

## CHAPTER 276.

AN ACT RELATING TO FISHWAYS IN THE COUNTIES OF HOUSTON AND  
FILLMORE.

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

SECTION 1. That every dam or artificial obstruction now built or hereafter built, upon or across Root river, so called, or any of its branches in the counties of Houston and Fillmore, in this state, shall be provided by the owner or occupant of the same with a good suitable and properly constructed fishway of such size and proportions as to allow the free and practicable passage from the waters below to the waters above such dam or obstruction, of any or all kinds of fish that inhabit the waters of the said Root river or its branches.

SEC. 2. That in case any person or persons owning or occupying any such dam or artificial obstruction as aforesaid, shall fail or neglect to provide such fishway within sixty (60) days after the passage of this act, or in case any person shall hereafter build or erect any dam or obstruction across said river or any of its branches, without providing such fishways, every such person shall be deemed guilty of a misdemeanor, and shall forfeit and pay not less than one (1) nor more than three (3) dollars per day for each and every day he shall be guilty of such neglect, to be recovered with costs upon complaint of any resident of either of said counties, one-half ( $\frac{1}{2}$ ) of such recovery to go to the complainant and the other half ( $\frac{1}{2}$ ) to the school fund of the county in which suit is brought.

SEC. 3. That justices of the peace of said counties of Houston and Fillmore shall have jurisdiction of all cases arising under this act when the amount claimed does not exceed one hundred (100) dollars, and upon complaint being filed with any such justice of the peace, duly verified, setting forth that any person or persons are guilty of a violation of this act or any of its provisions, such justice shall issue a summons requiring such parties to appear before him to answer such complaint as in a civil action, and shall proceed therein as in other cases for the recovery of a penalty in a civil action.

SEC. 4. This act shall take effect and be in force from and after the first (1st) day of May, one thousand eight hundred and eighty-five (1885).

Approved February 24, 1885.