

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.

practicable: *Provided*, That nothing in this act shall be so construed to interfere with existing highways in the settled portions of the Territory: *Provided*, That the provisions of this act shall not apply to that portion of Pembina county laying between the Red River and Pembina River for a distance of three miles south of the town of Pembina, unless by consent of the commanding officer of Fort Pembina and the owners of property adjoining the military reservation.

When to take effect.

SEC. 2. This act shall take effect from and after its passage and approval.

Approved, January 12th, 1871.

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## REAL ESTATE OF RELIGIOUS BODIES.

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### CHAPTER XXXIV.

AN ACT RELATIVE TO THE HOLDING AND TRANSFERRING OF REAL ESTATE BY ANY LEGAL OFFICER OF A RELIGIOUS SOCIETY AND THEIR SUCCESSORS IN OFFICE.

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

Title to real estate vested in officer of religious society.

SECTION 1. That all grants or deeds from private individuals, or acts of legislative bodies, transferring, conveying or granting real estate in this Territory to any bishop, dean, rector,