

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repealed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 All acts and parts of acts in conflict with the provisions of this act are hereby repealed.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

Sec. 2. In vacating or changing any Territorial road, the board of county commissioners of the county in which such road is laid, shall be governed in vacating or changing such road by the provisions of chapter thirteen (13) of the session laws of the year 1867-68.

Sec. 3. This act shall be in force and effect from and after its passage and approval.

Approved, December 29th, 1868,

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## SCHOOLS.

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### CHAPTER 20.

#### AN ACT TO PROVIDE COMMON SCHOOLS FOR THE TERRITORY OF DAKOTA.

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

Section 1. There shall be elected at each regular delegate election in this Territory, a superintendent of public instruction, who shall hold his office for two years and until his successor is elected and qualified. And if a vacancy shall occur in said office of superintendent by death, resignation, or otherwise, it shall be the duty of the governor to appoint some suitable person to fill such vacancy.

Sec. 2. The superintendent of public instruction, shall, before entering upon the discharge of the duties of his office, take and subscribe an oath to support the constitution of the United States, and the organic act of this Territory, and to faithfully discharge the duties of his office, which oath shall be filed with the clerk of the supreme court of the Territory of Dakota.