

TIMBER.

CHAPTER XXXI.

*AN ACT TO ENCOURAGE THE CULTIVATION AND PRESERVATION OF TIMBER.

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

Section 1. That any owner or owners, occupant or occupant^{Premium for growing timber.}s of any land or lands in this territory, who shall sow seed, set out, or otherwise cultivate two and one half acres of land in growing timber, every such owner or owners, occupant or occupants of such land or lands, shall be allowed to hold exempt from taxation, ten acres of land for every two and one half acres so cultivated as aforesaid.

Sec. 2. If any person or persons shall wantonly or maliciously^{Penalty for injuring the same.} cut, dig up or injure any timber cultivated and growing as provided in the preceding section, or shall wantonly or maliciously open, let down, throw down or prostrate any fence, gate or bars belonging to any enclosure or field of cultivated and growing timber, or leave down or open any such fence, gate or bars, every such person or persons, shall upon conviction thereof be fined in any sum not exceeding one hundred dollars, or be imprisoned in the county jail not exceeding sixty days, or both at the discretion of the court, and shall moreover be liable in damages to the party injured.

Sec. 3. This act shall take effect from and after its passage^{When to take effect.} and approval.

APPROVED, January 15th, 1864.

* "This law was passed at the 3d Legislative Session, 1863-4, but was omitted in printing the laws of that session."