

from cream, shall stamp each package of the same on the top and side with lampblack and oil, the words, "patent butter," in letters at least one-fourth ($\frac{1}{4}$) of an inch wide and one-half ($\frac{1}{2}$) of an inch long.

Whoever violates the provisions of this section is guilty of a misdemeanor, and shall be punished for each offense by a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars.

Penalty for violation.

SEC. 2. Whoever sells or offers for sale any imitation or patent butter, as described in section one (1) of this act, shall give to each purchaser of said goods a printed card stating correctly the different ingredients contained in the said compound.

Description of patent butter to be given.

Whoever violates the provisions of this section is guilty of a misdemeanor, and shall be punished for each offense by a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars.

Penalty.

SEC. 3. This act shall take effect on and after its passage.

When act to take effect.

Approved March 7th, 1887.

CHAPTER 142.

[M. F. No. 637.]

AN ACT FOR THE BETTER PRESERVATION OF GAME.

237-142
205 . . . 89

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

SECTION 1. No person shall kill or pursue with intent to kill, any woodcock, saving only during the month of July, after the third (3d) day of said month, and during the months of August, September and October; nor any prairie hen or chicken, nor any white-breasted or sharp-tailed grouse or prairie chicken, save only during the month of August after the fourteenth (14th) day of said month, and during the month of September; nor any quail or partridge save only during the months of September, October and November; nor any ruffled grouse or pheasant, save only during the months of September, October and November; nor any wild duck of any variety, or wild goose or brant of any variety, or aquatic fowl whatever, save only during the month of September after the fifteenth (15th) day of said month, and during the month of October, November and December in each year. Whoever kills any woodcock between the first (1st) day of Novem-

Times in which prairie chickens, ducks, etc. may be killed.

ber and the fourth (4th) day of July following; or kills any prairie hen or chicken, or white-breasted or sharp-tailed grouse, between the first (1st) day of October and the fifteenth (15th) day of August following; or kills any quail or partridge; or rough grouse or pheasant, between the first (1st) day of December and the first (1st) day of September following; or kills any wild duck of any variety, or wild goose or brant of any variety, or aquatic fowl whatever, between the first (1st) day of January and the fifteenth (15th) day of September in any year, forfeits not less than ten (10) dollars nor more than fifty (50) dollars for each bird so killed. Whoever has in his possession any such bird (except alive) during the said time the killing whereof is prohibited, shall be deemed to have killed the same contrary to law, and shall be liable to the penalty aforesaid, unless he proves in defence one of the following facts: that he had no notice or knowledge that the same was in his possession; or that the same was killed during the time it was lawful to kill the same; or that the same was not killed in this state.

Penalty for violation.

Moose, deer, etc

SEC. 2. No person shall kill or take by any means, contrivance or device whatever, or pursue with intent to kill, or take or worry, or hunt with hounds or dogs, any elk, moose, deer, buck, doe or fawn, save during the month of November in any year; and whoever hunts, or kills, or destroys any of such animals between the first (1st) day of December and the first (1st) day of November, forfeits not less than twenty-five (25) dollars nor more than seventy-five (75) dollars for each animal so killed or destroyed; and whoever has in his possession the carcasses or hide of any such animal, or any part thereof, between the first (1st) day of January and the first (1st) day of November of any year, shall be deemed to have hunted and killed the same contrary to law, and shall be liable to the penalty aforesaid, unless he prove, in defence, one of the following facts: that he had no notice or knowledge that the same was in his possession; or that the animal was killed during the said time it was lawful to kill the same; or that the same was not killed within the state.

Penalty for exporting during times not prescribed in this act.

SEC. 3. No person, persons or corporation shall at any time or in any manner export or cause to be exported or carried out of the limits of the state of Minnesota, any of the birds or animals mentioned in this act, and any person or persons or corporation who shall export or cause to be exported, or carry out or cause to be carried out of the limits of this state, any of the birds or animals mentioned in this act, shall forfeit the sum of not less than five (5) dollars nor more than seventy-five (75) dollars for each bird or animal so exported or caused to be exported, or carried out or caused to be carried out

of the state of Minnesota. And the provisions of this section shall apply to every corporation, railroad company or express company carrying on business within the state, and to any and every employe of such corporation, railroad company or express company.

SEC. 4. No person shall at any time catch or kill any of the birds aforesaid or any of the animals aforesaid, in any other manner than shooting them with a gun held by the person discharging the same. And no person shall at any time set, lay or prepare any trap, snare, net or other contrivance or device whatever with the intent to kill or catch any of the birds aforesaid or any of the animals aforesaid. And no person or persons shall, between the time of sunset and sunrise, hunt, pursue or kill, on any of the lakes, rivers or waters in this state, any aquatic fowl whatever; and no person or persons shall at any time in hunting any aquatic fowl, make use of any artificial light, decoy, battery or any deception whatever whereby any such wild fowl shall be attracted or deceived. And no one shall use any part of any public highway or any bridge thereon as a duck pass or for such duck pass shooting. And whoever shall offend against any of the provisions of this section shall forfeit not less than twenty-five (25) dollars nor more than seventy-five (75) dollars for each and every offence.

Traps, snares,
etc., prohibited

SEC. 5. No person shall at any time enter into any growing or standing grain or any enclosed land not his own, with sporting implements about his person, nor permit his dog or dogs to enter into any such growing or standing grain or into such enclosed land without permission of the owner or occupant thereof; and no person shall at any time hunt or shoot upon any lands of another which are uncultivated or unenclosed, after being notified not to hunt or shoot thereon; and any person who shall enter into such growing or standing grain or into such enclosed land of another with gun, dogs or any sporting implements upon his person, without the permission of the owner or occupant of such grain or enclosed land, with intent to kill, hunt or pursue any animal or game bird, and any person who shall, without the right so to do, hunt or shoot upon any uncultivated or unenclosed land of another after being notified not to hunt or shoot thereon, shall forfeit the sum of not less than twenty (20) dollars nor more than fifty (50) dollars for each and every offence, to be recovered by action before any justice of the peace of the county where the offence is committed or of the county where the defendant may reside, to be brought by and in the name of the owner or occupant of such land; but nothing in this section contained shall be so construed as to limit or in any way to affect the remedy of the owner or occupant of any such grain or enclosed

Shall not
encroach upon
grain fields, or
private lands.

land or unenclosed land, or of the person injured, at common law for trespass.

Game warden—
duties.

SEC. 6. The governor shall appoint a game warden for the state of Minnesota, to hold his office for four (4) years, unless sooner removed; and such game warden may appoint in writing, one or more deputies, and require suitable bonds for the faithful performance of their duties. And it shall be the duty of the said game warden and his deputies to faithfully enforce all the laws of this state relative to the preservation of game. And each of said officers shall have the same authority to require aid in the execution of his office as sheriffs and their deputies have. Such state warden or any of his deputies may institute proceedings by civil action, in the name of said state warden as plaintiff, or of the state of Minnesota as plaintiff, and the name of the accused as defendant, to recover all penalties for the unlawful hunting and killing of any of said game birds or animals, and for any violation of any of the provisions of this act, except those provided for in section five (5), and the whole of the penalties so recovered shall go to such warden, to pay himself and his deputies for their time, labor and expenses. Such prosecution may be commenced and had before any justice of the peace or district court of any county in which such bird or animal is killed or hunted, or of any county into which such bird or animal after being killed is carried, or of the county in which the defendant may reside. And in case any offence committed under this act shall not be prosecuted by said state warden or his deputies within twenty (20) days after the commission thereof, then any person may institute and prosecute such action therefor in his own name in any of said courts, and in that case the party so prosecuting shall be entitled to all penalties recovered, and in all actions thereof, if the plaintiff prevails, he shall be entitled to and recover costs. And justices of the peace shall have jurisdiction to hear, try and determine all cases arising under this act, except when the damages claimed exceed one hundred (100) dollars.

Prosecutions.

Parts of former
acts repealed.

SEC. 7. That section one(1) and section two(2), and section five (5) and section seven (7) and section eleven (11) of chapter twenty (20) of the general statutes of the state of Minnesota being of an act for the preservation of game, and all acts amendatory thereof, be and the same are hereby repealed; and all acts or parts of acts inconsistent with this act are hereby repealed.

When act to
take effect

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved March 8, 1887.