

the same, recorded at length by the register of deeds as provided in section 1, of this act, and thereupon returned forthwith to the files from which they were taken respectively.

§ 3. FEE FOR RECORDING.] That the register of deeds shall be entitled to charge and receive a fee of fifty (50) cents for recording each official bond recorded by him pursuant to this act to be paid by the principal in said bond.

§ 4. This act shall take effect and be in force from and after its passage and approval.

Approved, February 26, 1885.

Opium.

CHAPTER 121.

AN ACT in regard to the Selling and Smoking of Opium.

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

§ 1. UNLAWFUL TO SELL OPIUM WITHOUT PERMIT.] It shall be unlawful for any person by himself, by agent or otherwise, to either directly or indirectly sell or give away opium or any other commodity of which opium is an ingredient, unless the person so selling or giving away the said article has a written permit or license from the authorities of the city or town in which such person carries on business or from the board of county commissioners of the county wherein said person resides, in case he does not carry on business in any city or town, and unless the person to whom opium or other articles are sold or given away shall obtain and present to the person selling the same a prescription for the said articles in writing, signed by a reputable practising physician.

§ 2. UNLAWFUL TO SMOKE OPIUM.] It shall be unlawful for any person to smoke opium or any commodity whatever of which opium is an ingredient.

§ 3. UNLAWFUL TO ALLOW PREMISES TO BE USED FOR OPIUM SMOKING.] It shall be unlawful for any person owning or having in charge or possession any room, building, cellar, or other place or premises, to permit opium or any commodity of which opium

is an ingredient to be smoked in, upon or about such place or premises.

§ 4. PENALTY.] Any person violating the provisions of section one, two or three of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars or by imprisonment in the county jail not exceeding thirty days, or both such fine and imprisonment.

§ 5. PLACES USED FOR OPIUM SMOKING A NUISANCE.] Any room, building, cellar or other place or premises used or permitted to be used for smoking of opium or any commodity of which opium is an ingredient, shall be considered and is hereby declared a public nuisance: and the district court or the judge thereof may at any time, upon satisfactory proof that the smoking or use of opium is permitted or carried on in any such premises, order and cause any such premises to be abated as a public nuisance.

§ 6. JURISDICTION.] Justices of the peace shall have concurrent jurisdiction with the district court to hear, try and determine any case arising under this act within their county. It is hereby made the especial duty of all ministerial officers to enter complaint in each case of the violation of this act, and they are hereby required to ascertain by inquiry and examination as to any such violations.

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

Approved, March 13, 1885.

Passage Tickets.

CHAPTER 122.

AN ACT Relative to Dealing in Passage Tickets.

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

§ 1. RIGHT TO DEAL IN PASSAGE TICKETS.] Any person having an established place of business in any village, town, or city within this Territory, shall have the right to buy, sell and exchange passage tickets or other evidences of a right of passage from one place to another upon any railroad line or steamboat line and their con-