

imburse the special funds absorbed by the warrants received under the provisions of this act, care being taken by the board of county commissioners to keep and preserve the school funds to such condition that the schools can be maintained as provided by law.

SEC. 2. All acts or parts of acts conflicting with the provisions of this act are hereby repealed. Conflicting acts repealed.

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

Approved, January 15, 1875.

WEIGHTS AND MEASURES.

CHAPTER XCIII.

PRESCRIBING PENALTY FOR USING FALSE WEIGHTS AND MEASURES.

AN ACT defining the penalty for using false weights and measures.

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

SECTION 1. If any person with intent to defraud, use a false balance, weight, or measure, in the weighing or measuring of any thing whatever that is purchased, sold, bartered, shipped or delivered, for sale or barter, or that is pledged or given in payment, he shall be punished by fine, not exceeding one hundred dollars, nor less than twenty-five dollars, or by imprisonment in the county jail not more than thirty days, or by both fine and imprisonment, at the discretion of the court. The fine shall be appropriated to the use of common schools, in the same county. He shall also be liable to the injured party in double the amount of damages, with costs of suit. Penalty for using false weights and measures.

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

Approved, January 12, 1875.