

such neglect shall not release its line from taxation, but the state board shall proceed to assess the line notwithstanding, adding thereto thirty (30) per centum on the assessable value thereof as penalty.

Repeal of former laws providing for taxation of gross earnings.

SEC. 7. That Chapter sixty-eight (68) of the General Laws of the extra session of eighteen hundred and eighty-one (1881), Chapter one hundred and thirty-eight (138) of the General Laws of eighteen hundred and eighty-seven (1887), Chapter one hundred and thirty-nine (139) of the General Laws of eighteen hundred and eighty-seven (1887), and all acts and parts of acts inconsistent herewith, be and the same are hereby repealed.

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

Approved April 11, 1891.

CHAPTER 9.

[H. F. No. 966.]

AN ACT FOR THE PRESERVATION, PROPAGATION AND PROTECTION OF THE GAME AND FISH OF THE STATE.

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

Board of game and fish commissioners.

SECTION 1. There is hereby created a board to be known by the name of The Board of Game and Fish Commissioners of the State of Minnesota, which board shall be composed of five (5) members, who shall be appointed by the governor, for the term of six (6) years each, in the manner hereinafter set forth, and who shall serve without compensation, either direct or indirect, and shall constitute the first board under the provisions of this act, one of whom shall hold his office as a member of said board until the first (1st) day of April, eighteen hundred and ninety-three (1893), two (2) of whom shall hold until the first (1st) day of April, eighteen hundred and ninety-five (1895), and the remaining two (2) of whom shall hold until the first (1st) day of April, eighteen hundred and ninety-seven (1897); and the said persons shall, immediately after this act goes into effect, assemble at the state capitol, and, by lot, decide between themselves as to their respective terms of office.

Terms of office.

Appointment by the governor.

SEC. 2. The governor shall, on or before April first (1st), eighteen hundred and ninety-three (1893), appoint a member of said board, and on or before the first (1st) day of April in each odd-numbered year thereafter, he shall make similar appointments of members of said board, in place of the members whose terms shall expire; and, in case of any vacancy in the office of any member of said board, said vacancy shall be filled by appointment by the governor for the unexpired term.

SEC. 3. It shall be the duty of the said board of game and fish commissioners to propagate and distribute food fishes and to keep up the supply thereof in the various waters of the state, and to secure through and by their agents and subordinates the enforcement of all the laws of this state for the preservation, propagation and protection of the game and fish of the state. They shall appoint some person, a resident of the state, as game warden, who shall act as secretary and business agent of said board, who shall hold his office for the term of two (2) years, and until his successor shall have been appointed, and said board shall have power to appoint deputy game wardens, who shall be residents of the state, in number not exceeding four (4), and who shall hold their office for the like term of two (2) years, or until their successors shall have been appointed; and said board may at any time remove any of said wardens and appoint another in his place for the unexpired term. The compensation of said warden and deputy wardens shall be fixed by said board, and said board shall further have the power to appoint at any time a special game warden for any county in this state, for such period of time as they may in their discretion determine.

To propagate and distribute food fishes.

Game warden, secretary and business agent.

Deputy game wardens.

Compensation of wardens.

SEC. 4. It shall be the duty of said board to collect, classify and preserve all such statistics, data and information as they may think will tend to promote the objects of this act, to conduct all the necessary correspondence, to take charge of and keep all reports, books, papers, documents or specimens which they may collect in the discharge of their duties under this act, and to prepare an annual report to the governor on or before the first (1st) Monday in December of each year, showing what has been done by them during the current year, the manner in which their duties have been performed, the amount expended by them, and the objects for which such expenditures were made, with such recommendations for legislative action, if any, as the said board may deem calculated to better promote the preservation and increase the more useful food fishes within the state, and to lessen the cost of the same. The governor shall lay the reports of said board before the legislature on the assembling thereof.

Duties of board, and annual report to governor.

SEC. 5. It shall be the further duty of said board to select suitable locations within the state whereon to establish and maintain fish-breeding establishments for the propagation and cultivation of such kinds of food fishes as they may direct, for the purpose of stocking with such fish such of the inland and bordering waters of the state as they may know or have reason to believe are suitable for the kinds of fish so selected by them, and replenishing the supply of the same; to make application for and receive from the United States commissioner or commissioners of fisheries such quota of stock, spawn or fry as may be allotted from time to time to this state, and to purchase or procure from the

Fish-breeding establishments to be located.

To receive stock, spawn or fry from U. S. commissioners and other persons.

fish commissioners of other states, or from other persons or sources, the eggs or fry of such species or varieties of food fishes as the said board may deem desirable, and to hatch such spawn or fry, and to plant the same in such of the waters of this state as shall, in their judgment, afford the best opportunity for the propagation of such food fishes; and to make all such investigations on the subject of and such experiments in fish culture as shall, in their judgment, be calculated to promote the objects of this act within this state; and to institute and prosecute actions and proceedings on behalf of the state against any person or persons to recover any claim or claims due said board and arising on contract or otherwise, or to protect the property of the state employed or in any manner connected with the work of said board; and all actions or proceedings instituted by them shall be entitled in the name of the board of game and fish commissioners of the state of Minnesota, as plaintiff.

To prosecute actions and protect state property.

Superintendent of fisheries

Such board shall employ a competent person as superintendent of fisheries, whose duty it shall be to devote his entire time to the work of fish propagation and distribution under the direction of the board, and such other assistants as the exigencies of the work may require, all such employes to be governed by the regulations adopted by the board. The salary of the superintendent of fisheries shall not exceed the sum of two thousand (2,000) dollars per annum. All property owned or leased by the said board shall be exempt from taxation so long as held and used for the purposes herein specified.

Salary provision.

Property exempt from taxation.

No property in game or fish taken out of season.

SEC. 6. No person shall at any time acquire any property in any game or fish within the state of Minnesota, or subject any of the same to his own dominion or control, save only by killing the same within the periods and by the means permitted by the laws of the state, and except as permitted by such laws, the game and fish within the state be and remain the property of the state.

Close season.

SEC. 7. No person shall kill, or pursue with intent to kill, any of the animals or birds hereinafter mentioned, within the period hereinafter limited :

Woodcock.

Woodcock, between the thirty-first (31st) day of October and the fourth (4th) day of July following.

Prairie chickens.

Prairie chickens, or white-breasted or sharp-tailed grouse, between the first (1st) day of November and the first (1st) day of September following.

Quail, partridge, grouse or pheasant.

Quail, partridge, ruffed grouse, or pheasant, between the first (1st) day of November and the first (1st) day of September following.

Wild duck, goose or brant.

Wild duck of any variety, or wild goose or brant of any variety, or snipe of any variety, or any aquatic fowl whatever, between the twenty-fifth (25th) day of April and the twentieth (20th) day of August following.

Provided, The possession of any one of such birds or animals (except alive), by any person during the time the

killing thereof is prohibited shall be *prima facie* evidence of the fact that such person killed the same contrary to the provisions of this section. Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine of not less than ten (10) dollars nor more than twenty-five (25) dollars for each and every bird or animal so killed and the costs of prosecution, and, in default of the payment of any one such fine, shall be imprisoned in the county jail not less than ten (10) days nor more than thirty (30) days, for each and every bird or animal killed.

Penalty for violation of close season.

Provided, That no moose, caribou or reindeer shall be killed or sold or offered for sale in this state for five (5) years next after the passage of this act.

Moose, caribou or reindeer.

Any person offending under this provision shall be guilty of a misdemeanor.

SEC. 8. No person shall at any time catch or kill any of the birds or animals aforesaid in any other manner than by shooting them with a gun held to the shoulder by the person discharging the same. And no person shall at any time set, lay or prepare any trap, snare, net, bird lime, swivel gun or other contrivance or device whatever, with the intent to catch or kill any of the birds or animals aforesaid, whether the same are caught or not. And no person or persons shall at any time, in hunting any aquatic fowl, make use of any artificial light battery, or any deception whatever, whereby such wild fowl will be attracted or deceived (except that decoys may be used in hunting ducks, wild geese and brant). And whoever shall offend against any of the provisions of this section shall be deemed 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, in default of the payment of such fine, shall be imprisoned in the county jail not less than ten (10) days nor more than thirty (30) days.

Manner of taking or killing—traps, snares, etc., prohibited.

Penalty for offenses in this section.

SEC. 9. No persons shall hunt with hounds or dogs any elk, moose, deer, antelope, buck, doe or fawn at any time; and no person shall by any means, contrivance or device whatever kill or take by any means, or pursue with intent to kill, or take or worry any elk, moose, deer, antelope, buck, doe or fawn, at any time between the thirtieth (30th) day of November and the first (1st) day of November following. Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not less than fifty (50) dollars nor more than one hundred (100) dollars and costs of prosecution for each animal so destroyed or pursued, and, in default of the payment of each such fine, shall be imprisoned in the county jail for a period of not less than thirty (30) days nor more than sixty (60) days.

Elk, moose, deer, antelope, buck, doe or fawn.

Penalty for offenses in this section.

Possession of
carcass *prima*
facie evidence.

The possession by any one of the carcass, or any part thereof, of any such animal between the fifteenth (15th) day of December in any year and the first (1st) day of November following shall be *prima facie* evidence of the fact that such person killed the same contrary to the provisions of this section.

Manner of tak-
ing or killing,
prohibition of
traps or snares.

SEC. 10. No person shall at any time catch or kill any of the animals aforesaid in any other manner than by shooting them with a gun held to the shoulder by the person discharging the same. And no person shall at any time set, lay or prepare any trap, snare or other contrivance or device whatever, with the intent to kill or catch any of the animals aforesaid. And whoever shall offend against any of the provisions of this section, whether any such animal is taken or killed or not, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not less than fifty (50) dollars nor more than one hundred (100) dollars and costs of prosecution, or, in default of the payment of any such fine, be imprisoned in the county jail not less than thirty (30) days nor more than sixty (60) days.

Penalty on con-
viction of viola-
tion.

Purchasing,
selling or ship-
ping during
close season pro-
hibited.

SEC. 11. Any person or persons, firm, corporation or company who shall purchase, sell, ship or otherwise dispose of, or have in his, her or their possession for his or their own use, or for any other purpose, any of the birds or animals mentioned in this act (except alive) during the time that the killing thereof is hereby prohibited by this act, except during the first fifteen (15) days of the close season as to the animals mentioned in section ten (10) of this act, and except during the first three (3) days of the close season as to the other animals and birds mentioned in this act, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not less than ten (10) dollars nor more than one hundred (100) dollars and costs of prosecution for each bird or animal purchased, sold, shipped or otherwise disposed of contrary to this act, and in default of the payment of such fine shall be imprisoned in the county jail not less than ten (10) days nor more than sixty (60) days. The purchase, sale or shipment or possession of any of such birds or animals contrary to the provisions of this section shall be *prima facie* evidence that such persons purchased, possessed, sold, shipped or disposed of such birds or animals unlawfully and contrary to the provisions of this act.

Penalty for of-
fenses commit-
ted.

Prohibition of
express, railway
or common car-
rier to trans-
port.

SEC. 12. Any express company, railway company, common carrier, or any other company, corporation or person carrying on business in this state, or any servant or agent or employe of any such company, receiving or having in its, his or their possession, or that shall carry, ship or transport for compensation or otherwise any birds or animals mentioned in this act (except alive), whether for transportation or otherwise, and killed within this

state during the time that the killing of any such bird or animal is prohibited by this act (except during the first three (3) days of such close season or time, and except as to animals as otherwise provided in this act), shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than twenty (20) dollars nor more than two hundred (200) dollars and costs of prosecution for each bird or animal so received, possessed, held, carried or transported, and may be prosecuted before any justice of the peace, police magistrate or district or municipal court in any county where such birds or animals are found so unlawfully possessed, transported or disposed of. Possession of any such bird or animal by any such company, corporation, servant, agent or employe shall be *prima facie* evidence that such bird or animal was killed, held or possessed contrary to the provisions of this act.

Penalty for violation.

SEC. 13. No person shall at any time enter into any growing or standing grain not his own, with sporting implements about his person, nor to permit his dog or dogs to enter into any such growing or standing grain, without permission of the owner or occupant thereof; and no person shall at any time hunt or shoot upon any lands of another after being notified not to hunt or shoot thereon, and any person who shall without the right so to do hunt or shoot upon any land of another, after having been notified not to hunt or shoot thereon, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not less than ten (10) dollars nor more than fifty (50) dollars and costs of prosecution for each and every offense, to be recovered by action before any justice of the peace of the county where the offense 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 the land; or in the default of the payment of such fine shall be imprisoned in the county jail not less than ten (10) days nor more than thirty (30) days; but nothing in this act contained shall be so construed as to limit or in any way affect the remedy of the owner or occupant of any such grain or enclosed land or unenclosed land, or of the person injured, at common law, for trespass. Any owner or proprietor of land may give the notice provided for in this section by maintaining the sign-boards at least one (1) foot square containing such notice, upon at least every forty (40) acres of the premises sought to be protected, on or near the borders thereof, or upon or near the shores of any waters thereon, in at least two (2) conspicuous places, or by giving personal written or verbal notice.

Entering growing or standing grain a misdemeanor.

Penalty for offenses.

Sign-boards may be erected or verbal or written notice given.

SEC. 14. It shall be lawful for any person to shoot or kill any dog while such dog is in actual pursuit of any elk, moose, deer, antelope, buck, doe or fawn, in violation of the provisions of this act; and any complaint or objection made

Dogs may be killed in wrongful pursuit of animals.

by the owner of such dog or any other person against such killing shall be *prima facie* evidence of the fact that such complaining party encouraged such dog in such pursuit.

Fish houses
may be de-
stroyed in close
season.

SEC. 15. It shall be lawful for any game warden or any other person to burn or otherwise destroy any fish house erected or maintained upon the ice or in the waters or on the shore of any lake or stream for the purpose of fishing, or any net, set-line, trap or other contrivance placed or maintained in or upon any of the waters of this state at any time when the taking of fish from such waters is forbidden by the law of this state; and any complaint or objection made by any person to the destruction of any of the said articles shall be *prima facie* evidence of the fact that the person so objecting was then and there engaged in violating the provisions of this act.

Close season for
mink, muskrat,
otter or beaver
—penalty for
violating.

SEC. 16. Whoever intentionally in any manner what-ever kills or takes any mink, musk-rat, otter or beaver during either of the months of May, June, July, August, Sep-tember or October in any year, shall be guilty of a mis-demeanor, and, upon conviction, shall be fined in the sum of five (5) dollars for each such offense; *Provided*, That this act shall not be so construed as to prevent the destruction of any such animals when found destroying private property. All prosecutions under this act shall be commenced within sixty (60) days from the time the offense was committed, and shall be by complaint upon oath before any justice of the peace or municipal court in the county where such offense was committed, or of the county where the defendant may reside, and all fines imposed and collected under this act shall be paid as hereinafter provided.

Open season for
speckled or
brook trout.

SEC. 17. No person shall catch, kill or take by any means, contrivance or device whatever, or expose for sale in the state of Minnesota, any speckled, river or brook trout, save only during the months of April, May, June, July, August and September in any year; and any person or persons offending against any provision of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than five (5) dollars nor more than fifty (50) dollars, and by the forfeit-ure of all fishing tackle, baskets and other sporting imple-ments found in his or their possession, together with the costs of prosecution.

Penalty for tak-
ing out of sea-
son.

SEC. 18. No person shall catch, kill or take by any means, contrivance or device whatever, any fish from any of the lakes, ponds, rivers or streams in any of the coun-ties of the state of Minnesota, in which the taking of fish is now regulated by law, save only during the periods within which and by such means as the taking of such fish is now allowed by law. No person shall catch, kill or take by any means, contrivance or device whatever, any fish from any of the lakes, ponds, rivers or streams in any of the counties of the state of Minnesota not included within the preceding

Lake, river or
stream fishing,
close season —
provision saving
all special laws
in force.

Fishing to be
confined to
hook and line
and spear.

part of this section, save only between the first day of May and the first day of March, and then only by taking the same by hook and line or spear. Any person or persons offending against the provisions of this section shall be punished by a fine of not less than five (5) dollars nor more than fifty (50) dollars for each fish so taken, and by the forfeiture of all fishing tackle and other sporting implements found in his or their possession, together with the costs of prosecution.

Penalty for violation.

SEC. 19. No person shall at any time catch or kill any speckled, river or brook trout in any other manner than by angling for them with a hook and line. No person, except United States and state fish commissioners, shall at any time take, catch or kill any fish of any kind, except white-fish, from any of the waters in the state of Minnesota, excepting Lake Superior, in any other manner than angling for them with a hook and line or spear. No person shall at any time put into any waters within the state of Minnesota any fish berries, dynamite or any deleterious substance whatever, or explode any dynamite therein, with intent to kill or take fish. Any person or persons offending against any of the provisions of this section shall be guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of not less than fifty (50) dollars nor more than one hundred (100) dollars, and by the forfeiture of any device, implement or substance used in the commission of the offense, together with the costs of prosecution.

Hook and line fishing only for brook trout.

Hook and line and spear for all other fishing, except white-fish in Lake Superior.

Fish berries, dynamite, etc., prohibited.

Penalty for violation.

SEC. 20. No person shall break up or destroy, take away or in any manner interfere with any nest, or the eggs therein, of any woodcock, snipe, quail, partridge, ruffed grouse, prairie chicken, pheasant, plover, or any species of wild duck, wild goose or brant, nor sell or expose for sale any of such eggs, nor have any of the same in his possession for any purpose. Any company or corporation, and every employe or agent of the same, shall be deemed persons offending against any provisions of this section, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than ten (10) dollars nor more than one hundred (100) dollars, and by the forfeiture of such eggs in his or their possession, together with the costs of prosecution.

Eggs or nests of wild fowl—penalty for injuring or destroying.

SEC. 21. No person shall kill, cage or trap any whip-poor-will, night-hawk, blue-bird, finch, thrush, lark, linnet, wren, martin, swallow, bobolink, robin, turtle-dove, cat-bird or any other harmless bird not elsewhere mentioned in this act, excepting black-birds, sparrows and wild pigeons. Any person or persons offending against the provisions of this section shall be punished by a fine of not less than ten (10) dollars nor more than fifty (50) dollars, or the forfeiture of any gun or guns, cage, trap, net or other device or sporting implement in his or their possession, together with the costs of prosecution.

Harmless birds to be protected.

Penalty for violation.

Selling of game or fish in close season.

SEC. 22. No person shall sell any game or fish which has been taken or captured in the state of Minnesota at any of the times or during any of the periods when the taking or capturing of such game or fish is prohibited by the provisions of this law or any of the laws of this state. No keeper of a hotel, restaurant or boarding house shall serve to any of his guests any such game or fish during any of the said periods when the taking of the same is prohibited by the laws of this state.

Serving of same by hotel keepers out of season.

Penalty for offenses.

Any person offending against the provisions of this section shall, upon conviction thereof, be deemed guilty of a misdemeanor and be punished by a fine of not less than ten (10) dollars nor more than fifty (50) dollars and the costs of prosecution for each and every offense.

Consignees of game or fish in close season to report same to officers of law.

SEC. 23. Whenever any game or fish, during the period of time when the taking of the same is prohibited by the laws of this state, is received or comes into the possession of any person or persons, or corporation, for or on account of or to be held subject to the order of any other person, persons or corporation, the person or corporation so having the same in custody or possession shall at once report the same to a game warden or to a sheriff, constable or police officer, immediately, and such sheriff, constable or police officer shall report to game warden or deputies; and any person or corporation failing to make such report immediately upon receipt of such game or fish, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not less than ten (10) dollars nor more than fifty (50) dollars and costs of prosecution for each and every offense.

Game warden or other officer to take possession of game or fish out of season.

SEC. 24. Any game warden or other officer of the law may at any time seize and take into his custody any game or fish, or any carcass thereof or any portion of same, which he may find at any time in the possession of any person or corporation during the period when the capture of such game or fish is not permitted by the laws of this state; *Provided*, That this section shall not apply to any stuffed carcass or stuffed heads or skins of animals, which was taken or captured during the season allowed therefor.

Wanton destruction or wasting of game or fish.

SEC. 25. The wanton destruction or the wasting of the game and fish of this state during any period of time when the taking or capture of such game or fish is permitted, is hereby prohibited and declared a misdemeanor; and any person who shall at any time take, capture or destroy any game or fish in excess of the number or quantity thereof which he can immediately use for food purposes shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than ten (10) nor more than fifty (50) dollars and costs of prosecution for each and every animal, bird or fish which he may take or destroy contrary to the provisions of this section; *Provided*, That not more than twenty-five (25) birds shall be killed by any one gun in one day.

Game or fish taken in excess of immediate food uses, a misdemeanor.

SEC. 26. In any prosecution or judicial proceeding under the provisions of this law or any other law of this state for the protection and preservation of the game and fish thereof, any participant in any violation of such law shall be allowed to testify as a witness therein against any other person without criminating himself.

Participants in violation of law may testify as witnesses.

SEC. 27. All fishways heretofore or hereafter erected in any dam or dams across any of the streams for this state shall be at all times under the supervision and control of the board of game and fish commissioners.

Fishways to be under control of commissioners.

SEC. 28. Every artificial obstruction built upon and across any river, stream or watercourse in this state in which, before the building of such obstruction, fish were in the habit of passing between the waters below and the waters above the location of such obstruction, shall be provided by the owner or occupant of such obstruction with a durable and suitable fishway for the passage of fish, of such form and capacity and in such location as may be determined by the board of game and fish commissioners, who, when they shall have determined upon the form, capacity and location of any such fishway, shall give written notice thereof to one of the owners or occupants of the obstruction over which such fishway is to be built, and require the same to be built within a time to be therein specified.

Artificial obstructions to be provided with fishways.

SEC. 29. After the completion of any fishway to the satisfaction of the board of game and fish commissioners, the owners or occupants thereof shall change, alter or repair the same whenever so required by said board, and shall keep the same open and free from obstructions to the passage of fish, in such manner and during such period as the said board may require; and if no period shall be specified by such board, every such fishway shall be kept open and free from the first (1st) day of April to the first (1st) day of October in each year. Every person who shall fail or neglect to comply with any of the provisions of this or the preceding sections, or with any lawful requirement of the board of game and fish commissioners in the premises, or shall neglect to build and complete to the satisfaction of said board, within the time specified by them, any fishway which may be required by said board, shall be fined not less than five (5) nor more than twenty-five (25) dollars for each day of such neglect.

Fishways to be under control of commissioners.

When to be kept open.

SEC. 30. Every person who shall at any time take or capture any fish from any stream or water within four hundred (400) feet of any fishway, shall be guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than twenty-five (25) or more than one hundred (100) dollars, together with the costs of prosecution.

Penalty for taking fish near a fishway.

SEC. 31. All fines collected under the provisions of this act shall be paid into the state treasury, and be placed to the credit of the board of game and fish commissioners, to be expended by them in the discharge of their duties and the enforcement of the provisions of this act.

Fines under this act.

Privilege of fish and game commissioner to buy out of season for stocking.

SEC. 32. The board of game and fish commissioners shall have the right at any and all seasons to buy, in any place or from any person, any animals, birds, fish or spawn or eggs that may, in their judgment, be required for the purpose of stocking any of the fields or waters of this state, anything in this act to the contrary notwithstanding.

Annual appropriation, \$10,000.

SEC. 33. The sum of ten thousand (10,000) dollars annually is hereby appropriated for the purpose of the maintenance and enforcement by the board of game and fish commissioners of the provisions of this act, to be paid for such purpose out of the moneys in the treasury not otherwise appropriated.

Repeal of act creating former board of fish commissioners.

SEC. 34. Sections one hundred and three (103), one hundred and four (104), one hundred and five (105), and one hundred and six (106) of Chapter six (6) of the General Statutes of eighteen hundred and seventy-eight (1878), and Chapter twenty (20) of the General Statutes of eighteen hundred and seventy-eight (1878), and Chapters two hundred and five (205), two hundred and six (206) and two hundred and seven (207) of the General Laws of eighteen hundred and eighty-nine (1889), are hereby repealed.

Repeal of all previous game laws.

SEC. 35. This act shall take effect and be in force from and after its passage.

Approved April 20, 1891.

CHAPTER 10.

[H. F. No. 304.]

Pools and trusts. AN ACT TO PROHIBIT POOLS AND TRUSTS IN THE STATE OF MINNESOTA.

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

Prohibition of any combination to regulate prices.

SECTION 1. If any corporation organized under the laws of this state or any other state or country for transacting or conducting any kind of business in this state, or any partnership or individual shall create, enter into, become a member of or a party to any pool, trust, agreement, combination or confederation with any other corporation, partnership or individual to regulate or fix the price of oil; lumber, coal, grain, flour, provisions or any other commodity or article whatever, or shall create, enter into, become a member of a party to any pool, agreement, combination or confederation to fix or limit the amount or quantity of any commodity or article to be manufactured, mined, produced or sold in this state, shall be deemed guilty of a conspiracy to defraud, and be subject to indictment and punishment, as provided in the next section.