

## PRAIRIE FIRES.

## CHAPTER 18.

AN ACT TO PREVENT THE FIRING OF WOODS,  
MARSHES AND PRAIRIES,

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

Section 1. If any person or persons shall willfully set on fire or cause to be set on fire, any woods, marshes or prairies, with intention to damage or injure the property of another person, such person or persons, so offending, shall upon conviction thereof be fined in a sum not more than five hundred nor less than fifty dollars, and imprisoned in the county jail not more than six months nor less than thirty days or both, at the discretion of the court, and shall be liable for all damages done by such fire.

Persons willfully setting on fire or cause to be, any woods, marshes, prairies —punishment prescribed

Sec. 2. If any person or persons shall negligently or carelessly set on fire or cause to be set on fire, any woods, marshes or prairies, the person or persons so offending, shall upon conviction, be fined in a sum not more than one hundred nor less than ten dollars upon conviction thereof, and shall be liable to injured parties for all damage occasioned by any fire set or caused as aforesaid, to be recovered by civil action.

Shall negligently or carelessly set on fire—Liable to injured parties

Sec. 3. That any person or persons setting on fire or causing to be set on fire, any woods, marshes or prairies, or lands owned or occupied by him, her or themselves, for the purpose of securing his, her or their own property, from damage or destruction by prairie fire, shall be held liable for all damage occasioned thereby: *Provided*, That nothing in this act shall be so construed as to prevent any person or persons from firing against fire when his, her, or their own property is in imminent danger of damage by the near approach of prairie fire.

Setting fire on his or her land for the purpose of securing themselves. Provided

Lawful, during  
what months

Sec. 4. It shall be lawful for any person or persons to set on fire or cause to be set on fire any marshes or prairies, owned or occupied by him, her or themselves, during the months of March, April and May: *Provided*, That the person or persons desiring to set such fire, shall give at least twenty-four hours notice to all persons occupying lands within one mile of the place where such fire is to be set.

No property  
except from  
seizure to satisfy  
judgment under  
the provisions  
of this act

Sec. 5. No property, real or personal, shall be exempt from seizure and sale, on execution issued to satisfy any judgment obtained under the provisions of this act.

Acts in conflict  
repealed

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

To take effect  
from and after  
its passage

Sec. 7. This act shall be in force from and after its passage and approval.

Approved, January 5th, 1869.

## ROADS.

### CHAPTER 19.

#### AN ACT CONCERNING TERRITORIAL ROADS.

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

Commissioners  
have power to  
vacate &c.

Section 1. The board of county commissioners of each organized county of this Territory shall have power to vacate or change in any manner, the roads in their counties heretofore located by the Legislative Assembly of this Territory.