

Limitation on
right of religious
corporations to
hold real estate.

1 July, 1862, c.
126, s. 3, v. 12, p.
501.

Constitution and
laws of United
States made ap-
plicable to all the
Territories.

N. Mex., 9 Sept., 1850, c. 49, s. 17, v. 9, p. 452. Utah, 9 Sept., 1850, c. 51, s. 17, v. 9, p. 458.
Colo., 28 Feb., 1861, c. 59, s. 16, v. 12, p. 176. Dak., 2 March, 1861, c. 86, s. 16, v. 12, p. 244.
Ariz., 24 Feb., 1863, c. 56, s. 2, v. 12, p. 665. Idaho, 3 March, 1863, c. 117, s. 13, v. 12, p. 813.
Mont., 26 May, 1864, c. 95, s. 13, v. 13, p. 91. Wyo., 25 July, 1868, c. 235, s. 16, v. 15, p. 183.

Penitentiaries.

10 Jan., 1871, c.
15, s. 1, v. 16, p. 398.

Rules for their
government.

10 Jan., 1871, c.
15, s. 2, v. 16, p. 398.

Payment of mar-
shal, &c., and of
expenses of sub-
sistence, &c., of of-
fenders.

Ibid.

Imprisonment in
penitentiaries.

10 Jan., 1871, c.
15, s. 3, v. 16, p. 398.

in connection therewith, or for colleges, seminaries, churches, libraries, or any benevolent, charitable or scientific association.

SEC. 1890. No corporation or association for religious or charitable purposes shall acquire or hold real estate in any Territory, during the existence of the territorial government, of a greater value than fifty thousand dollars; and all real estate acquired or held by such corporation or association contrary hereto shall be forfeited and escheat to the United States; but existing vested rights in real estate shall not be impaired by the provisions of this section.

SEC. 1891. The Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within all the organized Territories, and in every Territory hereafter organized as elsewhere within the United States.

SEC. 1892. Any penitentiary which has been, or may hereafter be, erected by the United States in an organized Territory shall, when the same is ready for the reception of convicts, be placed under the care and control of the marshal of the United States for the Territory or District in which such penitentiary is situated; except as otherwise provided in the case of the penitentiaries in Montana, Idaho, Wyoming, and Colorado.

SEC. 1893. The Attorney-General of the United States shall prescribe all needful rules and regulations for the government of such penitentiary, and the marshal having charge thereof shall cause them to be duly and faithfully executed and obeyed, and the reasonable compensation of the marshal and of his deputies for their services under such regulations shall be fixed by the Attorney-General.

SEC. 1894. The compensation, as well as the expense incident to the subsistence and employment of offenders against the laws of the United States, who have been, or may hereafter be, sentenced to imprisonment in such penitentiary, shall be chargeable on, and payable out of, the fund for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offenses committed against the United States; but nothing herein shall be construed to increase the maximum compensation now allowed by law to those officers.

SEC. 1895. Any person convicted by a court of competent jurisdiction in a Territory, for a violation of the laws thereof, and sentenced to imprisonment, may, at the cost of such Territory, on such terms and conditions as may be prescribed by such rules and regulations, be received, subsisted, and employed in such penitentiary during the term of his imprisonment, in the same manner as if he had been convicted of an offense against the laws of the United States.

CHAPTER TWO.

OF PROVISIONS CONCERNING PARTICULAR ORGANIZED TERRITORIES.

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1930. Writs of error from probate court in Colorado.	1952. Certain laws of Washington continued in force.
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SEC. 1896. All that portion of the territory of the United States bounded as follows: Beginning at a point in the Colorado River where the boundary-line with the republic of Mexico crosses the same; thence eastwardly with that boundary-line to the Rio Grande; thence following the main channel of the Rio Grande to the parallel of the thirty-second degree of north latitude; thence east with that degree to its intersection with the one hundred and third degree of longitude west of Greenwich; thence north with that degree of longitude to the parallel of thirty-eighth degree of north latitude; thence west with that parallel to the summit of Sierra Madre; thence south with the crest of those mountains to the thirty-seventh parallel of north latitude; thence west with that parallel to its intersection with the boundary-line of the State of California; thence with such boundary-line to the place of beginning, is erected into a temporary government by the name of the Territory of New Mexico.

SEC. 1897. All that part of the territory of the United States included within the following limits, to wit: Bounded on the west by the State of California, on the north by the State of Oregon, and on the east by the summit of the Rocky Mountains, and on the south by the thirty-seventh parallel of north latitude, is created into a temporary government by the name of the Territory of Utah.

SEC. 1898. All that portion of Oregon, while that State was a Territory, lying and being south of the forty-ninth degree of north latitude, and north of the middle of the main channel of the Columbia River,

Boundaries and establishment of New Mexico.

9 Sept., 1850, c. 49, s. 2, v. 9, p. 447.

Of Utah.

9 Sept., 1850, c. 51, s. 1, v. 9, p. 453.

Of Washington.

2 March, 1853, c. 90, s. 1, v. 10, p. 172.

Of Colorado.

28 Feb., 1861, c.
59, s. 1, v. 12, p. 172.

from its mouth to where the forty-sixth degree of north latitude crosses that river, near Fort Walla-Walla; thence with the forty-sixth degree of latitude to the summit of the Rocky Mountains, is organized into a temporary government by the name of the Territory of Washington.

SEC. 1899. All that part of the territory of the United States included within the following limits, viz: Commencing on the thirty-seventh parallel of north latitude, where the twenty-fifth meridian of longitude west from Washington crosses the same; thence north on that meridian to the forty-first parallel of north latitude; thence along that parallel west to the thirty-second meridian of longitude west from Washington; thence south on that meridian to the northern line of New Mexico; thence along the thirty-seventh parallel of north latitude to the place of beginning, is erected into a temporary government by the name of the Territory of Colorado.

Of Dakota.

2 March, 1861, c.
86, s. 1, v. 12, p. 239.

SEC. 1900. All that part of the territory of the United States included within the following limits, namely: Commencing at a point in the main channel of the Red River of the North, where the forty-ninth degree of north latitude crosses the same; thence up the main channel of the same, and along the boundary of the State of Minnesota to Big Stone Lake; thence along the boundary-line of the State of Minnesota to the Iowa line; thence along the boundary line of the State of Iowa to the point of intersection between the Big Sioux and Missouri Rivers; thence up the Missouri River, and along the boundary-line of the State of Nebraska, to the mouth of the Niobrara or Running Water River; thence following up the same, in the middle of the main channel thereof, to the mouth of the Kaha Paha or Turtle Hill River; thence up that river to the forty-third parallel of north latitude; thence due west to the twenty-seventh meridian of longitude west from Washington; thence due north on that meridian, to the forty-ninth degree of north latitude; thence east, along the forty-ninth degree of north latitude, to the place of beginning, is organized into a temporary government by the name of the Territory of Dakota.

Of Arizona.

24 Feb., 1863, c.
56, s. 1, v. 12, p. 664.

SEC. 1901. All that part of the present Territory of New Mexico situate west of a line running due south from the point where the southwest corner of the Territory of Colorado joins the northern boundary of the Territory of New Mexico to the southern boundary-line of the Territory of New Mexico, is erected into a temporary government by the name of the Territory of Arizona.

Of Idaho.

3 March, 1863, c.
117, s. 1, v. 12, p.
808.

SEC. 1902. All that part of the territory of the United States included within the following limits, to wit: Beginning at a point in the middle channel of the Snake River, where the northern boundary of Oregon intersects the same; then follow down the channel of Snake River to a point opposite the mouth of the Kooskooskia or Clear Water River; thence due north to the forty-ninth parallel of latitude; thence east, along that parallel, to the thirty-ninth degree of longitude west of Washington; thence south along that degree of longitude to the crest of the Bitter Root Mountains; thence southward along the crest of the Bitter Root Mountains till its intersection with the Rocky Mountains; thence southward along the crest of the Rocky Mountains to the thirty-fourth degree of longitude west of Washington; thence south along that degree of longitude to the forty-second degree of north latitude; thence west, along that parallel, to the eastern boundary of the State of Oregon; thence north, along that boundary, to the place of beginning, is created into a temporary government by the name of the Territory of Idaho.

Of Montana.

26 May, 1864, c.
95, s. 1, v. 13, p. 85.

SEC. 1903. All that part of the territory of the United States included within the following limits, to wit: Commencing at a point formed by the intersection of the twenty-seventh degree of longitude west from Washington with the forty-fifth degree of north latitude; thence due west, on the forty-fifth degree of latitude, to a point formed by its intersection with the thirty-fourth degree of longitude west from Washington; thence due south, along the thirty-fourth degree of longitude,

to a point formed by its intersection with the crest of the Rocky Mountains; thence following the crest of the Rocky Mountains northward till its intersection with the Bitter Root Mountains; thence northward, along the crest of the Bitter Root Mountains, to its intersection with the thirty-ninth degree of longitude west from Washington; thence along the thirty-ninth degree of longitude northward to the boundary-line of the British Possessions; thence eastward, along that boundary-line to the twenty-seventh degree of longitude west from Washington; thence southward, along the twenty-seventh degree of longitude, to the place of beginning, is created into a temporary government by the name of the Territory of Montana.

SEC. 1904. All that part of the United States described as follows: Commencing at the intersection of the twenty-seventh meridian of longitude west from Washington with the forty-fifth degree of north latitude, and running thence west to the thirty-fourth meridian of west longitude, thence south to the forty-first degree of north latitude, thence east to the twenty-seventh meridian of west longitude, and thence north to the place of beginning, is organized into a temporary government by the name of the Territory of Wyoming.

SEC. 1905. The elections in the Territories of Washington and Idaho for Delegates to the House of Representatives shall be held biennially on the Tuesday next following the first Monday in November; and all elective territorial, county, and precinct officers shall hereafter be elected at the times herein specified, unless otherwise provided by legislation subsequent hereto, in either of such Territories. [See § 25.]

SEC. 1906. The Delegate to the House of Representatives from each of the Territories of Washington, Idaho, and Montana, must be a citizen of the United States.

Of Wyoming.

25 July, 1868, c. 235, s. 1, v. 15, p. 178.

Elections in Washington and Idaho.

9 May, 1872, c. 147, v. 17, p. 90.

Delegate to Congress from Washington, Idaho, and Montana must be a citizen of the United States.

2 March, 1853, c. 90, s. 14, v. 10, p. 178. 3 March, 1863, c. 117, s. 13, v. 12, p. 813. 26 May, 1864, c. 95, s. 13, v. 13, p. 91.

SEC. 1907. The judicial power in New Mexico, Utah, Washington, Colorado, Dakota, Idaho, Montana, and Wyoming, shall be vested in a supreme court, district courts, probate courts, and in justices of the peace.

The judicial power, how vested in all the Territories except Arizona.

N. Mex., 9 Sept., 1850, c. 49, s. 10, v. 9, p. 449. Utah, 9 Sept., 1850, c. 51, s. 9, v. 9, p. 455. Wash., 2 March, 1853, c. 90, s. 9, v. 10, p. 175. Colo., 28 Feb., 1861, c. 59, s. 9, v. 12, p. 174. Dak., 2 March, 1861, c. 86, s. 9, v. 12, p. 241. Idaho, 3 March, 1863, c. 117, s. 9, v. 12, p. 811. Mont., 26 May, 1864, c. 95, s. 9, v. 13, p. 88. Wyo., 25 July, 1860, c. 235, s. 9, v. 15, p. 180.

SEC. 1908. The judicial power in Arizona shall be vested in a supreme court and such inferior courts as the legislative council may by law prescribe.

The judicial power, how vested in Arizona.

24 Feb., 1863, c. 56, s. 2, v. 12, p. 665.

SEC. 1909. Writs of error and appeals from the final decisions of the supreme court of either of the Territories of New Mexico, Utah, Colorado, Dakota, Arizona, Idaho, Montana, and Wyoming, shall be allowed to the Supreme Court of the United States, in the same manner and under the same regulations as from the circuit courts of the United States, where the value of the property or the amount in controversy, to be ascertained by the oath of either party, or of other competent witnesses, exceeds one thousand dollars, except that a writ of error or appeal shall be allowed to the Supreme Court of the United States from the decision of the supreme courts created by this Title, or of any judge thereof, or of the district courts created by this Title, or of any judge thereof, upon writs of habeas corpus involving the question of personal freedom.

Writs of error to United States Supreme Court.

N. Mex., 9 Sept., 1850, c. 49, s. 10, v. 9, p. 449.

Utah, 9 Sept., 1850, c. 51, s. 9, v. 9, p. 455.

Wash., 2 March, 1853, c. 90, s. 9, v. 10, p. 175.

Colo., 28 Feb., 1861, c. 59, s. 9, v. 12, p. 174.

[See § 702.]

Dak., 2 March, 1861, c. 86, s. 9, v. 12, p. 241. Idaho, 3 March, 1863, c. 117, s. 9, v. 12, p. 811. Mont., 26 May, 1864, c. 95, s. 9, v. 13, p. 88. Wyo., 25 July, 1860, c. 235, s. 9, v. 15, p. 180. Arizona, 24 Feb., 1863, c. 56, s. 2, v. 12, p. 665.

SEC. 1910. Each of the district courts in the Territories mentioned in the preceding section shall have and exercise the same jurisdiction, in all cases arising under the Constitution and laws of the United States, as is vested in the circuit and district courts of the United States; and

Jurisdiction of district courts under Constitution, &c.

Ibid.

the first six days of every term of the respective district courts, or so much thereof as is necessary, shall be appropriated to the trial of causes arising under such Constitution and laws; but writs of error and appeals in all such cases may be had to the supreme court of each Territory, as in other cases. [See Title 13, cc. 3 and 7.]

Writs of error, &c., in Washington Territory, to Supreme Court United States.

Jurisdiction of district courts.

2 March, 1853, c. 90, s. 9, v. 10, p. 175.

SEC. 1911. Writs of error and appeals from the final decisions of the supreme court of Washington Territory shall be allowed and may be taken to the Supreme Court of the United States in the same manner and under the same regulations as from the circuit courts of the United States, where the value of the property or the amount in controversy, to be ascertained by the oath of either party, or of any other competent witness, exceeds two thousand dollars; and such writs of error and appeals shall be allowed, in all cases, where the Constitution of the United States, or a treaty thereof, or acts of Congress are brought in question; and each of the district courts shall have the same jurisdiction in all cases arising under the Constitution of the United States, and the laws of the Territory, as is vested in the circuit and district courts of the United States; but writs of error and appeals in all such cases may be had from the district courts to the supreme court of the Territory, as in other cases. [See § 702.]

Writ of habeas corpus.

N. Mex., 9 Sept., 1850, c. 49, s. 10, v. 9, p. 449.

SEC. 1912. The supreme and district courts of each Territory, and the respective judges thereof, except for Idaho and Montana, may grant writs of habeas corpus in all cases in which the same are grantable by the judges of the United States in the District of Columbia.

Utah, 9 Sept., 1850, c. 51, s. 9, v. 9, p. 455. Wash., 2 March, 1853, c. 90, s. 9, v. 10, p. 175. Colo., 28 Feb., 1861, c. 59, s. 9, v. 12, p. 174. Dak., 2 March, 1861, c. 86, s. 9, v. 12, p. 241. Idaho, 3 March, 1863, c. 117, s. 9, v. 12, p. 811. Mont., 26 May, 1864, c. 95, s. 9, v. 13, p. 88. Wyo., 25 July, 1860, c. 235, s. 9, v. 15, p. 180.

[See Title 13, c. 13.]

Certain Territories may modify judicial districts.

N. Mex., 9 Sept., 1850, c. 49, s. 16, v. 9, p. 452.

SEC. 1913. The legislative assemblies of New Mexico, Utah, Washington, Colorado, Dakota, Arizona, and Wyoming Territories, respectively, may organize, alter, or modify, the several judicial districts thereof, in such manner as each legislative assembly deems proper and convenient.

Utah, 9 Sept., 1850, c. 51, s. 16, v. 9, p. 458. Wash., 2 March, 1853, c. 90, s. 18, v. 10, p. 179. Colo., 28 Feb., 1861, c. 59, s. 15, v. 12, p. 176. Dak., 2 March, 1861, c. 86, s. 15, v. 12, p. 243. Ariz., 24 Feb., 1863, c. 56, s. 2, v. 12, p. 665. Wyo., 25 July, 1868, c. 235, s. 15, v. 15, p. 183.

Judges of supreme court in Idaho and Montana to define judicial districts, &c.

Idaho, 2 March, 1867, c. 151, s. 1, v. 14, p. 427.

Mont., 2 March, 1867, c. 150, s. 4, v. 14, p. 426.

SEC. 1914. The judges of the supreme courts of the Territories of Idaho and Montana, or a majority of them, shall, when assembled at their respective seats of government, define the judicial districts of each of such Territories, and assign the judges who may be appointed for each of such Territories to the several districts; and shall also fix the times and places for holding court in the several counties or subdivisions in each of such judicial districts, and alter the times and places of holding the courts, as to them may seem proper and convenient; but not less than two terms a year shall be held at each place of holding court in the Territory of Montana.

Judges of supreme courts in New Mexico and Arizona may fix the times and places for holding their courts.

16 Aug., 1856, c. 124, s. 5, v. 11, p. 49.

SEC. 1915. The judges of the supreme court in each of the Territories of New Mexico and Arizona, or a majority of them, shall, when assembled at their respective seats of government, fix and appoint the several times and places of holding the courts in their respective districts, and limit the duration of the terms thereof; but such courts shall not be held at more than three places in any one Territory; and a judge holding court may adjourn the same, without day, at any time before the expiration of a term, whenever in his opinion the further continuance thereof is not necessary.

Assignment of district judges in Utah.

27 July, 1868, c. 275, v. 15, p. 242.

SEC. 1916. The governor of Utah Territory shall assign the district judges of that Territory to their respective districts, and appoint the time and place of holding court in each of such districts, not exceeding two terms in each district in any one year.

SEC. 1917. The district court for the several districts in the Territory of Washington shall be held at such times and places in the districts not exceeding three places in each district, as the legislative assembly of that Territory may by law determine; but until the legislative assembly otherwise provides, the courts shall be held as provided by law on the ninth of February, eighteen hundred and sixty-three.

Terms of district court in Washington.

9 Feb., 1863, c. 27, v. 12, p. 648.

SEC. 1918. The legislative assemblies of New Mexico, Washington, Colorado, Dakota, Arizona, and Wyoming Territories may assign the judges appointed for such Territories, respectively, to the several judicial districts thereof, in such manner as each legislative assembly deems proper and convenient.

Assignment of judges.

N. Mex., 9 Sept., 1850, c. 49, s. 16, v. 9, p. 452.

Wash., 2 March, 1853, c. 90, s. 18, v. 10, p. 179. Colo., 28 Feb., 1861, c. 59, s. 15, v. 12, p. 176. Dak., 2 March, 1861, c. 86, s. 15, v. 12, p. 242. Ariz., 24 Feb., 1863, c. 56, s. 2, v. 12, p. 665. Wyo., 25 July, 1868, c. 235, s. 15, v. 15, p. 183.

SEC. 1919. The legislative assemblies of Colorado, Dakota, and Wyoming Territories may fix or alter the times and places of holding the district courts for such Territories, respectively, in such manner as each legislative assembly deems proper and convenient.

Times and places of holding district courts in Colorado, Dakota, and Wyoming; how fixed.

Colo., 28 Feb., 1861, c. 59, s. 15, v. 12, p. 176. Dak., 2 March, 1861, c. 86, s. 15, v. 12, p. 243. Wyo., 25 July, 1868, c. 235, s. 15, v. 15, p. 183.

SEC. 1920. The secretary of the Territory of New Mexico shall be ex-officio superintendent of public buildings and grounds, and shall have full control and management of all public buildings now erected, in process of erection, or to be hereafter erected, and of all grounds pertaining thereto; and he shall be under the direction of the Secretary of the Interior, who shall establish such rules in relation to the public buildings and grounds as he may deem necessary.

Secretary of New Mexico to be superintendent of public buildings.

27 July, 1868, c. 272, s. 2, v. 15, p. 240.

SEC. 1921. The secretary of New Mexico Territory, upon the convening of the legislature thereof, shall administer the oath of office to the members elect of the two houses, and the officers thereof, when chosen; and no other person shall be competent to administer such oath, save in the absence of the secretary; in which case any one member of either house may administer the oath to the presiding officer elect, and he shall administer the same to the members and other officers.

May administer oath of office.

27 July, 1868, c. 272, s. 2, v. 15, p. 240.

SEC. 1922. The councils of New Mexico and Utah shall each consist of thirteen members, and the house of representatives of twenty-six members. The council of Washington Territory shall consist of nine members, and the house of representatives of eighteen members, which may be increased to thirty. The councils of Colorado and Dakota shall each consist of nine members, which may be increased to thirteen, and the house of representatives of thirteen members, which may be increased to twenty-six. The council of Arizona shall consist of nine members, and the house of representatives of eighteen members. The councils of Idaho and Montana shall each consist of seven members, which may be increased to thirteen, and the house of representatives of thirteen members, which may be increased to twenty-six. The council of Wyoming shall consist of nine members, which may be increased to thirteen, and the house of representatives of thirteen members, which may be increased to twenty-seven.

Number of council and house of representatives in each Territory.

N. Mex., 9 Sept., 1850, c. 49, s. 5, v. 9, p. 448.

Utah, 9 Sept., 1850, c. 51, s. 4, v. 9, p. 454.

Wash., 2 March, 1853, c. 90, s. 4, v. 10, p. 173.

Colo., 28 Feb., 1861, c. 59, s. 4, v. 12, p. 173.

Dak., 2 March, 1861, c. 86, s. 4, v. 12, p. 240. Ariz., 24 Feb., 1863, c. 56, s. 2, v. 12, p. 665. Idaho, 3 March, 1863, c. 117, s. 4, v. 13, p. 87. Wyo., 25 July, 1868, c. 235, s. 4, v. 15, p. 179.

SEC. 1923. In each of the Territories of Washington, Idaho, and Montana, the governor shall have power to call the legislative assembly together by proclamation, on an extraordinary occasion, at any time.

Extra sessions legislative assembly in Washington, Idaho, and Montana.

2 March, 1853, c. 90, s. 4, v. 10, p. 103. 3 March, 1863, c. 117, s. 4, v. 12, p. 809. 26 May, 1864, c. 95, s. 4, v. 13, p. 87.

SEC. 1924. In addition to the restrictions upon the legislative power of the Territories contained in the preceding chapter, section eighteen hundred and fifty-one, the legislative assembly of Washington shall have no power to incorporate a bank or any institution with banking

Restrictions on legislative power of Washington Territory.

2 March, 1853, c. 90, s. 6, v. 10, p. 175.

powers, or to borrow money in the name of the Territory, or to pledge the faith of the people of the same for any loan whatever, directly or indirectly. No charter granting any privileges of making, issuing, or putting into circulation any notes or bills in the likeness of bank-notes, or any bonds, scrip, drafts, bills of exchange, or obligations, or granting any other banking powers or privileges, shall be passed by the legislative assembly; nor shall the establishment of any branch or agency of any such corporation, derived from other authority, be allowed in the Territory; nor shall the legislative assembly authorize the issue of any obligation, scrip, or evidence of debt, by the Territory, in any mode or manner whatever, except certificates for service to the Territory. And all taxes shall be equal and uniform, and no distinctions shall be made in the assessments between different kinds of property, but the assessments shall be according to the value of the property. To avoid improper influences, which may result from intermixing in the same act such things as have no proper relation to each other, every law shall embrace but one object, and that shall be expressed in the title.

Of Colorado, Dakota, and Wyoming.

Colo., 28 Feb., 1861, c. 59, s. 6, v. 12 p. 174.

Dak., 2 March, 1861, c. 86, s. 6, v. 12, p. 241.

Wyo., 25 July, 1868, c. 235, s. 6, v. 15, p. 180.

Jurisdiction of justices of the peace in New Mexico and other Territories.

N. Mex., 9 Sept., 1850, c. 49, s. 10, v. 9, p. 449. Utah, 9 Sept., 1850, c. 51, s. 9, v. 9, p. 455. Wash., 2 March, 1853, c. 90, s. 9, v. 10, p. 175. Dak., 2 March, 1861, c. 86, s. 9, v. 12, p. 241. Idaho, 3 March, 1863, c. 117, s. 9, v. 12, p. 811. Mont., 26 May, 1864, c. 95, s. 9, v. 13, p. 88. Wyo., 25 July, 1868, c. 235, s. 9, v. 15, p. 180.

In Colorado and Arizona

Colo., 2 March, 1863, c. 70, s. 3, v. 12, p. 700.

Jurisdiction of district court of New Mexico.

3 March, 1863, c. 83, s. 2, v. 12, p. 761.

U. S. vs. Hart, 6 Wall., 770.

Jurisdiction of probate court in Colorado.

2 March, 1863, c. 70, s. 3, v. 12, p. 700.

Writs of error from probate court in Colorado.

2 March, 1863, c. 70, s. 3, v. 12, p. 700. 4 May, 1870, c. 73, s. 1, v. 16, p. 96. 14 July, 1870, c. 271, v. 16, p. 279.

Appeal.

4 May, 1870, c. 73, s. 1, v. 16, p. 96.

SEC. 1925. In addition to the restrictions upon the legislative power of the Territories, contained in the preceding chapter, section eighteen hundred and fifty-one, the legislative assemblies of Colorado, Dakota, and Wyoming shall not pass any law impairing the rights of private property, nor make any discrimination in taxing different kinds of property; but all property, subject to taxation, shall be taxed in proportion to its value.

SEC. 1926. Justices of the peace, in the Territories of New Mexico, Utah, Washington, Dakota, Idaho, Montana, and Wyoming, shall not have jurisdiction of any matter in controversy where the debt or sum claimed exceeds one hundred dollars.

SEC. 1927. Justices of the peace in the Territories of Colorado and Arizona shall not have jurisdiction of any matter in controversy where the debt or sum claimed exceeds three hundred dollars.

SEC. 1928. The jurisdiction of the district court of New Mexico shall extend over the citizens of El Paso County, Texas, only in cases not instituted by indictment, and the trial and proceedings for violations of the revenue laws in such district court shall be the same as in other district courts of the United States invested with admiralty powers.

SEC. 1929. The probate court of Colorado Territory shall possess chancery as well as common-law jurisdiction, and authority for the redress of all wrongs committed against the laws of the Territory, affecting persons and property; but such court shall not have jurisdiction of any matter in controversy where the debt or sum claimed exceeds the sum of two thousand dollars.

SEC. 1930. Writs of error shall be allowed, from any decision of a probate court in Colorado, to the supreme court of the Territory, under such regulations as are or may be prescribed by law.

SEC. 1931. An appeal from any final order, judgment, or decree of a probate court in Colorado, shall be allowed to the district court of the district in which such probate court is held, under such regulations as are or may be prescribed by the law of the Territory.

SEC. 1932. The probate courts of the Territory of Montana, in their respective counties, in addition to their probate jurisdiction, are authorized to hear and determine civil causes wherein the damage or debt claimed does not exceed five hundred dollars, and such criminal cases arising under the laws of the Territory as do not require the intervention of a grand jury; but they shall not have jurisdiction of any matter in controversy when the title or right to the peaceable possession of land may be in dispute, or of chancery or divorce causes; and in all cases an appeal may be taken from any order, judgment, or decree of the probate courts to the district court.

Jurisdiction of probate courts in Montana.

2 March, 1867, c. 150, s. 2, v. 14, p. 426.

SEC. 1933. Each clerk of a district court in Washington Territory shall exercise the powers now provided by law for the clerk of the supreme court of the Territory, and be subject to all provisions of law, not inconsistent with this act, applicable to the clerk of such supreme court.

Clerks of district courts in Washington Territory.

26 July, 1866, c. 263, v. 14, p. 288.

SEC. 1934. The supreme court of the Territory of Arizona may hold adjourned terms thereof at any time and place in the Territory agreed upon by a majority of the judges of the court at any regular term thereof. The order for an adjourned term shall be signed by a majority of the judges thereof at a regular term of the court, and entered upon the minutes of the court, and any business which such court might do at any regular term thereof may be done at such adjourned term; and the clerk of the court shall be entitled to such mileage for attendance at such adjourned term as is by law allowed the marshal of the district of Arizona for his attendance upon the courts in the Territory.

Adjourned terms of the supreme court of Arizona; mileage of clerk.

24 Dec., 1872, c. 14, v. 17, p. 404.

SEC. 1935. There shall be appropriated, annually, one thousand dollars, to be expended by the respective governors, to defray the contingent expenses of New Mexico, Utah, Colorado, Dakota, Arizona, Idaho, Montana, and Wyoming, including the salary of the clerk in the executive departments of those Territories.

Contingent expenses of certain Territories.

N. Mex., 9 Sept., 1850, c. 49, s. 12, v. 9, p. 450.

Utah, 9 Sept., 1850, c. 51, s. 11, v. 9, p. 456. Colo., 28 Feb., 1861, c. 59, s. 11, v. 12, p. 175. Dak., 2 March, 1861, c. 86, s. 11, v. 12, p. 242. Ariz., 24 Feb., 1863, c. 56, s. 2, v. 12, p. 665. Idaho, 3 March, 1863, c. 117, s. 11, v. 12, p. 812. Mont., 26 May, 1864, c. 95, s. 11, v. 13, p. 90. Wyo., 25 July, 1868, c. 235, s. 11, v. 15, p. 181.

SEC. 1936. The care and custody of the penitentiaries in Montana, Idaho, Wyoming, and Colorado, and the personal property thereunto belonging, and the use and occupation thereof, are transferred to such Territories, respectively, until otherwise ordered by the Attorney-General; but the legal title to such penitentiaries and the property shall continue to vest in the United States.

Control of penitentiaries in Montana, Idaho, &c., transferred to said Territories.

24 Jan., 1873, c. 63, s. 1, v. 17, p. 418.

SEC. 1937. The Territories named in the preceding section shall keep and maintain, in the penitentiaries transferred to their custody and control, all persons convicted in such Territories of violations of the laws of the United States, and sentenced to imprisonment therefor, and all persons held to answer for alleged violations of the laws of the United States in such Territories, at the rate and price, to be paid by the United States out of the judiciary fund, of one dollar per day for each person so imprisoned.

Expenses of maintenance of prisoners to be paid from judiciary fund.

Ibid, p. 419.

SEC. 1938. There shall be appropriated, annually, fifteen hundred dollars for Washington Territory, to be expended in like manner and for like purposes as specified in section nineteen hundred and thirty-five.

Contingent expenses of Washington Territory.

2 March, 1853, c. 90, s. 11, v. 10, p. 176.

SEC. 1939. There shall be appropriated, respectively, for the Territories of New Mexico, Utah, Colorado, Dakota, Arizona, and Wyoming, annually, a sufficient sum, to be expended by the secretary of each Territory herein named, upon an estimate to be made by the Secretary of the Treasury, to defray the expenses of the legislative assembly and other incidental expenses; and the secretary of each Territory above specified shall, annually, account to the Secretary of the Treasury for the manner in which such sum has been expended.

Expenses for printing laws, &c., in New Mexico, Utah, Colorado, Dakota, Arizona, and Wyoming.

N. Mex., 9 Sept., 1850, c. 49, s. 12, v. 9, p. 450.

Utah, 9 Sept., 1850, c. 51, s. 11, v. 9, p. 456. Colo., 28 Feb., 1861, c. 59, s. 11, v. 12, p. 175. Dak., 2 March, 1861, c. 86, s. 11, v. 12, p. 242. Ariz., 24 Feb., 1863, c. 56, s. 2, v. 12, p. 665. Idaho, 3 March, 1863, c. 117, s. 11, v. 12, p. 812. Mont., 26 May, 1864, c. 95, s. 11, v. 13, p. 90. Wyo., 25 July, 1868, c. 235, s. 11, v. 15, p. 181. 8 May, 1872, c. 140, s. 1, v. 17, p. 73.

In Washington, Idaho, and Montana.

Wash., 2 March, 1853, c. 90, s. 11, v. 10, p. 176.

Idaho, 3 March, 1863, c. 117, s. 11, v. 12, p. 812.

Mont., 26 May, 1864, c. 95, s. 11, v. 13, p. 90.

No payment of salaries in certain Territories until officers enter on their duties.

Wash., 2 March, 1853, c. 90, s. 11, v. 10, p. 176. Idaho, 3 March, 1863, c. 117, s. 11, v. 12, p. 812. Mont., 26 May, 1864, c. 95, s. 11, v. 13, p. 90.

Pay of members of legislative assembly in New Mexico, Utah, Dakota, and Arizona.

N. Mex., 9 Sept., 1850, c. 49, s. 12, v. 9, p. 450. Utah, 9 Sept., 1850, c. 51, s. 11, v. 9, p. 456. Dak., 2 March, 1861, c. 86, s. 11, v. 12, p. 242. Ariz., 24 Feb., 1863, c. 56, s. 2, v. 12, p. 665.

In Idaho and Montana.

Idaho, 3 March, 1863, c. 117, s. 11, v. 12, p. 812.

Mont., 26 May, 1864, c. 95, s. 11, v. 13, p. 90.

Seat of government, how changed in certain Territories.

N. Mex., 9 Sept., 1850, c. 49, s. 13, v. 9, p. 451. Utah, 9 Sept., 1850, c. 51, s. 12, v. 9, p. 457. Wash., 2 March, 1853, c. 90, s. 13, v. 10, p. 177. Dak., 2 March, 1861, c. 86, s. 12, v. 12, p. 243. Colo., 28 Feb., 1861, c. 59, s. 12, v. 12, p. 176. Ariz., 24 Feb., 1863, c. 56, s. 2, v. 12, p. 665. Wyo., 25 July, 1868, c. 235, s. 12, v. 15, p. 182.

In Idaho and Montana.

Idaho, 3 March, 1863, c. 117, s. 12, v. 12, p. 813.

Mont., 26 May, 1864, c. 95, s. 12, v. 13, p. 91.

School lands in certain Territories.

N. Mex., 9 Sept., 1850, c. 49, s. 15, v. 9, p. 452.

Utah, 9 Sept., 1850, c. 51, s. 15, v. 9, p. 457. Colo., 28 Feb., 1861, c. 59, s. 14, v. 12, p. 176. Dak., 2 March, 1861, c. 86, s. 14, v. 12, p. 243. Ariz., 24 Feb., 1863, c. 56, s. 2, v. 12, p. 665. Idaho, 3 March, 1863, c. 117, s. 14, v. 12, p. 814. Mont., 26 May, 1864, c. 96, s. 14, v. 13, p. 91. Wyo., 25 July, 1868, c. 235, s. 14, v. 15, p. 183.

Certain sections in Washington Territory to be reserved.

2 March, 1853, c. 90, s. 20, v. 10, p. 179.

SEC. 1940. There shall be appropriated, respectively, for the Territories of Washington, Idaho, and Montana, annually, a sufficient sum, to be expended by the secretary of each Territory herein named upon an estimate to be made by the Secretary of the Treasury, to defray the expenses of the legislative assembly and other incidental expenses. The governor and secretary of each Territory above specified shall, in the disbursement of all moneys intrusted to them, be governed solely by the instructions of the Secretary of the Treasury, and shall, semi-annually, account to such Secretary for the manner in which such sums of money have been expended.

SEC. 1941. No payment of salary shall be made to the governor, secretary, chief justice, and associate justices of Washington, Idaho, and Montana Territories until such officers have entered upon the duties of their respective appointments.

SEC. 1942. The members of the legislative assemblies of New Mexico, Utah, Washington, Colorado, Dakota, Arizona, and Wyoming Territories shall each receive three dollars for every twenty miles' travel in going to and returning from the sessions of their respective bodies, estimated according to the nearest usually traveled route.

SEC. 1943. The members of the legislative assembly of Idaho and Montana Territories shall each receive four dollars for every twenty miles' travel in going to and returning from the sessions of their respective bodies, estimated according to the nearest usually traveled route.

SEC. 1944. The seat of government of the Territories of New Mexico, Utah, Washington, Colorado, Dakota, Arizona, and Wyoming may be changed by the governors and legislative assemblies thereof, respectively.

SEC. 1945. The seat of government, when once fixed by the governor and legislative assembly of Idaho and Montana, respectively, shall not be at any time changed except by an act of such assembly for each Territory, respectively, duly passed and approved, after due notice, at the first general election thereafter, by a majority of the legal votes cast on that question.

SEC. 1946. Sections numbered sixteen and thirty-six, in each township of the Territories of New Mexico, Utah, Colorado, Dakota, Arizona, Idaho, Montana, and Wyoming shall be reserved for the purpose of being applied to schools in the several Territories herein named, and in the States and Territories hereafter to be erected out of the same.

SEC. 1947. Sections numbered sixteen and thirty-six in each township of Washington Territory shall be reserved for the purpose of being applied to common schools in that Territory. In all cases where sections sixteen and thirty-six, or either or any of them, are occupied by actual settlers prior to survey thereof, the county commissioners of the counties in which such sections so occupied are situated are authorized to locate

other lands, to an equal amount, in sections or fractional sections, as the case may be, within their respective counties, in lieu of the sections so occupied.

SEC. 1948. All general territorial laws of the Territory of Dakota in force in any portion of the Territory of Wyoming on the 25th July, 1868, shall continue in force throughout the Territory of Wyoming until repealed by the legislative authority of that Territory, except such laws as relate to the possession or occupation of mines or mining claims.

SEC. 1949. The existing agencies and superintendencies of the Indians inhabiting the Territories of Idaho and Montana shall be continued with the same powers and duties now prescribed by law, except that the President may, at his discretion, change the location of the office of such agents or superintendents.

Mont., 26 May, 1864, c. 95, s. 17, v. 13, p. 91.

SEC. 1950. The State of Oregon and the Territory of Washington shall have concurrent jurisdiction over all offenses committed on the Columbia River, where that river forms a common boundary between the State and Territory.

Certain laws of Dakota continued in force.

25 July, 1868, c. 235, s. 17, v. 15, p. 183.

Agencies, &c., continued.

Idaho, 3 March, 1863, c. 117, s. 17, v. 12, p. 814.

Concurrent jurisdiction over the Columbia River.

2 March, 1853, c. 90, s. 21, v. 10, p. 179.

SEC. 1951. All officers to be appointed by the President, by and with the advice and consent of the Senate, for the Territories of Washington, Idaho, and Montana, who, by virtue of the provisions of any law now existing, or which may be enacted by Congress, are required to give security for moneys that may be intrusted to them for disbursement, shall give such security at such time and in such manner as the Secretary of the Treasury may prescribe.

Disbursing officers in Washington, Idaho, and Montana to give security.

26 May, 1864, c. 95, s. 16, v. 13, p. 91.

Wash., 2 March, 1853, c. 90, s. 12, v. 10, p. 177.

1853, c. 90, s. 19, v. 10, p. 179. Idaho, 3 March, 1863, c. 117, s. 16, v. 12, p. 814. Mont., 26 May, 1864, c. 95, s. 16, v. 13, p. 91.

SEC. 1952. The laws now in force in the Territory of Washington, by virtue of the legislation of Congress in reference to Oregon, when that State was a Territory, which were enacted and passed subsequent to the first day of September, eighteen hundred and forty-eight, applicable to the Territory of Washington, together with the legislative enactments of Oregon, while a Territory, enacted and passed prior to March 2, 1853, and not inconsistent with the provisions of this Title, and applicable to the Territory of Washington, are continued in force in that Territory until repealed or amended by future legislation, unless such laws have been repealed or amended by legislation subsequent to the second day of March, eighteen hundred and fifty-three.

Certain laws of Washington continued in force.

2 March, 1853, c. 90, s. 12, v. 10, p. 177.

SEC. 1953. The libraries heretofore purchased by appropriations of Congress for the Territories of Utah and Washington shall be kept at the respective seats of government of those Territories for the use of the governor, legislative assembly, judges of the supreme court, secretary, marshal, and attorney of each Territory, and such other persons and under such regulations as may be prescribed by law.

Library for Utah and Washington to be kept.

Utah, 9 Sept., 1850, c. 51, s. 14, v. 9, p. 457.

Wash., 2 March, 1853, c. 90, s. 17, v. 10, p. 179.

CHAPTER THREE.

PROVISIONS RELATING TO THE UNORGANIZED TERRITORY OF ALASKA.

Sec.
1954. Customs, &c., laws extended to Alaska.
1955. Importation of fire-arms and distilled spirits may be prohibited.
1956. Killing of fur-bearing animals prohibited.
1957. What courts to have jurisdiction of offenses.

Sec.
1958. Remission of fines, &c.
1959. Saint Paul and Saint George Islands declared special reservations.
1960. Killing of seal upon them prohibited except in certain months.
1961. Killing of certain seal prohibited.
1962. Limit to number of seals to be killed.
1963. Right to take seal may be leased.