

sons, firm or association or corporation or their assigns upon whom such fraud be committed.

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

Approved February 26, 1867.

CHAPTER XXXIX.

An Act to prevent the killing of muskrats, mink, or otter, at improper seasons.

March 1, 1867

SECTION 1.—Protects certain animals at stated periods.

2.—When prosecutions under act to be commenced, and how conducted.

3.—When act shall take effect.

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

SECTION 1. That whoever wilfully or intentionally kills or takes any muskrat, mink, or otter, between the first day of May and the fifteenth day of November in each and every year, shall be fined in the sum of five dollars for each and every violation of this act, *Provided*, That nothing in this act shall be construed as to prevent the destruction of any such animals as shall be found committing depredations upon private or public property.

Protection of animals.

SEC. 2. All prosecutions under the provisions of this act shall be commenced within one month from the time such offence was committed, and the same shall be upon complaint, under oath, before any justice of the peace in the county where the offence is committed, and all fines imposed and collected under this act shall be paid, one half to the complainant, and one

When prosecutions commen'd.

half into the treasury of the county where such conviction takes place, for the use of the common schools within such county.

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

Approved, March 1, 1867.

CHAPTER XL.

March 5, 1867 *An Act to prevent the draining of lakes, ponds or bodies of water.*

SECTION 1.—Prevents drainage of lakes, etc.

2.—Penalty for violating law.

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

Prevents drain-
age.

SECTION 1. No person or persons shall drain or attempt to drain any lake, pond or body of water in this state which has been meandered, and metes and bounds established by the government of the United States in the survey of the public lands.

Penalty.

SEC. 2. Any person or persons who shall drain or cause to be drained, or shall attempt to drain in any manner, any lake or lakes, pond or bodies of water which shall have been meandered by the survey of the United States government, shall be considered guilty of a misdemeanor, and shall be punished by a fine not less than twenty-five dollars, and not exceeding five thousand dollars, and shall be also liable in a civil action for all damages sustained by private individuals by reason of such draining or attempting to drain any of the lakes, ponds or bodies of water aforesaid: *Provided*, That the provisions of this act shall not prevent the reasonable use of said lakes, ponds or bodies of