

CHAPTER LXXXIII.

AN ACT TO RESTORE E. A. HODSDON TO CITIZENSHIP.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. E. A. Hodsdon, of the town of Richfield, Hennepin county, be and hereby is restored to citizenship, with all the rights and privileges granted to a citizen under the constitution of the state of Minnesota.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 5, 1875.

CHAPTER LXXXIV.

AN ACT TO PROVIDE FISHWAYS ON THE ZUMBRO RIVER, BETWEEN ITS MOUTH AND ORONOCO VILLAGE AND THE CITY OF ROCHESTER.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That all persons now owning or having dams or obstructions, [or who may hereafter build dams or obstructions] across the Zumbro river, anywhere between the mouth of said river and the village of Oronoco and the city of Rochester, shall, under the penalties hereinafter provided, construct fishways as described in section two of this act, by means of which fish can pass or ascend from the waters below said dam or obstruction to the waters above, and shall keep said fishways in good repair, that they may be available for the purpose intended.

SEC. 2. Said fishways shall be constructed of timber, and shall not have a greater inclination than twenty-two and one-half degrees, and shall not be less than eight feet wide in the space between the sides, and eighteen inches deep below the surface of the water, at its ordinary stages, at the top or pitch of the dam. Said fishways shall be provided with sideboards or timbers eighteen inches high above the bottom of said fishway, inside. Also, there shall be timbers bolted and fastened on the bottom and inside of said fishways, of one foot in height, alternately on each side, at right angles with the sideboard, the first one four feet from [the] top of said fishway,

four feet long. The second one shall be placed on opposite side, six feet below the first, and five feet long, and so on alternately down to the water below, six feet apart and five feet long; also, a timber not less than four inches square, to be placed up and down the whole length of said fishway in the center, and fastened down to the jutting timbers, to keep them from being carried away by ice or floating substance. The top or opening of said fishway may be provided with a gate or lifting boards to shut off the water in seasons of drouth, or when the fish are not migrating.

SEC. 3. That when owners, users or occupiers of dams or obstructions across said Zumbro river, within the limits specified in section one of this act, shall refuse or neglect to provide such fishways, to enable migratory fish to ascend from the waters below to the waters above such dam or obstruction, as is described in section two of this act, or some fishway equally available for that purpose, to be approved by the fish commissioner of this state, shall be liable to a fine of not more than one hundred dollars nor less than fifty dollars, in the discretion of the court having jurisdiction. Said fines shall be imposed and collected as other similar fines are imposed and collected, upon complaint being made and sustained before any court having competent jurisdiction; *Provided however*, That no defendant shall be liable to a fine on the second complaint until fifteen days after the first complaint, neither then, if hindered by natural causes, such as high water or excessive devastation by the elements in complying with this act, in a reasonable time.

SEC. 4. It shall not be lawful for any person or persons to catch or take fish upon said fishways, or within twenty feet of the same, between the fifteenth of March and the fifteenth of June in each year, and each and every person so taking or attempting to take or catch fish as herein forbidden, upon conviction shall be deemed guilty of a misdemeanor, and shall be punished by fine and imprisonment not less than five nor more than twenty-five dollars, nor more than thirty days' imprisonment, at the discretion of the court; *Provided*, That justices of the peace of the counties of Olmsted and Wabasha shall have jurisdiction of all cases arising under this act.

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

Approved February 20, 1875.

CHAPTER LXXXV.

AN ACT IN REFERENCE TO THE ANNUAL MEETING OF THE
PRESBYTERIAN CHURCH AND SOCIETY OF HASTINGS, MIN-
NESOTA.

Be it enacted by the Legislature of the State of Minnesota: