

ceased the court shall enter its order adjusting and allowing said account as adjusted.

Sec. 5: When administrator is to be discharged.—Upon the filing in such court of vouchers for all disbursements subject to payment paid by said special administrator, the court shall enter its order discharging such special administrator and the sureties on his bond from further liability. Provided, however, that where there is a claim for the alleged wrongful death of the decedent no such special administrator or the sureties on his bond shall be discharged until he shall have filed in the probate court a certified copy of the order of the district court approving such settlement as may be made of such wrongful death claim, and also a certified copy of the order of the district court distributing the moneys received for wrongful death to the persons thereunto entitled.

Sec. 6. This act shall be in force and effect on and after its passage.

Approved April 14, 1917.

CHAPTER 252—H. F. No. 283.

An act to amend Section 4768 of the General Statutes of Minnesota for 1913, relating to the seizure and destruction or sale of contraband nets, firearms and other devices, contrivances and materials had or used in violation of the game and fish laws of this state.

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

Section 1. Proceeds from sale of contraband nets, devices, fire arms, etc., to be paid to the state treasurer.—That section No. 4768 of the General Statutes of Minnesota be amended so as to read as follows:

4768. All nets, seines, lanterns, snares, *fire arms, spears, boats, traps, headlights, or other* devices, contrivances and materials, while in use or had or maintained for the purpose of catching, taking or killing or attracting or deceiving any bird, animal or fish contrary to any provision of this chapter within this state or upon or in the boundary waters thereof, including fish houses, inclosed or other sheltering structures or appliances erected or maintained upon the ice or in any water or on the shore of any lake, pond or stream, is hereby declared to be a public nuisance. The commissioner, all game wardens, sheriffs and their deputies, constables and police officers shall, without warrant or process, take, seize, abate and destroy any and all of the same while being used, had or maintained for such purpose and no liability shall be incurred therefor to any person; *provided, that all such articles, devices, contrivances and*

materials which have a lawful use may, in the discretion of the commissioner, be sold for the highest price obtainable and that all funds obtained from the sale of such seized articles shall be paid to the state treasurer.

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

Approved April 14, 1917.

CHAPTER 253—H. F. No. 288.

An act to amend Section 4800 of the General Statutes of Minnesota for 1913, relating to defining of game birds, harmless birds and injurious birds.

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

Section 1. Game birds further defined and when they may be killed by authority of game and fish commissioner.—That section 4800 of the General Statutes of Minnesota be amended so as to read as follows:

Section 4800. No person shall catch, take, kill, ship or cause to be shipped to any person within or without this state, purchase, offer or expose for sale, sell to any one, have in possession with intent to sell, or have in possession or under control at any time, living or dead, any wild bird, other than a game bird, nor any part thereof, and for the purpose of this chapter the following only shall be considered game birds:

The family anatidae, commonly known as swan, geese, brant, river and sea ducks; The family rallidae, including rails, gallinules and coots; the order limicolae, commonly known as plover, snipe and woodcock; the order gallinae, commonly known as grouse, prairie chickens, pheasants, partridges and quail; the order columbae, or pigeons and doves; provided that blackbirds, crows, English sparrows, sharp-skinned hawks, goshawks and cooper hawks and great horned owls may be killed and had in possession at any time; and provided further that any birds may be killed or destroyed under authority of the game and fish commissioner when they are found to be destroying or injuring game birds on state game farms or state game refuges, or destroying or injuring fish in state fish hatcheries; but nothing herein contained shall be construed to prevent the keeping and sale of song birds as domestic pets.

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

Approved April 14, 1917.