

§ 2. This act shall take effect and be in force from and after its passage and approval.

Approved, February 21, 1881.

Fish.

CHAPTER 48.

FISH IN GOOSE RIVER.

AN ACT to Protect the Passage of Fish in the Goose River.

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

§ 1. PERSON BUILDING DAM TO MAKE PASSAGEWAY FOR FISH.]
There shall be erected and maintained by the owner of any dam across the Goose river, in this Territory, a sufficient passageway or chute for the passage of fish over such dam, which chute shall be kept open and free for the passage of fish by such owner or occupant.

§ 2. WHEN COMMISSIONERS OF COUNTY MAY BUILD PASSAGEWAY.]
Whenever the owner or occupant of any such dam neglects or refuses to construct such passageway or chute over the same, the commissioners of the county in which such dam is situated shall proceed on notice to them in writing, made by at least five freeholders of the county, to let the work of erecting such passageway or chute, and providing materials therefor to the lowest responsible bidder, and all expense attendant upon the erection or maintenance of the same shall be paid by the owner or occupant of the dam, which shall be recovered in the name of the person so building such passageway or chute, upon the acceptance of the same by the county commissioners.

§ 3. OBSTRUCTIONS TO PASSAGE OF FISH IN ANY STREAM MAY BE REMOVED.] Any person may take up, remove or clear away

any obstruction to the natural transit of fish, except mill dams, placed in any of the waters of this Territory.

§ 4. All acts or parts of acts in conflict with this act are hereby repealed.

§ 5. This act to take effect and be in force from and after its passage and approval.

Approved, March 3, 1881.

Justice of the Peace.

CHAPTER 49.

DELL RAPIDS.

AN ACT to Establish the office of Justice of the Peace in the Village of Dell Rapids.

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

§ 1. JUSTICE TO BE ELECTED.] That at the next annual election in the village of Dell Rapids the qualified electors of said village may elect a village justice of the peace, who shall qualify in the same manner as provided for the qualifications of township justices of the peace, and he shall have jurisdiction of all offenses against the ordinances of said village and concurrent jurisdiction with other justices in the county, and shall hold his office for the term of one year and until his successor is elected and qualified.

§ 2. This act shall take effect and be in force from and after its passage and approval.

Approved, March 3, 1881.