

for public work with such municipality, in the sum of the certified check or negotiable instrument so deposited or paid to such municipality, in all cases where such certified check or other negotiable instrument has been declared forfeited by such municipality.

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

Approved April 15, 1933.

CHAPTER 261—S. F. No. 1079

An act relating to wild animals and to the preservation, protection and propagation thereof and relating to the taking of certain fish with the aid of structures commonly designated as dark houses, amending Mason's Minnesota Statutes of 1927, Section 5585.

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

Section 1. **Spearing of fish from dark houses.**—That Mason's Minnesota Statutes of 1927, Section 5585, be and the same is hereby amended to read as follows:

"5585. *Dark Houses* to protect a person fishing through the ice to take by spearing or angling, pickerel, carp, dogfish, buffalo-fish, waterfish, tullibee, sheepshead, bullheads, catfish, eelpout, garfish, suckers and redhorse, may be used from December 1st to February 1st, following, both inclusive, in all waters of this state, including those over which Minnesota has concurrent jurisdiction with other states, only under license from the *director of game and fish* for which a fee of \$1.00 shall be paid. Such license shall be granted by the *director of game and fish* only on satisfactory evidence that such *dark house* will be used by the applicant for taking fish for domestic or personal use, and not for commercial purposes, provided, that carp so *taken* may be bought and sold at any time. Not more than one *dark house* shall be used by any one person, and every licensee shall have his license on his person while fishing in a *dark house*. The number of the license shall be plainly marked on the exterior of the *dark house*. *Within five days after the close of the season for the use of dark houses, such dark houses shall be removed from the lake, pond or stream on which maintained, and all such dark houses, together with any other enclosures, sheltering structures or appliances remaining on any lake, pond or stream later than five days after the close of the season for the use of dark houses are hereby declared to be public nuisances and the*

director of game and fish and any of his duly authorized representatives, and any sheriffs and their deputies, constables and police officers may with or without warrant or process, take, seize, abate or destroy any and all such nuisances and no liability shall be incurred therefor to any person.

Licenses to erect *dark houses* on certain lakes may be denied by the *director of game and fish* when in his opinion conditions justify such denial."

Sec. 2. Definition.—A dark house, as used in Section 1, is a structure set on the ice and so darkened as to permit the discernment of the fish in the water beneath such structure.

Approved April 15, 1933.

CHAPTER 262—H. F. No. 1143

An act to amend Mason's Minnesota Statutes of 1927, Section 8585, relating to grounds for divorce.

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

Section 1. Grounds for divorce in certain cases.—That Mason's Minnesota Statutes of 1927, Section 8585, be amended to read as follows:

"8585. A divorce from the bonds of matrimony may be adjudged by the district court for any of the following causes:

4. Sentence to imprisonment in any state or *United States prison or any state or United States reformatory* subsequent to the marriage; and in such a case a pardon shall not restore the conjugal rights.

Sec. 2. Same.—That Mason's Minnesota Statutes of 1927, Section 8585, be amended by adding thereto a new subdivision designated as Section 8 and read as follows: *8. Continuous separation under a decree of limited divorce for more than 5 years next preceding the commencement of the action.*

Approved April 15, 1933.