

## HERD LAW.

### CHAPTER 13.

#### BON HOMME ISLAND.

AN ACT exempting Bon Homme Island from the provisions of the herd law.

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

Exempting  
Bon Homme  
Island from the  
herd law.

SECTION 1. That Bon Homme island, situated in township ninety-three, range fifty-eight, in Bon Homme county, D. T., be and is exempt from the provisions and effects of chapter twenty-three, of the laws of 1870-71, approved January 9th, 1871, and known as the herd law, and all acts amendatory thereto.

When to take  
effect.

SEC. 2. This act shall take effect from and after its passage and approval.

Approved, January 12, 1875.

## PISCICULTURE.

### CHAPTER 14.

#### LAKE COUNTY.

AN ACT for the preservation of fish in the waters of Lake county, Dakota Territory.

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

Penalty for  
taking at cer-  
tain seasons of  
year.

SECTION 1. No person or persons shall, between the 15th day of March and the 1st day of May of each year, by the

means of any seine, net, spear, or any other contrivance or device whatsoever, kill, take from, or destroy any fish in the waters of any of the lakes of Lake county, D. T., or any of the streams emptying into or discharging from any of the lakes of the above mentioned county; and any person or persons who shall violate any of the foregoing provisions of this section, shall, on conviction thereof, be subject to a fine for each and every such offense of not less than five dollars nor more than fifty dollars with costs of suit.

SEC. 2. Justices of the peace shall have jurisdiction to hear, <sup>Justice to have jurisdiction.</sup> try and determine all cases arising under the provisions of this act: *Provided*, That defendant shall not be deprived of his right of trial by jury, nor of his right of appeal.

SEC. 3. All moneys collected as fines, under the provisions of this act shall be paid into the county treasury for the use <sup>Disposition of moneys collected.</sup> of common schools of said county.

SEC. 4. This act shall take effect and be in force from and <sup>When to take effect.</sup> after its passage and approval.

Approved, January 6, 1875.

## CHAPTER 15.

### SWAN LAKE.

AN ACT to preserve fish in the waters of Swan Lake, D. T., and the Vermillion river, and for other purposes.

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

SECTION 1. No person or persons shall between the 1st day <sup>At what season taking of fish prohibited.</sup> of March, and the first day of May of each year, by the means of any seine, net, spear, or any other contrivance except it be with a hook and line, take from, or destroy any fish in the waters of Swan Lake, or any stream emptying into or discharging from said lake, or in the waters of the Vermillion river within the limits of Turner county, D. T.

Duty of persons having constructed dams.

SEC. 2. *Be it further enacted*, That each and every person having constructed any dam or other obstacle across the Vermilion river, or any other stream within the limits of Dakota territory, that will prevent or retard the access of fish to the head-waters of any of the aforesaid streams, shall provide shoots or other means to facilitate the passage of fish over such dam, or other obstruction.

Justices shall have jurisdiction.

SEC. 3. Justices of the peace shall have jurisdiction to hear, try, and decide all cases resulting from a violation of any of the provisions of the 1st and 3d sections of this act: *Provided*, That the right of an appeal, or trial by jury shall not be withheld from the defendant.

Penalty for violating this act.

SEC. 4. Any person or persons who shall violate any provisions of the 1st and 2d sections of this act shall on conviction thereof, be subject to a fine for each and every such offense of not less than five dollars nor more than fifty dollars, and costs of suit.

Moneys collected, how disposed of.

SEC. 5. All moneys collected as fines under the provisions of this act shall be paid into the treasury of the county wherein the offense is perpetrated, for the use of the public schools of said county: *Provided*, This act shall not apply to the dams at the falls of Sioux Falls, D. T. *Provided further*, That this act shall not apply to the mill dam at Dell Rapids, D. T.

When to take effect.

SEC. 6. This act shall take effect and be in force from and after its passage and approval.

Approved, January 13, 1875.