

That such extended time shall not exceed fifteen years from ^{Time of lease.} the time of the granting of the first lease, and that when in the opinion of the county commissioners of the county wherein such lease is granted, the rates fixed by law for crossing such ferry be too low, they shall have the right to fix the rates as in their judgment may seem just.

SEC. 2. This act shall take effect and be in force from and ^{When to take effect.} after its passage and approval by the Governor.

Approved, January 6th, 1871.

FRUIT.

CHAPTER XXI.

AN ACT FOR THE PROTECTION OF FRUIT AND FOR OTHER PURPOSES.

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

SECTION 1. That if any person or persons maliciously or ^{Penalty for injury to fruit and trees.} mischievously enter the inclosure of any person with the intent to knock off, pick, destroy or carry away; or having lawfully entered, do afterwards wrongfully knock off, pick, destroy, or carry away any apples, peaches, pears, plums, grapes, or otherfruit, melons, or flower of any tree, shrub, bush

Penalty for
injury to fruit
and trees.

or vine, he shall be punished for the first offense, by a fine not less than five dollars, nor exceeding one hundred dollars with the costs of conviction, or by imprisonment in the county jail not exceeding thirty days; and should any person be found guilty of a second violation of this act, the fine shall not be less than ten dollars and cost of conviction or imprisonment as above provided.

Same.

SEC. 2. If any person maliciously or mischievously enter the inclosure of any person in the night time, and knock off, pick, destroy, or carry away any apples, peaches, pears, plums, grapes or other fruit, melons or flower of any tree, shrub, bush or vine, or if any person having entered the inclosure of another, in the night-time with the intent to knock off, pick, destroy, or carry away any fruit or flower as aforesaid, be actually found therein, he shall on conviction thereof be punished by a fine not less than twenty-five, nor to exceed one hundred dollars, and costs of conviction; or by imprisonment in the county jail not exceeding thirty days.

Same.

SEC. 3. *Be it further enacted*, That if any person maliciously or mischievously bruise, break, pull up, cut down, carry away, destroy, or in any wise injure any fruit or ornamental tree, shrub, vine, or material for hedge, being, growing, or standing on the land of another, he shall be punished by a fine not less than ten, nor exceeding one hundred dollars and cost of conviction, or by imprisonment in the county jail not exceeding thirty days.

Certain acts
repealed.

SEC. 4. All acts and parts of acts conflicting with this act, are hereby repealed.

When to
take effect.

SEC. 5. This act shall take effect and be in force from and after its passage and approval by the Governor.

Approved, January 12th, 1871.