Section 103, of Chapter 28 of the Political Code.

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

§ 1. QUARTERLY STATEMENT.) That Section 103, of Chapter 28, of the Political Code, be and is hereby amended to read as follows: The County Clerk or Auditor and County Treasurer conjointly shall make out quarterly a detailed exhibit under oath, showing the receipts and disbursements of the county for the preceding quarter; and also the assets and liabilities at the time of making out the same, said exhibit shall show the amount of all orders on the treasury issued during the quarter next preceding, on what account, and also the liabilities of the county, stated in detail, and the assets of every kind as near as [may] be, showing also the amounts of funds in the treasury at the time of making said exhibit on what account paid in, the kind of funds, and the place or places where said funds are deposited. Said exhibit shall be made out quarterly and posted up in the office of the Treasurer on the first Monday in January, April, July and October of each year, and said statement shall also be published within ten days thereafter in the official newspapers of said county.

§ 2. REPEAL.] That all acts and parts of acts, in conflict with this act, are hereby repealed.

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

Approved, February 28, 1889.

## CHAPTER 49.

## CONTRACTS FOR FUEL, ETC.

AN ACT to Amend Section Forty-five (45), of Chapter Twenty-one (21), of the Political Code, Relating to the Manner of Letting Contracts by County Boards.

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

§ 1. BIDS FOR SUPPLIES.] That section forty-five (45), of chapter Twenty-one (21), of the political code be amended by adding thereto the following: "The provisions of this section shall apply to all contracts for fuel, stationery and all other articles for the use of said county, or labor to be performed therefor when the amount to be paid for the same during any year exceeds the sum of one hundred dollars; *Provided*, that in all such cases advertisement for bids therefor need not be for more than three (3) consecutive weeks in some weekly newspaper published in said county and provided also that all contracts for the furnishing of stationery, blank books and supplies generally for all county officers shall be made at the first session of the regular meeting in April to run for the period of one year.

§ 2. REPEAL.] That all acts and parts of acts in conflict herewith be and the same are hereby repealed.

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

Approved, March 7, 1889.

## CHAPTER 50.

## TAXES IN ONE COLUMN.

AN ACT to Amend Sub-division Two and Three Respectively of Section 37, of Chapter 28, Political Code.

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

§ 1. TAXES IN ONE COLUMN.] That sub-divisions two and three respectively, of section 37, of chapter 28, of the political code, each be amended by adding thereto the following: "Except that the general, territorial and county taxes may be placed in one column."

§ 2. REPEAL.] All acts and parts of acts inconsistent with this act are hereby repealed.

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

Approved, March 8, 1889.

## CHAPTER 51.

### TRANSFER OF FUNDS BY COMMISSIONERS.

AN ACT to Authorize the Board of County Commissioners of any County to Transfer Unexpended Balances in the County Treasury from the Road or Bridge Fund to the General Fund.

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

§ 1. TRANSFER OF FUNDS.] The board of county commissioners of any county may at any regular meeting thereof and they are hereby authorized and empowered to transfer to the general fund any unexpended balances which are or may be in the county treasury, belonging to the road and bridge fund, when in their opinion such transfer will be beneficial to the county.

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

Approved March 8th, 1889.

## CHAPTER 52.

### SALARY OF COUNTY AUDITOR REGULATED.

AN ACT to Amend Section Fourteen, of Chapter Ten, Session Laws of 1887.

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

§ 1. SALARY OF AUDITOR.] Strike out all of said section fourteen, chapter ten, and insert in lieu thereof the following:

§ 2. "The salary of the county auditor shall be regulated by the value of the property in their respective counties as fixed by the Territorial board of equalization for the preceding year, as follows: In counties where the amount of taxable property does not exceed the sum of one and one-half million dollars they shall be entitled to receive five mills on each dollar of the first one hundred thousand dollars, and one mill on each dollar of all amounts in excess of said last named

sum and less than five hundred thousand dollars, and one-tenth of one mill on each dollar of all sums in excess of said last named sum. In counties where the value of taxable property for the preceding year as fixed by said board of equalization exceeds the sum of one and one-half million dollars the county auditor shall be entitled to receive five mills on each dollar of the first one hundred thousand dollars, and one-third of one mill on each dollar in excess of said last mentioned sum and less than two million dollars, and one-fifth of one mill on each dollar of all sums in excess thereof; *Provided*, that no county auditor shall receive more than fifteen hundred dollars for his personal services in the counties where the valuation does not exceed four million dollars, nor more than two thousand dollars in counties where the valuation exceeds four million dollars, and all moneys received as fees or percentage in excess of the amount provided for in this section shall be paid by the auditor at the end of each year into the revenue fund of the county."

§ 3. REPEAL. All acts or parts of acts, either special or general, in conflict with this act are hereby repealed.

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

Approved, March 8th, 1889.

## CHAPTER 53.

### RE-LOCATION OF COUNTY SEATS.

AN ACT to Provide for the Re-Location of County Seats in Counties Where the Same are not Located on the Line of any Railroad, and there are no Public Buildings thereat, or the Same are not Constructed of Brick or Stone, or there is no Record Vault.

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

§ 1. WHAT COUNTIES MAY RE-LOCATE COUNTY SEATS.] That in all counties within this Territory having a railroad station within the limits thereof, the county seat of which is not on the line of a railroad and in the county seat of which there are no public buildings or the same are not built of brick or stone or there is no record vault, the county seat of such counties may be re-located by a majority vote at a special, annual or general election, as hereinafter provided.

§ 2. PETITION.] Whenever the voters of any county having a

railroad station within its limits, the county seat of which is not located on the line of a railroad and in which there are no public buildings or the same are not constructed of brick or stone or there is no record vault, shall desire to re-locate such county seat they may present to the Board of County Commissioners thereof at any regular meeting, a petition signed by a majority of the voters of such county as shown by the last preceding general election, demanding that such question of re-location be submitted to the voters of the county and it shall thereupon be the duty of the commissioners to submit the same as follows: If such petition shall be presented to said board at a regular meeting, more than ninety days immediately preceding an annual or general election they shall order a special election and submit thereat such question of re-location; but if such petition shall be so presented in ninety days or less, immediately preceding an annual or general election, then such question shall be submitted to the voters at such annual or general election.

§ 3. ELECTION.] Notice of such election shall be given, polling places established, judges of election appointed and such elections shall be conducted in the same manner as elections held under Chapter twenty-seven (27), of the Political Code.

§ 4. BALLOTS.] The ballots for such elections shall be printed or written, or partly printed and partly written and shall be substantially as follows:

“For County Seat the City (or Town) of.....” and by such ballot the elector shall designate the city or town for which he desires to cast his vote for county seat.

§ 5. CANVASS.] The vote cast at such election shall be canvassed, certified and returned in the same manner as provided in said Chapter twenty-seven (27) of the Political Code, and the county commissioners shall within twenty days after such election, meet and open the returns and declare and enter upon the records the result thereof.

§ 6. MAJORITY VOTE.] The city or town receiving the highest number of votes, such number being not less than a majority of all the votes cast at such election, shall be the county seat.

§ 7. DONATION.] Any incorporated town or city being a candidate for the location of a county seat under this act, shall have power within the limitations prescribed by act of Congress of July 30th, 1886, to donate to the county for the purpose of providing public buildings either in its bonds or cash, upon a majority vote of its electors in favor thereof, a sum not exceeding five thousand dollars, and, except from a fund so provided, no public building, other than frame, nor any such buildings costing more than two thousand dollars shall be erected at the place to which any such county seat is removed within five years after such removal.

§ 8. REMOVAL OF OFFICES.] It shall be the duty of the several county officers whose offices are required by law to be kept at the county seat, to remove their respective offices, files, records, office fixtures, furniture and all public property pertaining to their respec-

tive offices, to the county seat designated by the electors, within sixty days after such county seat shall have been designated by the electors under the provisions of this act.

§ 9. EFFECT WHEN.] This act shall take effect from and after its passage and approval.

NOTE BY THE SECRETARY OF THE TERRITORY.

The foregoing Act having been presented to the Governor for his approval, and not having been returned by him to the Council 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.

M. L. McCORMACK,  
Secretary of the Territory.

## CHAPTER 54.

### BOUNDARIES, RECORDS, ETC., OF CAMPBELL COUNTY.

AN ACT to Define and Establish the Boundaries of the County of Campbell and for Other Purposes.

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

§ 1. BOUNDARIES.] That the boundaries of the county of Campbell hereby are established and defined as follows:

Beginning at the southeast corner of township No. one hundred and twenty-five (125), north of range No. seventy-three (73), west of the fifth principal meridian and run thence north along the range line, between ranges seventy-two (72) and seventy-three (73) to the seventh (7th) standard parallel thence west along said seventh (7th) standard parallel to the centre of the main channel of the Missouri river, thence down said river along the centre of the main channel thereof to the sixth (6th) standard parallel, thence east along the sixth (6th) standard parallel to the said southeast corner of township No. one hundred and twenty-five (125), north of range No. seventy-three (73), west of the fifth (5th) principal meridian to the place of beginning.

§ 2. RECORDS.] That the county commissioners of the county of Campbell hereby are authorized and directed to transcribe or cause to be transcribed any and all records necessary to complete the records of said county, as hereinbefore established and defined, and to issue county warrants to pay the just proportion of the indebtedness of the county to which townships No. one hundred and twenty-five (125), one hundred and twenty-six (126), one hundred and twenty-seven (127) and one hundred and twenty-eight (128), north of range seventy-three (73), west, belonged prior to the passage and approval of this act, said indebtedness to be determined by and based upon the valuation as shown by the assessment roll for the year 1888.

§ 3. COMMISSIONER DISTRICTS.] That it shall be the duty of the

county commissioners of the county of Campbell, as defined in section 1 of this act, at their regular meeting in the month of April, 1889, to change the boundaries of the commissioner districts of said Campbell county so that each commissioner district shall contain the same number of votes, as near as may be, and the computations of votes shall be based upon the vote cast at the general election in 1888, and to establish at least three voting precincts in townships No. one hundred and twenty-five (125), one hundred and twenty-six (126), one hundred and twenty-seven (127) and one hundred and twenty-eight (128), north of range No. seventy-three (73) west, and said townships are hereby segregated from the county of McPherson and added to and made a part of the county of Campbell, as defined in section 1 of this act: *Provided*, however, that the portion of McPherson county hereby proposed to be segregated therefrom and added to Campbell county shall not be so segregated and added unless the question of segregation and annexation shall first be submitted to a vote of the electors living in said Campbell county as herein established and defined; said election to be held on the 7th day of May, A. D. 1889; and it hereby is made the duty of the county commissioners of said Campbell county at their regular meeting in April, 1889, to order said election, and said election shall be conducted as provided by law.

In case a majority of the legal voters of Campbell county, as now existing, shall vote in favor of said annexation and in case a majority of the legal voters of said township proposed to be segregated from McPherson county and added to and included in Campbell county shall vote in favor of said segregation and annexation, then this act shall be in full force and effect: The ballots to be used at said election shall be of white paper and shall have written or printed thereon the words "For annexation," "Against annexation." All expenses of said election shall be paid by Campbell county.

§ 4. VACANCY.] That any vacancy occasioned by the change of boundaries in county or township officers may be filled by appointment as in other vacancies.

§ 5. REPEAL.] That all acts or parts of acts in conflict with this act are hereby repealed.

§ 6. IN EFFECT WHEN.] This act shall take effect and be in force from and after its passage and approval.

Approved, March 8th, 1889.

## CHAPTER 55.

## CORRECTING BOUNDARIES OF DAY COUNTY.

AN ACT to Correct and Define the Boundaries of Day County, Dakota.

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

§ 1. BOUNDARIES.) That all that district of county included within the following boundary lines, to-wit: Beginning at the point where the south line of township 120 intersects the western boundary line of Grant County, thence north along the western boundary of Grant and Roberts Counties to the northeast corner of township one hundred and twenty-four (124), range fifty-three (53), thence west along the north line of township one hundred and twenty-four (124), to the northwest corner of township one hundred and twenty-four (124), range fifty-nine (59), thence south along the west line of range fifty-nine (59) to the southwest corner of township one hundred and twenty (120), range fifty-nine (59), thence east along the south line of township one hundred and twenty (120) to the place of beginning, shall be and the same is hereby constituted and declared to be the County of Day.

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

§ 3. IN EFFECT—WHEN.] This act shall take effect and be in force from and after its passage and approval.

Approved, March 8th, 1889.

## CHAPTER 56.

## AMENDING BONDING LAW FOR LAWRENCE COUNTY.

AN ACT to Amend Section two (2) of a Special Law passed by the Fifteenth Legislative Assembly of Dakota Territory, and approved March 9th, 1883, Entitled an Act to Authorize Lawrence County to Issue Bonds to be Used in Refunding and Paying Off its Outstanding Indebtedness and to Provide for the Payment of the Same.

*Be it Enacted by the Legislative Assembly of the Territory of Dakota.*

§ 1. CONDITION OF BONDS.] That Section two (2) of a Special Act passed by the Fifteenth Legislative Assembly of Dakota Territory, approved March 9th, 1883, entitled an "Act to authorize Lawrence County to issue bonds to be used in refunding and paying off its outstanding indebtedness and to provide for the payment of the same," be amended so as to read as follows:

"§ 2. The bonds issued under this act shall be signed by the Chairman of the Board of County Commissioners of said Lawrence County and attested by the County Clerk or Auditor under the County Seal. Said bonds or any of them may be sold and disposed of by said county at not less than ninety (90) cents on the dollar; in which event the proceeds thereof, shall be used in redeeming, purchasing or paying off at not more than par, the outstanding indebtedness of said county, or said county may exchange said bonds or any of them for such outstanding indebtedness, but the said bonds and the proceeds thereof shall be used for no other purpose whatever, except so much as shall be absolutely necessary to pay the expenses of preparing, issuing, advertising and disposing of the bonds to be used under this act, and all other unappropriated funds in the county treasury of said county, not actually required to pay the necessary current expenses of the county, shall be used to pay the said outstanding indebtedness of said county, and accruing interest upon the bonds herein authorized.

§ 3. IN EFFECT—WHEN. This act to take effect and be in force from and after its passage and approval.

## NOTE BY THE SECRETARY OF THE TERRITORY.

The foregoing Act having been presented to the Governor for his approval and not having been returned by him to the Council, 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.

M. L. MCCORMACK,  
Secretary of the Territory.

## CHAPTER 57.

## CREATING THE COUNTY OF MEADE.

AN ACT to Create and Establish the County of Meade and for Other Purposes.

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

§ 1. BOUNDARIES.] That all that portion of the county of Lawrence in the territory of Dakota bounded and described as follows, to-wit: Beginning at the point on the southern boundary line of said Lawrence county where the range line between ranges five and six intersects said boundary line; thence north along the range line between ranges five and six to the line between townships three and four; thence west along said last mentioned township line to the range line between ranges four and five; thence north along said range line between ranges four and five to the northern boundary line of Lawrence county; thence east along the northern boundary line of Lawrence county to the one hundred and third meridian of longitude west from Greenwich; thence south along the said one hundred and third meridian to a point where said meridian intersects with the channel of the North Fork of the Cheyenne or Belle Fourche river; thence southeasterly, along down the said North Fork of the Cheyenne or Belle Fourche river on the line of the Great Sioux reservation to its confluence with the South Fork of the Big Cheyenne river; thence up said South Fork of the Big Cheyenne river along the line of the Great Sioux reservation to a point where it intersects with the boundary line of Pennington county; thence west along the boundary lines of Pennington and Lawrence counties to the place of beginning, be and the same is hereby erected into a county, by the name of Meade, and the territory included within such boundaries shall be and constitute the county of Meade.

§ 2. COMMISSIONERS.] That for the purpose of providing for the organization of said county of Meade there are hereby appointed commissioners to perform the duties hereinafter designated, Max Hoehn, Daniel P. Flood and W. C. Burton.

§ 3. ORGANIZATION OF BOARD.] Said commissioners herein appointed shall on or before the first Monday in April, 1889, meet at the city of Sturgis, in said Meade county, and shall qualify by taking an oath to faithfully discharge their duties as such appointees under this act and shall then enter upon the discharge of their duties, first selecting one of their number who shall act as chairman and one who shall act as clerk of said board of commissioners. They shall issue a notice of the election hereinafter provided for, one of such no-

tices at least to be posted in each of the precincts of said county, as they shall be by said commissioners established, and by publishing the same in each of the newspapers published in said county at least twenty (20) days before said election. Said commissioners shall, before issuing such notice, establish precincts in said county and polling places and appoint for each three judges of election in the same manner as judges of election are appointed by county commissioners under the general law.

§ 4. ELECTION.] An election shall be held in said county of Meade on the seventh (7th) day of May, 1889, at which time all county officers for said county, as provided by the general law, shall be elected, including three county commissioners which officers having qualified shall hold their offices until the first general election thereafter and until their successors shall have been elected and qualified, and at said election the qualified electors of said county are empowered to vote for and select the place of county seat by ballots, the place receiving the highest number of votes shall be the county seat, until otherwise changed under the provisions of the laws of the Territory.

§ 5. CANVASS.] The returns of said election shall be made to the commissioner hereinbefore designated, who shall meet at the city of Sturgis, in said county of Meade, on the 13th day of May, 1889, and shall canvass such returns and declare the result in the manner prescribed for county canvassing boards, and said commissioners shall issue their proclamation announcing who are elected to such county offices, and what place has been selected by the qualified voters as the county seat, and publish the same in a newspaper published in said county within ten days after said canvass.

§ 6. OFFICERS QUALIFY.] On or before the first (1st) Monday of June after said election the officers thus elected shall qualify, and shall then enter upon their duties, and the commissioners hereinbefore appointed shall after canvassing said returns of votes and issuing and publishing such proclamation, cease to exercise further power hereunder, and said commissioners hereinbefore provided for shall be entitled to receive for their services, to be paid by the said county of Meade, the same per diem as county commissioners are allowed under the general law of the Territory, but for not to exceed ten (10) days' services.

§ 7. BALLOT BOXES, ETC.] Said commissioners hereinbefore provided for shall have the power to provide ballot boxes and poll books for said election, and they may post the notices of such election or designate and employ some other person for that purpose, the reasonable expense of which shall be audited by the county commissioners of the County of Meade and allowed as a charge against said county.

§ 8. VACANCY.] In case of a failure to qualify by either of the commissioners hereinbefore appointed, or of a vacancy otherwise occurring, the remaining commissioners or commissioner shall have the

power to fill such vacancy by designating some elector or electors of said county of Meade to act, who shall qualify and take the oath herein prescribed.

§ 9. GENERAL LAW APPLICABLE.] The election under this act shall be conducted in the same manner as required by law in general elections, and no refusal or neglect on the part of any commissioner or other person to perform his duties in connection therewith shall in anywise affect the validity of said election.

§ 10. OFFICERS CONTINUED.] All justices of the peace and constables in office, as such, within the boundaries of the county organized under this act shall continue in office as such justices of the peace and constables in and for said county of Meade, for the remainder of their term and shall give bonds to the county organized under this act in the same amount and in the manner as they had previously given to the county of Lawrence.

§ 11. OTHER LAWS APPLICABLE.] In all matters not specially provided for in this act the officers of said county of Meade shall be governed as to their duties and emoluments and the said county shall be governed in all its affairs by the laws of the Territory applicable thereto.

§ 12. TRANSCRIPTS OF RECORDS.] The county commissioners of said county of Meade are hereby empowered and it is made their duty to procure transcripts of all records of Lawrence county that in their judgment may be necessary for the use and benefit of their county and it is hereby made the duty of all county officers having custody of any books, papers and records to allow such commissioners or any authorized person in their behalf full and free access to any and all such books, papers and records for the object and purpose herein named and for the completion thereof; *Provided* however, that such books, papers and records shall not be removed from their proper place or custody.

§ 13. PROPORTION OF OLD COUNTY DEBT.] The county of Meade organized under this act shall assume and pay, as hereinafter provided, a just proportion of the indebtedness of Lawrence county from which it is segregated, based upon the assessed valuation of said Lawrence county for the year 1888, and upon the proportion that the valuation within the county of Meade bears by the said assessment of 1888 to the valuation within the whole of Lawrence county; and it is hereby made the duty of the County Commissioners of both the counties of Meade and Lawrence to meet together at the county seat of Lawrence county, on the first day of July, 1889, and at such meeting they shall ascertain as near as may be the total outstanding indebtedness of Lawrence county on the first day of July, the date of the joint session provided for in this section, and from the total they shall make the following deduction, to-wit:

I. The amount of all sums due and payable to said Lawrence county for rents.

II. The amount of outstanding bonds given for public property

owned by and remaining within the limits of the county of Lawrence.

III. The amount of public funds on hand belonging to the county of Lawrence, on the day for which its outstanding indebtedness is ascertained by the joint Board of County Commissioners as provided for in this section, and not belonging to the special funds hereinafter mentioned, be the amount which the county organized under this act shall pay proportion of, in the proportion hereinbefore specified; and it shall be the duty of such commissioners to ascertain and fix the amount that Meade county shall assume and pay to Lawrence county.

§ 14. COUNTY FUNDS.] All moneys on hand at the time of the settlement provided for in the preceding section of this act, held by said Lawrence county, pertaining to special funds, such as fire, school, road funds and others belonging to the districts within the boundaries of Meade county, shall be turned over in full by the Treasurer of Lawrence county to the Treasurer of Meade county, and shall be duly receipted for by the latter and shall by him be placed to the credit of the districts within his county to which they properly belong.

§ 15. LAWRENCE COUNTY COMMISSIONERS.] The county commissioners of Lawrence county immediately after this act shall take effect, shall re-district their county into the districts provided for by the laws then existing, and shall fill the vacancies occasioned by such segregation in the manner provided by law for filling vacancies in the county, district or precinct offices.

§ 16. RE-NUMBERING DISTRICTS.] School and road districts within said Meade and Lawrence counties shall be re-numbered so as to make their numbers in each county run consecutively and the names of school districts may when necessary be changed.

§ 17. SCHOOL DISTRICT BONDS.] When the boundaries of any school district shall have been changed under and by virtue of this act, that portion of such district in which the school houses and other property remain, shall be holden for the bonds if any, issued by such school district, or such school township and if such portion shall have been attached to another school district, the school district to which such portion has been attached, shall be holden for the bonds, if any of the school district to which such portion formerly belonged.

§ 18. LIABILITY UNDISTURBED.] The validity of bonds issued by school districts prior to the division of said Lawrence county, shall in no wise be affected by such division, or by the re-numbering or re-naming of the school district that issued them.

§ 19. BONDS FOR LIABILITY.] The amount of indebtedness of Meade county organized under this act, as ascertained by the two boards of county commissioners, in compliance with the provisions of the preceding section, shall be paid to Lawrence county in the bonds of Meade county as hereinafter provided.

§ 20. FORM OF BOND.] Such bonds shall be dated on the first

day of July, 1889, as provided for in section thirteen of this act, and shall be issued for a period corresponding with the time or terms on which the obligations of the original county became due and payable and shall be payable at the same place and shall bear the same rate of interest as the obligations of the original county, said commissioners taking care to classify the liquidating bonds, issuing a due proportion of each, in proportion to each of Lawrence county's obligations bearing different rates of interest and places of payment, and said Lawrence county shall have authority to exchange such bonds for an equal amount of obligations of its own of the same class.

§ 21. **REGISTRY.**] The County Treasurer of Meade county issuing bonds under the provisions of this act, shall provide himself with a book to be called the "Bond Register" wherein he shall note the number and denomination of each bond issued by Meade county, the date of issue, when and where payable, with such other facts as the county commissioners of Meade county shall direct, which "bond register" when completed, shall be deposited with the County Clerk of said Meade county, and shall be and remain a part of the records of the same.

§ 22. **LIQUIDATING BONDS.**] The Board of County Commissioners of Meade county are hereby empowered and directed to issue such liquidating bonds in denominations as may be required by the county of Lawrence, not to exceed one thousand (\$1,000) dollars each, and deliver the same to the County Clerk of said Lawrence county, who shall receipt therefor, attaching the seal of his office to such receipts, and the County Clerk of Meade county shall enter such receipts at length upon the records of the county commissioners and note the same in the bond register of his county.

§ 23. **TAX.**] The Board of County Commissioners of Meade county shall for each year after the date of issue of such bonds, levy and cause to be collected a tax sufficient to pay the interest on said bonds as they shall become due, and also such sinking funds as shall correspond with the laws under which the bonds of Lawrence county were issued, sufficient to redeem said bonds at maturity; and as fast as such sinking fund shall become available, they shall redeem such bonds in the manner provided for redeeming bonds of Lawrence county; provided, however, that public notice shall be given by such Board of County Commissioners in a newspaper, if one be published within their county, setting forth that certain bonds, giving their number and otherwise describing them, will be redeemed by their county and naming the date of such redemption.

§ 24. **FUND PRESERVED.**] The money collected for the payment of interest or principal of such bonds, shall not be used for any other purpose until such bonds are redeemed; any surplus thereafter, shall be placed in the general county fund.

§ 25. **TIME.**] The authority of Lawrence county for the collection of revenue within the boundaries of Meade county, shall cease on July 1st, A. D. 1889, and all assessments and levies made by the

authority of Lawrence county, by its officers in the lawful performance of their official duties, affecting any of the territory embraced in the boundaries of Meade county, shall remain the same and shall be payable to and collected by the lawful authorities of Meade county only.

§ 26. JUDICIAL SUB-DIVISION.] Said county of Meade, shall as soon as its organization shall have been completed, constitute and be created a judicial sub-division of the judicial district to which it properly belongs at and before the time of its organization.

§ 27. TERMS OF COURT.] The Judge of the judicial district in which Meade county is created a legal sub-division of his district, under the provisions of the preceding section, shall appoint and hold terms of the district court at the county seat of said county at least one term each year.

§ 28. CHANGE OF VENUE.] In all actions or proceedings civil or criminal, the crime wherein was committed, or the disputed premises therein, be within the boundaries of the judicial sub-division created under the provisions of this act, and which properly belong to such sub-division under the provisions of the codes of civil and criminal procedure, the venue there of shall be changed to the county of Meade by the order of the court or the judge thereof, upon the demand of either party, which demand shall be served upon the opposite party, or his attorney if either can conveniently be found in this Territory, but if neither can conveniently be found in this Territory, then such change of venue may be made upon filing such demand with the Clerk of the District Court having the case upon its calendar.

§ 29. PROCESS REGULATED.] All process, writs, bonds, notices, appeals, recognizances, papers and proceedings, in actions changed to the county of Meade under this act, and issued and made returnable to the district court of the county of Lawrence prior to the creation of such legal sub-division of Meade county, shall be taken and considered as made taken and returnable to the district court of Meade county, and such bonds, recognizances and obligations shall be payable to said Meade county and recoverable upon and in the name of said Meade county, and all papers and certified copies of all proceedings had in such changed actions, shall be transmitted by the Clerk of the district court of Lawrence county to the Clerk of the district court of the County of Meade

§ 30. EFFECT WHEN.] This act shall take effect and be in force from and after its passage.

**NOTE BY THE SECRETARY OF THE TERRITORY.**

The foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of Representatives, 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.

M. L. MCCORMACK,  
Secretary of the Territory.

## CHAPTER 58.

## BOUNDARIES OF RAMSEY COUNTY DEFINED.

AN ACT Defining the Boundaries of the County of Ramsey.

*Be it Enacted by the Legislative Assembly of the Territory of Dakota.*

§ 1. BOUNDARIES.] That all that portion of the Territory of Dakota included within the boundaries hereinafter described shall constitute, be and remain the County of Ramsey, to-wit: Beginning at the intersection of the Thirteenth Standard Parallel with the range line between ranges 60 and 61, thence north on the range line between ranges 60 and 61 to the northeast corner of township 154, thence west on the township line between townships 154 and 155 to the northwest corner of township 154, thence north on the range line between ranges 61 and 62 to the northeast corner of township 158, thence west on the township line between townships 158 and 159 to the northwest corner of township 158 between ranges 64 and 65, thence south on the range line between ranges 64 and 65 to the southwest corner of township 157, thence west on the township line between townships 156 and 157 to the intersection of said line with the ninth guide meridian, thence south along said ninth guide meridian to its second intersection with the Mauvaise Coulee, thence along the centre of said Mauvaise Coulee to its intersection with the township line between townships 153 and 154, thence east on the township line between townships 153 and 154 to the range line between ranges 65 and 66, thence south on the range line between ranges 65 and 66 to the intersection of said range line with the Thirteenth Standard Parallel, thence east on the Thirteenth Standard Parallel to the south shore of Devils Lake, thence easterly along the south shore of Devils Lake to the southeastern extremity of said lake, thence east to the range line between ranges 61 and 62, thence north on the range line between ranges 61 and 62 to the Thirteenth Standard Parallel, thence east on the said Thirteenth Standard Parallel to the place of beginning.

§ 2. REPEAL.] All acts and parts of acts in conflict herewith be and the same is hereby repealed.

§ 3. EFFECT WHEN.] This act shall take effect and be in force immediately after its passage and approval.

Approved, Feb. 7th, 1889.