

probate conditioned that the party will prosecute his appeal with due diligence to a determination, and will pay all costs that may be adjudged against him in the district court.

Sec. 212. The appeal must be taken within thirty days after the notice of the order or judgment appealed from. Time for appeal limited.

Sec. 213. Every probate court now organized or to be hereafter organized shall be a court of record, and authorized to adopt such seal, with such inscriptions and devices as the judge thereof may allow and direct. Probate court; court of record.

Sec. 214. All acts and parts of acts conflicting with the provisions of this act, are hereby repealed. Conflicting acts repealed.

Sec. 215. This act shall take effect and be in force from and after its passage. When to take effect.

APPROVED, January 2d, 1865.

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## POISONS.

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### CHAPTER XIX.

#### AN ACT TO PROHIBIT LAYING OUT STRYCHNINE, OR ANY OTHER POISONS.

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

Section 1. No person shall lay out strychnine, or any other poison, within the limits of any town, or within one mile of any dwelling house, or any barn, stable, or out building, used at Laying out of strychnine.

the time for the keeping or shelter of horses, cattle, sheep or swine, or within one mile of any public highway in this territory.

~~Misdemeanor.~~

Sec. 2. All persons who shall disregard any of the provisions of section first, shall be guilty of a misdemeanor.

When to take effect.

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

APPROVED, January 11, 1865.

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## PUBLIC INSTRUCTION.

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### CHAPTER XX.

#### AN ACT QUALIFYING SECTION FIFTY-ONE OF CHAPTER NINETEEN, GENERAL LAWS OF 1863-64.

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

Board of education to appoint superintendent of public instruction.

Section 1. That section fifty-one of an act entitled "An act to regulate elections, to prescribe the qualifications of voters, to prevent illegal voting, and to prescribe the canvass and return of the same," approved January 14, 1864, shall be so construed as to authorize the board of education for the Territory of Dakota to appoint a suitable person as superintendent of public instruction for the Territory of Dakota, even if such person so appointed shall not have resided in this territory for the period of nine months next preceding said appointment;