

§ 2. PENALTY FOR NEGLIGENCE.] That every person violating any of the provisions of section one of this act, shall be punishable by a fine of not less than twenty-five dollars for each room in said hotel not provided with fire-escapes as required by this act.

§ 3. This act shall take effect and be in force from and after the fifteenth day after its passage and approval.

Approved, March 8, 1883.

Fish.

CHAPTER 59.

CERTAIN METHODS OF CAPTURING FISH PROHIBITED.

AN ACT to Protect Fish in the Territory of Dakota.

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

§ 1. CAPTURING FISH EXCEPT WITH HOOK AND LINE, PROHIBITED.] It shall be unlawful for any person to take, catch, kill or destroy any fish whatsoever, except by angling with hook and line, in any of the lakes or streams, or inlets or outlets of said streams, or any waters of the Territory of Dakota, except the Missouri and Red Rivers.

§ 2. CERTAIN VARIETIES PROTECTED DURING CERTAIN MONTHS.] It shall be unlawful for any person to take, catch, kill or destroy by any device whatsoever, any pike, pickerel, perch, bass or muscalonge except for the purposes of propagating or breeding, in any of the waters of the Territory of Dakota, except the Missouri and Red Rivers, between the first day of February and the first day of May in any year, or expose the same for sale during this period.

§ 3. PENALTY.] Any person who shall violate the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not less than five nor more than twenty-five dollars (\$25) for the first offense, or less than ten or more than one hundred dollars (\$100), or by imprisonment in the county jail not exceeding thirty days, or by both such fine and imprisonment in the discretion of the court for any subsequent offense.

§ 4. All acts and parts of acts inconsistent with the provisions hereof are hereby repealed.

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

Approved, March 9, 1883.

CHAPTER 60.

PROVIDING MEANS TO STOCK DAKOTA STREAMS WITH FISH.

AN ACT to Stock with Food Fishes the Waters of Dakota and to Protect the Same, and for Other Purposes.

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

§ 1. APPOINTMENT OF FISH COMMISSIONER.] That it shall be the duty of the Governor of Dakota Territory to appoint and commission one person, who shall be a resident of the Territory, as a commissioner of fish and fisheries on the part of Dakota Territory.

§ 2. DUTY OF COMMISSIONER.] It shall be the duty of such commissioner when appointed, to receive and place in the waters of the Territory, or such thereof as he may think suitable therefor, any spawn or food fish, that the United States Commissioner of fish and fisheries may donate, or that may be donated by other parties for the purpose of stocking such waters with food fishes.

§ 3. COMPENSATION OF COMMISSIONER.] The said commissioner shall receive no salary, but shall be allowed and paid on proper vouchers approved by the Territorial Auditor, such amounts as he shall have actually paid in transporting any fish or spawn so donated, and his necessary traveling expenses in placing such fish or spawn in the public waters of Dakota.

Provided, That such expenses shall not exceed the sum of three hundred dollars per year.

§ 4. APPROPRIATION.] There is hereby appropriated out of the Territorial Treasury the sum of three hundred dollars, to carry out the provisions of this act, or so much thereof as may be necessary.

§ 5. PENALTY FOR REMOVING FISH.] Any person taking from any of the public waters of Dakota, except for breeding purposes, any fish or spawn which may have been placed therein for breeding purposes, or for the purpose of stocking such waters with food fishes, until public notice shall have been given by the Territorial Commissioner of fish and fisheries, that the same are open to the public for food purposes, shall be guilty of a misdemeanor, and upon conviction thereof be fined not to exceed one hundred dollars together with costs of prosecution.

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

Approved, March 7, 1883.