

Notes, etc., given
for such bills, void.

SEC. 3. All notes and other securities for the payment of any money, or the delivery of any property, of which the consideration, or any part of the consideration, was any such bill, note, or other evidence of debt, mentioned in either of the preceding sections of this act shall be void.

Bills, notes, etc.
for less than one
dollar prohibited.

SEC. 4. No person shall pay, give or receive in payment, or in any way circulate or attempt to circulate, any bank bill or promissory note, check, draft or other evidence of debt, which shall purport to be for the payment of a less sum than one dollar, or payable otherwise than in the lawful money of the United States; and any person who shall wilfully violate any of the provisions of this section, shall forfeit one hundred dollars.

Penalties, how
recovered.

SEC. 5. The penalties prescribed in this act shall be recovered in suits in the name of the county commissioners of the county in which the offence is committed, to be prosecuted by the district attorneys of said counties respectively; and the same shall be paid into the county treasury.

Court to charge
Grand jury.

SEC. 6. It shall be the duty of the court to give this act in charge to the grand jury at each term of the district court.

CHAP. LV.—An Act to define the general powers of counties, and for other purposes.

Powers of coun-
ties.

SEC. 1. That each county shall continue to be a body politic and corporate, for the following purposes, to wit: To sue and be sued, to purchase and hold, for the public use of the county, lands lying within its own limits, and any personal estate; to make all necessary contracts, and to do all other necessary acts in relation to the property and concerns of the county.

Conveyances.

SEC. 2. All real and personal estate heretofore conveyed, or which shall hereafter be conveyed by any form of conveyance, and duly acknowledged and recorded to the inhabitants of any county, or to the county treasurer, or to any committee or other persons, for the use and benefit of such county, shall be deemed to be the property of such county; and all such conveyances shall have the same force and effect, as if they had been made to the inhabitants of such county by their respective corporate names.

Power of Com-
missioners.

SEC. 3. The county commissioners, or other public officers, having the charge and management of the county lands, may by their order of record, appoint agents to sell any real estate of their county; and all deeds made in behalf of the inhabitants of the county by such agents, under their proper hands and seals, and duly acknowledged and recorded, shall be sufficient to all intents and purposes, to convey all the rights, title, interest and estate whatever, which the county may then have to the lands so conveyed.

Court-houses,
jails, etc.

SEC. 4. Each county may, at the common expense of the county, provide suitable court-houses, jails, fire-proof offices, and all other necessary public buildings, for the use of the county.

Liabie for acts of
sheriff.

SEC. 5. In case of the escape of any prisoner, by reason of the insufficiency of the jail, whereby the sheriff shall be made liable to any party at whose suit such person was committed, or to whose use any forfeiture was adjudged against him, the county shall re-

imburse all sums of money recovered of the sheriff by such party on account of such escape.

SEC. 6. All actions, local or transitory, against any county, may be commenced and prosecuted to final judgment in the district court of the county against which the action is brought.

Actions against.

SEC. 7. Any action, local or transitory, in which any county shall be plaintiff, may be commenced and prosecuted to final judgment in the county in which the defendant in such action resides. When any action shall be commenced against any county, a copy of the summons shall be left with the clerk of the board of the county commissioners, either during their session, or so that a term of said session shall intervene between the day of leaving a copy of such summons and the return day thereof. There shall always be ten days between the service and return of every such summons, in all actions brought by or against every county. The inhabitants of the county so suing or being sued, may be jurors or witnesses, if otherwise competent or qualified according to law.

Actions where brought.

Summons, how served.

CHAP. LVI.—An Act to provide for the punishment of offences against the public health.

SEC. 1. That if any person shall knowingly sell any kind of diseased, corrupted or unwholesome provisions, whether for meat or drink, without making the same fully known to the buyer, he shall be punished by imprisonment in the county jail not more than six months, or by fine not exceeding one hundred dollars.

Penalty for selling unwholesome provisions, etc.

SEC. 2. If any person shall fraudulently adulterate, for the purpose of sale, any substance intended for food, or any wine, spirits, malt liquor or other liquor intended for drinking, with any substance injurious to health, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding two hundred dollars, and the articles so adulterated shall be forfeited and destroyed.

For adulterating liquors, etc.

SEC. 3. If any person shall fraudulently adulterate for the purpose of sale, any drug or medicine in such a manner as to render the same injurious to health, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding three hundred dollars, and such adulterated drugs and medicines shall be forfeited and destroyed.

Ib. drugs, etc.

SEC. 4. If any person shall inoculate himself or any other person, or shall suffer himself to be inoculated with the small pox, within this territory, with intent to cause the prevalence or spread of this infectious disease, he shall be punished by imprisonment in the state prison not more than three years nor less than one year.

For inoculating with small pox, etc.

CHAP. LVII.—An Act concerning the writ of Habeas Corpus.

SEC. 1. Every person imprisoned or otherwise restrained of his liberty, except in the cases in the following section specified may prosecute a writ of habeas corpus, according to the provisions of this act, to obtain relief from such imprisonment or restraint, if it shall prove to be unlawful.

Persons imprisoned to have writ of habeas corpus.