

Sec. 37, c. 221,  
Laws 1897,  
amended.

SEC. 6. That section thirty-seven (37) of chapter two hundred and twenty-one (221) of the General Laws of one thousand eight hundred and ninety-seven (1897) be amended so as to read as follows:

Sale of game  
seized under  
law.

Sec. 37. When any bird, animal or fish caught, taken or killed, or had in possession or under control contrary to any provisions of this act, and which shall come into the possession of the board of game and fish commissioners of this state, they shall sell or dispose of same within this state to the highest bidder, or for the highest offer, and shall issue a certificate to the party purchasing the same, certifying that the same was legally obtained and possessed, and any one so acquiring the same within this state shall have the right to deal therewith the same as if it had been killed and was possessed in accordance with the laws of this state, anything herein to the contrary notwithstanding. The proceeds of all such sales shall be deposited in the state treasury to the credit of the general revenue fund of the State of Minnesota.

Game to be  
tagged before  
sale.

*Provided, further, that any game seized as aforesaid, before being sold, shall be tagged or sealed by the said board of game and fish commissioners, said tag or seal to be affixed to each bird, and to each animal or part thereof. Whoever shall, after buying game as in this section provided, sell the same to any person, market or commission merchant for resale, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than twenty-five (25) dollars and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than thirty (30) days for each and every bird, animal or fish so caught, taken or killed, shipped or had in possession or under control.*

Game not to  
be resold;  
penalty.

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

Approved April 18, 1899.

H. F. No. 377.

#### CHAPTER 243.

National  
Guard, pay-  
ment of  
arrears.

*An act to provide for the payment of arrears due enlisted men of the national guard, who were mustered into the volunteer army of the United States during the war with Spain, for active service in the national guard on and between the date of mobilization and date of muster in such volunteer service.*

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

SECTION 1. The sum of thirty thousand dollars is hereby appropriated out of any moneys in the state treasury not otherwise appropriated for the payment of arrears due, under section 119 of the military code, to the enlisted men of the National Guard of the State of Minnesota who, during the months of April or May, 1898, responded to the order of mobilization issued by the commander-in-chief to the national guard, and who were subsequently enlisted and mustered in the volunteer army of the United States for service in the war with Spain, under the call of the president. Said arrears shall be paid in accordance with the provisions of the military code upon triplicate pay rolls or receipts.

\$30,000 appropriated to pay arrears due volunteers in Spanish war.

SEC. 2. In ascertaining the names of the persons entitled to such payment and the balance due each man for such service, the board of audit mentioned in section 120 of the military code may use the company muster rolls, roster, inspection rolls, pay rolls and other records on file in the office of the adjutant general and of the state auditor, and the decision of said board shall be final.

Amount due, how ascertained.

SEC. 3. The arrears due a deceased soldier for such service shall be paid to his widow, or father, or mother, or next of kin, in the order named, upon the sworn certificate of the claimant and two witnesses.

Dues of deceased soldier to be paid his widow.

SEC. 4. It shall be the duty of the adjutant general to present to the auditor for the war department, Washington, D. C., for allowance and reimbursement the claim of the State of Minnesota for the moneys herein appropriated and due said members of the national guard as aforesaid, and to prosecute said claim with reasonable diligence.

Adjutant General, duty of as to claims against U. S.

SEC. 5. The balance of this appropriation in excess of the amount required by said board of audit to pay said arrears and of the expense necessarily incurred in carrying out the provisions of this act shall be canceled and returned to the general fund at the expiration of the fiscal year ending July 31st, 1900.

Balance of appropriation to be returned to treasury.

SEC. 6. No claim for the payment of arrears under this act shall be entertained unless made in writing and filed with the adjutant general before the expiration of one year from the passage of this act.

No claims to be paid unless filed in one year.

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

Approved April 18, 1899.