

capture any fish whatever, whether mentioned by the provisions of this act or not, at any time between the first day of May and the first day of October of any year; *provided, however, that the provisions of this section shall not apply to any lakes or waters which form a boundary between the state of Minnesota and any other state.*

Penalty.—Sec. 7. Any person or persons who shall violate any of the provisions of this act, or any of the terms of any license issued by the state game and fish commission under the authority of this act, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than \$25.00 nor to exceed the sum of \$100.00, or by imprisonment in the county jail for a period of not less than thirty days nor to exceed ninety days.

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

Approved March 12, 1909.

CHAPTER 55—S. F. No. 185.

An Act to legalize certain conveyances of real property made by husband to wife.

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

Conveyances from husband to wife legalized in certain cases.

Section 1. That all conveyances of real property within this state made between the 26th day of June, 1907, and the 28th day of June, 1907, in which a married man has conveyed real property directly to his wife, and the records of such conveyances which have been recorded in the office of the register of deeds of the proper county in this state, shall be, and the same are hereby declared legal and valid, and such conveyances and the records thereof shall have the same force and effect in all respects for the purpose of notice, evidence, or otherwise, as are or may be provided by law regarding conveyances in other cases; and the rights of any grantee under such a deed shall not be affected by the grantor having died, or by such grantee having subsequently applied for or obtained letters of administration upon the estate of such deceased grantor, or by the land conveyed by any such deed having been set apart as a homestead to such grantee as the widow of such deceased grantor by a probate court in this state. *Provided, that the provisions of this act shall not apply to any action or proceedings in any courts of this state, other than the probate proceedings above specified. Provided further, that this*

act shall not impair vested rights heretofore acquired by third parties in such property for value.

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

Approved March 12, 1909.

CHAPTER 56—S. F. No. 204.

An Act to further conform the organization of the National Guard to that prescribed for the regular army.

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

Section 1. That sections 1048, 1049, 1050, 1051, 1052, 1053 and 1071 of the Revised Laws of Minnesota, 1905, as amended, be and the same are hereby further amended so as to read as follows:

“1048. **How constituted—Peace—Strength**—The active militia, organized, armed and equipped as required by law, shall be known as the ‘Minnesota National Guard.’ In time of peace it shall consist of three regiments of infantry organized into a brigade, and one battalion of field artillery which may be attached to the brigade for the purpose of administration and instruction; also the several staff corps and departments, similar to the staff corps and departments prescribed for the regular army of the United States, which are hereby authorized to the extent that the same may be necessary to provide proper staff officers and enlisted men for the national guard as herein established. The term ‘National Guard’ shall apply only to the militia organized as a land force. The provisions of this chapter relating to the corps of artillery shall apply to the battalion of field artillery.

1049. **Staff officers—Qualifications for command—Changes.**—No appointment on the staff of the governor shall qualify the appointee for the actual command of troops, without the examination and qualifications prescribed by law. For the purpose of conforming the national guard more closely to the organization of the United States army, and not otherwise, the governor may, by orders issued from time to time, fix the number and grade of officers and enlisted men in the staff corps and departments. And in case of war, invasion, insurrection, riot or imminent danger of either, the governor may temporarily increase such force to meet such emergency.

1050. **Organization—Armament.**—The organization, armament and discipline of the Minnesota Guard shall be the same as that which is now or may hereafter be prescribed for the reg-