

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.