

CHAPTER LV.

An Act for the Preservation of Elk, Deer, Birds and Fish.

- SECTIONS
1. Penalty for killing elk, deer, or fawn—time when.
 2. Penalty for killing or having in possession any woodcock, prairie fowl, partridge or quail—time when.
 3. Penalty for killing, caging, or trapping any harmless bird excepting aquatic fowl and wild pigeons.
 4. Penalty for catching or having in possession speckled trout—time when.
 5. Speckled trout, how to be caught—penalty for violation.
 6. Before whom tried—disposition of fines collected under the provisions of this Act.
 7. Duty of town superintendent of schools and constables.
 8. Repeal of former acts.
 9. Act, when to take effect.

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

Penalty for killing elk, deer or fawn—time when

SECTION 1. That if any person or persons shall kill or pursue with intent to kill, any elk, deer or fawn, between the first day of February and the first day of September in each year, or shall expose for sale or have in his, her or their possession any green elk, deer or fawn skin, or fresh venison at any time between the fifteenth day of February and the first day of September, such person shall, upon conviction thereof, be fined in the sum of fifteen dollars for each elk, deer or fawn so killed, or for each green elk, deer or fawn skin, or fresh venison so exposed for sale or had in possession.

Penalty for killing any woodcock, prairie fowl, partridge or quail—time when

SEC. 2. That if any person shall kill, or have in his or her possession, or expose for sale within the State of Minnesota, any woodcock between the first day of January and the fourth day of July in any year; or any prairie fowl or pennated grouse between the fifteenth day of February and the first day of August; or any partridge or ruffed grouse between the fifteenth day of January and the first day of September; or any quail at any season of the year from and after the passage of this Act until the first day of September in the year one thousand eight hundred and sixty-four, and in the years succeeding said last mentioned time, between the first day of January and the first day of September; such person

shall, upon conviction thereof, be fined in the sum of two dollars for each and every of said birds so killed or had in possession.

SEC. 3. That if any person or persons shall at any time within this State, kill, cage or trap any nightingale, whipporwill, night hawk, blue bird, finch, thrush, lark, linnet, sparrow, wren, martin, swallow, bobolink, robbin, turtle dove, cat bird, or any other harmless bird not elsewhere herein mentioned, excepting aquatic fowl of every species and wild pigeons; such person or persons shall, upon conviction thereof, be fined in the sum of one dollar for each and every of said birds so killed, caged or trapped, and the person so fined shall stand committed to the common jail of the county wherein the offence was committed until such fine be paid.

Penalty for killing, caging or trapping any harmless bird excepting aquatic fowl and wild pigeons

SEC. 4. That if any person or persons shall catch or have in his, her or their possession, or expose for sale within the State of Minnesota, any speckled trout or speckled river trout between the first day of September and the first day of March following, such person or persons shall, upon conviction thereof, be fined in the sum of one dollar for each and every fish so taken or had in possession.

Penalty for catching or having in possession speckled trout—time when

SEC. 5. If any person or persons shall take any speckled brook or river trout in any of the waters of this State at any time, save with a hook and line, such person or persons shall, upon conviction thereof, be fined in the sum of fifty cents for each fish so taken.

Trout, how to be caught—penalty for violation

SEC. 6. That all prosecutions under the provisions of this Act shall be commenced within one year from the time such offence shall have been committed and not afterward, and the same shall be upon complaint under oath before any justice of the peace, in the county where the offence shall have been committed; and all fines imposed and collected under this Act shall be paid into the county treasury of the county where such conviction shall take place, for the use of common schools within such county.

Before whom tried—disposition of fines

SEC. 7. It shall be and is hereby made the duty of the town superintendent of schools, sheriff and constable, having knowledge of any violation of the provisions of this Act, to make complaint thereof to a justice of the peace of the proper county, and any other person having such knowledge may make complaint before such justice

Duty of town superintendent of schools and constables

of the peace, and the said justice shall issue his warrant for the arrest of the offender, and proceed to hear and determine the matter in issue in the same manner as provided in other cases.

Repeal of former acts

SEC. 8. Chapter one hundred and thirty of the compiled statutes of Minnesota, passed March eighth, one thousand eight hundred and fifty-eight, and July thirtieth, one thousand eight hundred and fifty-eight, and all other laws or parts of laws inconsistent with the provisions of this Act are hereby repealed.

SEC. 9. This Act shall take effect from and after the first day of March, one thousand eight hundred and sixty-one.

Approved February 11th, A. D. 1861.

CHAPTER LVI.

An Act for the Protection and Improvement of Sheep.

SECTION 1. Penalty for allowing buck to run at large—time when.
2. Act, when to take effect.

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

Penalty for allowing buck to run at large—time when

SECTION 1. That if the owner of any buck shall allow the same to run at large between the first day of July and the first day of December of any year, he shall forfeit and pay the sum of ten dollars and costs of suit for each offence, to be recovered before any justice of the peace in the county where said owner shall reside, and said amount so recovered, shall be paid by the Justice to the county treasurer for the benefit of common schools.

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

Approved March 6th, A. D. 1861.