

two or more good and sufficient sureties, to be approved by said board, in the sum of one thousand dollars, conditioned that he will fulfil all the duties that are imposed upon him, in the foregoing sections, and in case of his failure so to do, he shall forfeit all the benefit that might have accrued to him from its passage.

Forfeiture.

SEC. 5. For every neglect in keeping a good and sufficient boat, or failure to give prompt and ready attendance, the said Daniel F. Brawley shall forfeit a sum, not exceeding twenty dollars, to be recovered by a civil action before any court having competent jurisdiction, and shall be further liable in a like action, for all damages any person shall sustain by reason of the neglect of said Daniel F. Brawley to fulfil any of the duties imposed upon him by this act.

Remedy.

SEC. 6. Any person who shall sustain any injury by the negligence or default of said Brawley, or of the ferryman in his employ, may have remedy by an action upon the bond required by this act.

Legislature may alter or repeal act.

SEC. 7. The legislature may alter, amend or repeal this act at any time.

Approved Feb. 27, 1852.

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## CHAPTER 36.

*An Act to organize Pembina County.*

March 4, 1852.

SECTION.

1. County of Pembina detached from Benton and organized.
2. Commissioners appointed, powers and duties of.
3. Commissioners, when and where to meet, and what duties to perform.

SECTION.

4. Election of officers, their powers, duties salaries, etc.
5. Judge of probate, his powers and duties.
6. Judge of probate to be appointed; term of office.
7. Repealing clause.

Detached from Benton.

*Be it enacted by the Legislative Assembly of the Territory of Minnesota,* That the county of Pembina is hereby detached from the county of Benton, for judicial purposes, and shall be organized with all the powers of separate county government, conferred upon any other of the organized counties of Minnesota Territory.

Commissioners appointed.

SEC. 2. That his excellency, the governor, shall appoint and commission three suitable persons, being qualified voters of the county of Pembina, to be a board of county commissioners for said county of Pembina, with full power and authority to do and perform all the acts and duties devolving upon the board of county commissioners of any organized county of this Territory, until their successors shall be duly elected and qualified, and that the said board of commissioners shall have power to appoint as their clerk any suitable person whom they may designate, to execute, fulfil and perform the duties devolving by law upon the register of deeds and clerk of the board of commissioners of any organized county, who shall hold said office until his successor is duly elected and qualified by law.

Sec. 3. The said board of commissioners shall meet at the house of Norman W. Kittson, in said county, on the second Monday in April, A. D., 1852, at ten o'clock, in the forenoon, and having so appointed as aforesaid, a clerk of the board, shall proceed to make out a list of the grand jurors, and petit jurors for the next term of the district court in said county, and the said board or a quorum thereof, may also call special courts and do any other acts that may be done by any other board of county commissioners, and make all necessary provisions for holding terms of the district court, and for publishing notices of the annual election, and for the establishment of election precincts, and for the appointment of judges of election, and all election returns in said county, now made returnable to the clerk of the board of county commissioners and register of deeds of Benton county, shall be returnable and returned to the clerk of the board of county commissioners and register of deeds of said county of Pembina, who shall canvass the poll-books and give certificates of election, in like manner, as is required of such officer in other organized counties.

Their duties.

Sec. 4. At the next annual election, the qualified electors of Pembina county shall elect all of the county and precinct officers for said county, that are elected in other organized counties, who shall in all respects, be subject to the same duties, powers, privileges, and pay, as is provided for by law in other organized counties.

Election

Sec. 5. There shall also be elected, as aforesaid, at the next annual election, in and for the said county of Pembina, a judge of probate, in and for the said county, with the same qualifications, and who shall exercise the same powers, conferred, upon the judge of probate of any other organized county of this Territory.

Judge of Probate.

Sec. 6. A court of probate is hereby established in said county, and the governor is hereby authorized to appoint a judge of probate for said court, with the same power which the judge of probate has in the county of Ramsey; the said judge so appointed, to hold his office until a successor is elected, at the next general election of said county of Pembina, and duly qualified according to law.

Sec. 7. Any acts, or parts of acts, contrary to the provisions of the foregoing act, are hereby repealed, and this act shall take effect from and after its passage.

Approved March 4, 1852.

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## CHAPTER 37.

*An Act for the relief of B. W. Lott and P. P. Bishop.*

Oct. 20, 1849.

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*Be it enacted by the Legislative Assembly of the Territory of Minnesota,* That there be paid out of the sum appropriated by congress for defraying the expenses of the legislative assembly of this Territory for the present year: To B. W. Lott, forty-five dollars: to P. P. Bishop, forty-five dollars, for services rendered at Wabasha, as per resolution of this house, September sixth, one thousand eight hundred and forty-nine, in the contested case between Messrs. Wells and White: and that the secretary of the Territory be and he is hereby authorized and required to pay the same.

Sums appropriated, for what.

Approved Oct. 20, 1849.