

CHAPTER 89.

AN ACT PROVIDING FOR THE CONSTRUCTION OF FISH
WAYS.*Be it enacted by the Legislature of the State of Minnesota:*

SECTION 1. Every artificial obstruction built upon and across any river, stream or water course in this State, before the building of which fish were in the habit of passing from the waters below to the waters above, the location of such artificial obstruction shall be provided by the owner and occupant of such obstruction with a durable and suitable fish way for the passage of fish, of such form and capacity and in such location as may be determined by the fish commissioners of this State, who, when they shall have determined upon the form, capacity and location of any such fish way, shall give written notice thereof to one or more owners or occupants of the obstructions over which such fishway is to be built, and require the same to be built within a time to be therein specified. Providing that this act shall not apply to streams the beds and banks of which are owned by the person causing such artificial obstruction.

Fishways to be constructed where waters are artificially obstructed.

SEC. 2. After the completion of any fish way to the satisfaction of the fish commissioners, the owners and occupants shall alter and keep it in repair and open and free from obstructions to the passage of fish, in such manner and during such period as the fish commissioners shall require, and if no period shall be specified by such commissioners it shall be kept open and free from the first (1st) day of April to the first (1st) day of October in each year, and every person who shall neglect to comply with any of the provisions of this section shall be fined not less than five (\$5) nor more than twenty-five (\$25) dollars for each day of such neglect.

When to be kept open and in repair.

SEC. 3. If such fish way is not built and completed to the satisfaction of the fish commissioners within the time specified by them, the owner or occupant shall be fined not less than five (\$5) dollars nor more than twenty-five (\$25) dollars for every day between the first (1st) day of April, and the first (1st) day of October during which such fish way shall remain incomplete after the expiration of the time fixed by such notice.

Penalties.

SEC. 4. Every person who shall take any fish within four hundred (400) feet of any fish way, shall be fined not less than twenty-five (\$25) dollars nor more than one hundred (\$100) dollars.

Penalty for fishing near fishways.

SEC. 5. All fines collected under the provisions of this act shall be paid into the State treasury to be expended by

Fines—where paid.

the fish commissioners in the propagation and preservation of fish in this State.

Repeal of chapter 125 general laws 1875.

SEC. 6. Chapter one hundred and twenty-five (125), of the Session Laws of one thousand eight hundred and seventy-five (1875), entitled an act for the preservation and protection of fish is hereby repealed. Provided the county of Olmsted shall be exempted from the provisions of this act.

Olmsted county exempted.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 11, 1878.

CHAPTER 90.

AN ACT TO PROMOTE IMMIGRATION.

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

State board of immigration.

SECTION 1. There is hereby created a "State Board of Immigration," which shall consist of the Governor and two persons from each congressional district to be appointed by the Governor and confirmed by the Senate. The Governor shall be president of this board.

Duties of the board.

SEC. 2. It shall be the duty of the State Board of Immigration created under the foregoing section to do everything which may enhance and encourage immigration to this State by disseminating information regarding the advantages offered by this State to immigrants.

May employ a secretary.

SEC. 3. The board may employ a suitable person to act as secretary, and to do such other work in the way of corresponding, distributing papers, pamphlets and maps and writing articles as they may order.

Quorum for business.

SEC. 4. Five members of the board shall constitute a quorum and a majority of all members, shall have authority to act on all questions brought before the board.

Appropriation for the use of the board.

SEC. 5. Five thousand dollars (\$5,000), or so much thereof as may be necessary, are hereby appropriated out of any money in the treasury not otherwise appropriated, for the use of the board of immigration, and to be expended by them for the purposes named in the preceding sections.

SEC. 6. The money hereby appropriated shall remain in the treasury, subject to the order of the board.

No compensation for the use of the board.

SEC. 7. The members of the State Board of Immigration shall receive no compensation for their services, but shall be reimbursed to the amount of their actual expenses.

Reports to the legislature.

SEC. 8. It shall be the duty of said board to make reports of their labors and proceedings to the State Legislature.

SEC. 9. This act shall take effect, and be in force from and after its passage.

Approved March 7, 1878.