

cases;" approved May thirteenth, eighteen hundred and sixty-two; and an act entitled "An act defining the jurisdiction of justices of peace in criminal cases, and of the proceedings therein," approved May thirteenth, eighteen hundred and sixty-two, and also an act entitled "An act defining the courts and jurisdiction of justices of the peace," approved January seventh, eighteen hundred and sixty-three, be and the same are hereby repealed.

When to take effect.

SEC. 322. This act shall take effect from and after its passage and approval.

Approved, January 4th, 1866.

## MARRIED WOMEN.

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### CHAPTER XXXII.

#### AN ACT RELATING TO MARRIED WOMEN.

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

When married woman may make contracts.

SECTION 1. Any married woman whose husband shall desert her, or from intemperance or other cause shall become incapacitated or neglect to provide for his family, may in her own

name make contracts for her own labor, and the labor of her minor children, and in her own name sue for and recover her own and their wages. Any married woman in such case of desertion, incapacity or neglect, may file her petition in the probate or district court in the county in which she resides, alleging the same and making her husband defendant there-to; and upon proof of such desertion, intemperance or incapacity, the court may in its discretion make an order having the force and effect of a judgment vesting such woman with the rights, privileges and liabilities of a *feme sole* as to acquiring, holding and disposing of property real and personal, making contracts and being liable thereon, and suing and being sued thereon in her own name: *Provided*, After such judgment the husband shall not be liable upon any contract so made by her in her own name, or for any tort thereafter committed by her unless such tort be committed by direction, advice or consent of such husband.

Jude of court  
to make order.

Proviso.

SEC. 2. This act shall not affect any rights which may have become vested in any person at the time of taking effect thereof.

This act not  
to effect vested  
rights.

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

When to take  
effect.

Approved, January 13th, 1871.

## PUBLIC HIGHWAYS.

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### CHAPTER XXXIII.

#### AN ACT REGULATING THE LAYING OUT OF PUBLIC HIGHWAYS.

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

SECTION 1. That hereafter all section lines in this Territory shall be and are hereby declared public highways as far as

All section  
lines to be pub-  
lic highways.