

shall descend to his next of kin, in equal degree; excepting that when there are two or more collateral kindred in equal degree, but claiming through different ancestors, those who claim through the nearest ancestor shall be preferred to those claiming through an ancestor more remote.

7. If any person dies leaving several children, or leaving one child and the issue of one or more other children, and any such surviving child dies under age, and not having been married, all the estate that came to the deceased child by inheritance from such deceased parent shall descend in equal share to the other children of the same parent, and to the issue of any such other children, who have died, by right of representation.

Children.

8. If at the death of such child, who dies under age, and not having been married, all the other children of his said parent are also dead, and any of them has left issue, the estate that came to said child by inheritance from his said parent shall descend to all the issue of other children of the same parent; and if all the said issue are in the same degree of kindred to said child, they shall have the same estate equally; otherwise, they shall take according to the right of representation.

9. If the intestate leaves no issue, nor husband or wife, or kindred, his estate shall escheat to the state.

To the state.

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

Approved March 11, 1901.

CHAPTER 34.

S. F. No. 46.

An act to transfer to the state treasury a special fund heretofore held by the public examiner for the redemption of the issues of state bank notes.

State bank redemption fund transferred from Public Examiner to State Treasurer.

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

SECTION 1. That the special fund of one thousand four hundred and seventy-three dollars and twenty-five cents (\$1,473.25) for the redemption of the issue of state bank notes; formerly in custody of the state auditor under the provisions of section twenty-four (24) of chapter twenty-five (25) of the General Laws of eighteen hundred and sixty-nine (1869), being section twenty-five hundred and four (2504) of the General Statutes of eighteen hundred and ninety-four (1894); and now in custody of the public examiner, under the provisions of chapter one hundred and eighty-three (183) of the General Laws of

eighteen hundred and eighty-seven (1887), being section four hundred and fourteen (414) of the General Statutes of eighteen hundred and ninety-four (1894), be transferred by the public examiner to the custody of the state treasurer and placed to the credit of the general revenue fund.

SEC. 2(a). Whereas, the fund referred to in section one (1) of this act was held by the public examiner for the redemption of circulating bank notes of the following banks, in amounts as follows:

Fillmore County Bank two hundred and thirty dollars (\$230) 20 per cent \$46.

Exchange Bank, Glencoe, thirty-one hundred and sixty-eight dollars (\$3,168), .21286 per cent, \$673.36.

Bank of St. Paul, four hundred and fifty dollars (\$450), 98 per cent, \$441.06.

Bank of Rochester, eighteen hundred and sixty-three dollars (\$1,863), .16792 per cent, \$312.83—\$1,473.25.

(a) Therefore, be it enacted, that if at any future period any valid claims shall be made by the holder of any of the aforementioned bank notes, subject to the approval of the attorney general and public examiner, the state auditor shall draw an order therefor on the state treasurer, and the amount of such order when paid shall be charged to the general revenue fund.

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

Approved March 11, 1901.

CHAPTER 35.

S. F. No. 151.

Amendment.
Game and
fish.

An act to amend section ten (10) of chapter 242 of the General Laws of 1899, entitled "An act for the preservation, propagation, protection, taking, use and transportation of game and fish."

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

SECTION 1. That section ten (10) of chapter 242 of the General Laws of 1899 be amended so as to read as follows:

Birds, pro-
hibited.

Sec. 10. No person shall catch, take, kill or have in possession or under control for any purpose whatever at any time any whippoorwill, night hawk, blue-bird, finch, thrush, linnet, lark, wren, martin, swallow, bobolink, robin, catbird, or any other harmless bird, excepting blackbirds, crows, hawks and English sparrows, except as hereinafter allowed (but nothing herein con-