

keeper, any lien upon horses, mules, cattle or sheep, put into their keeping, when said property was not owned by the person entrusting the same, for the purposes mentioned in the above section, at the time of delivering them into the possession of said farmer, ranchman, herder, tavern keeper or livery stable keeper.

When take  
effect,

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

Approved, January 9th, 1864.

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## LIQUORS

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### CHAPTER XXV.

#### AN ACT TO PREVENT THE SALE OF SPIRITUOUS AND VINOUS LIQUORS TO MINERS, AND FOR OTHER PURPOSES.

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

Shall not sell  
liquor to minor.

Section 1. That no person or persons shall be permitted to sell, barter, or in any manner give to any minor child, or to any person known to be of unsound mind, any spirituous or vinous liquors.

Not sell on  
Sunday.

Sec. 2. That no person or persons shall be permitted, either directly or indirectly, to sell, barter or in any way or manner dispose of any intoxicating liquors, on the Sabbath day or Sunday; and any person or persons who shall violate the foregoing provisions of this act, shall, upon conviction thereof before any court having jurisdiction of the same, upon indictment, or upon any complaint before any justice of the peace, in the county where said offence was committed, shall forfeit to said county, for the use of common schools of said county, a sum not to exceed fifty dollars, nor less than ten dollars.

Sec. 3. This act shall take effect and be in force from and <sup>When take effect.</sup> after its passage.

Approved, January 15th, 1864.

## LUNATICS

### CHAPTER XXVI.

#### AN ACT CONCERNING LUNATICS.

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

Section 1. If information, in writing, be given to the pro- <sup>Probate court—  
how to proceed  
in case of lunat-  
ics.</sup> bate court of any county within this Territory, that any person in such county is an idiot, lunatic, or person of unsound mind; and incapable of managing his or her affairs, and praying that an inquiry thereinto be had, the court, if satisfied that there is good cause for the exercise of its jurisdiction, shall cause the facts to be inquired into by a jury.

Sec. 2. Such information may also be given, in the vaca- <sup>Information—  
how given.</sup> tion of said court, to the judge thereof; in which event he shall call a special term of the court, for the purpose of holding an inquiry, whether the person mentioned in such information be of unsound mind or not.

Sec. 3. In proceedings under this act, the probate court may, <sup>Discretionary  
power of court.</sup> in its discretion, cause the person alleged to be of unsound mind, to be brought before the court.

Sec. 4. Whenever any justice of the peace, sheriff, coroner <sup>Duty of civil  
officers in cases  
of lunatics.</sup> or constable, shall discover any person, resident of his county, to be of unsound mind, (as in the first section of this act mentioned,) it shall be the duty of such officers to make application to the probate court of said county, for the exercise of its jurisdiction; and thereupon the like proceed-