

Officers required to give notice of violations of this act.

or by indictment, or information, in any court having competent jurisdiction to try the same; and the person or persons, so offending, shall moreover forfeit the article, of whatever nature or kind, he, she, or they have received in exchange, which shall be restored to the proper owner, upon the necessary proof of ownership being made, before any justice of the peace within the Territory; and all justices of the peace, constables, and all other proper officers, are hereby authorized and required, under the penalty of forfeiture of their respective offices, to make complaint of such violations of this law as come within their knowledge.

SEC. 2. This act to take effect, and be in full force, after the first day of March next.

APPROVED, January 3, 1839.

INSANE PERSONS.

AN ACT concerning Insane Persons.

Bargain, sale, &c., by insane persons void.

SEC. 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That any bargain, sale, conveyance, or act, of any person, or persons, in a state of insanity, shall be void and of no effect in law.

Duty of district court in relation to insane persons.

SEC. 2. When any district court in this Territory shall receive satisfactory information that any person in their respective counties, having property, is or has become insane, it shall be the duty of the said court to direct the sheriff of the county to summon twelve intelligent and disinterested men of the county, impartially to inquire into the fact, and to appoint the time and place where such jury shall meet and inspect such insane person, and also to cause to come before them such persons as they may think proper to give testimony as to the insanity of such person; and if the jury, so summoned and sworn, shall decide, from such inspection and testimony, that such person is insane, and not able to take care of his or her property, the court shall proceed to appoint three suitable persons as guardians of the person and estate of such insane person, whose duty it shall be to take such care of the person and property of such insane person as may be necessary for the safety and preservation of the same.

Jury.

Appointment and duty of guardians.

SEC. 3. Whenever it may be thought necessary, the district court of the county, wherein such inquest of insanity was held, upon proper representation, may direct and order the sale of the real and personal estate of such insane person, for the support of such insane person, his or her family, the payment of his or her debts, or for the improvement thereof, and generally to act, and do what to them shall seem proper, for the benefit of the person or property of such insane person, consistent with law.

Court may order sale of real and personal estate, &c.

SEC. 4. As soon as it is determined by inquest, as mentioned by the second section of this act, that such person is insane, it is hereby declared that all judgments, executions, and suits pending against such insane person, shall be suspended until the appointment of a guardian or guardians, and then the same proceedings may be had against such guardian or guardians, whose appointment shall continue during the insanity of such insane person, to be recovered by the court for the recovery of the debts of such insane person, under the same rules, restrictions, and regulations as are prescribed by the existing laws of this Territory against administrators and executors.

Suits, &c., to be suspended till the appointment of guardian.

SEC. 5. All persons insane, who have no property for their support, shall be entitled to all the benefits of the laws of this Territory for the relief of paupers, and the overseers of the poor, and all other persons concerned, are directed to govern themselves according to the provisions of the laws for the relief of the poor.

Insane persons having no property.

APPROVED, January 19, 1839.

INTEREST.

AN ACT regulating interest on money in the Territory of Iowa.

SEC. 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That creditors shall be allowed to receive interest, at the rate of six per centum, per annum, for all moneys after they become due, on bonds, bills, promissory notes, or other instruments of writing; on any judgment recovered in any court of law, now or hereafter to be established in this Territory; on any order or decree of a court of chancery, or probate, for the payment of a specific sum of money, from the day of signing

In what cases interest at 6 per cent. allowed.