

§ 18 [17.] CERTAIN OFFICERS TO MAKE APPOINTMENT.] For the purpose of carrying the provisions of this act into immediate effect, the chairman of the board of county commissioners, the judge of probate and register of deeds, in each of said counties are hereby authorized and it shall be the duty of such officers at a special meeting to be held therefor on the second Monday in April after the passage and approval of this act, to appoint a county auditor for their respective counties who shall qualify as in this act provided, and shall hold their office until the general or annual election in 1883, or until his successor shall be elected and qualified.

§ 19 [18.] REPEALED.] All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

§ 20 [19.] This act shall take effect and be in force from and after its passage and approval.

Approved, March 9, 1883.

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## Fences.

### CHAPTER 2.

#### FOR THE BLACK HILLS COUNTIES.

AN ACT to Amend An Act, Entitled "An Act to Establish a Fence Law in the Counties of Pennington, Custer, Lawrence, Mandan and Forsythe."

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

§ 1. WHAT SHALL BE DEEMED A LAWFUL FENCE.] That section one (1) of "An act to establish a fence law in the counties of Pennington, Custer, Lawrence, Mandan and Forsythe be amended so as to read as follows :

"Section 1. That in the counties of Pennington, Custer, Lawrence, Mandan and Forsythe, a fence constructed in the manner hereinafter described shall be a lawful fence :

First. By placing the ends of ordinary fence posts firmly in the ground at least twenty inches deep and not more than eight feet distant from each other and by firmly fastening thereto with nails or pins, good sound rails, poles or fencing boards at least six

inches wide and one inch thick, and four to each panel, the top rail, pole or board to be not less than four feet from the surface of the ground and the bottom rail, pole or board not more than fifteen inches from the surface of the ground, the other two rails, poles or boards firmly secured to each post so as to nearly equally divide the space between the top and bottom rails, poles or boards above provided for.

Second. By placing the ends of ordinary fence post, in the ground, at least twenty inches deep and not more than thirty-two feet distant from each other with a stay in the center at least two inches in diameter and by firmly fastening thereon by staples or boring through the posts, three strands of barbed wire of standard manufacture, the top strand of wire to be not less than four feet from the surface of the ground and the bottom strand of wire not more than fifteen inches from the surface of the ground and the other or third strand firmly stretched and secured to each post so as to nearly equally divide the space between the top and bottom strands as aforesaid.

§ 2. All acts and parts of acts conflicting with this act are hereby repealed.

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

ENDORSED.—Received at Executive Office, February 19, 1883, at 12:25, P. M.

**Note by the Secretary of the Territory.**

The foregoing act having been presented to the Governor of the Territory for his approval, and not having been returned by him to the House of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

GEO. H. HAND,  
*Secretary of the Territory.*