

Fish in Goose River.

CHAPTER 3.

AN ACT Repealing Chapter 48 of the Special Laws of 1881, Entitled "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. ACT REPEALED.] That chapter forty-eight (48), of the Special and Private Laws of 1881, Approved, March 3d, 1881, be, and the same is hereby repealed.

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

Approved, February 27, 1883.

Highways.

CHAPTER 4.

AN ACT to Regulate the Survey and Marking of Public Highways in the Counties of Pennington, Custer and Fall River.

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

§ 1. WHEN HIGHWAY TO BE SURVEYED.] That in all cases whereby the order of a board of county commissioners a public highway has been legally declared, and if the same is by law required to be surveyed, then it shall be the duty of the said board of county commissioners to make a further order directing the county surveyor of the county wherein said public highway is located, to survey the same.

§ 2. DIRECTIONS FOR SURVEY.] Upon the receipt of such order from the board of county commissioners the county surveyor shall immediately proceed to survey and mark the public highway in manner following, to-wit:

By planting at the initial point of said highway a stone not less than one foot in the ground and one-half foot above ground and digging a trench encircling the same, not less than ten inches deep and one foot wide, with the dirt excavated from said trench formed in a monument around said stone. In the absence of stone a wooden post may be used not less than four inches square, planted at a depth of not less than eighteen inches in the ground and extending above the surface of the ground not less than one foot.

§ 3. SAME.] Said stones or posts planted and intrenched as aforesaid shall be erected at a distance of not more than forty rods from each other and in every angle in said highway so marked. It shall be the duty of such surveyor to make a correct and accurate plat and field notes of all surveys of highways thus made and record the same at length by courses and distances with an exact description of all the marks and monuments erected to identify said highway in a book to be kept for that purpose known as the "Road Record."

§ 4. COMPENSATION.] For the surveying, marking and recording, including the services of all assistants, the county surveyor shall be entitled to charge and receive six dollars per mile for all public highways surveyed, marked and recorded in the manner above provided, except when such highway is more than ten miles in length, and for all excess above ten miles but four dollars per mile shall be allowed, said amount to be paid out of the county treasury in the same manner as other expenses against the county.

§ 5. ACT TO APPLY TO CERTAIN COUNTIES.] This act shall apply to the counties of Pennington, Custer and Fall River only.

§ 6. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

§ 7. This act shall take effect from and after its passage and approval.

Approved, March 9, 1883.