

two trustees, as the case may be, shall be elected to succeed those whose terms will expire on August 1, next following such meeting, and to serve for three years; provided, that all trustees now serving upon the board of any such district shall hold office until the expiration of the terms for which they were heretofore elected, as hereinafter provided, and no new trustees shall be elected to fill the places held by such present trustees except as hereinafter provided. The term for which each trustee is elected shall be designated on the ballot. The board of any such district as now constituted shall continue to serve and to act as such board until August 1, 1927, and until a new board is constituted as herein provided. If any trustee now in office has heretofore been elected for a term expiring after August 1, 1927, he shall be entitled to serve out such term, and shall be deemed to be a member of the new board, and shall hold one of the regular places thereon hereinbefore provided of which the term expires at the same time as the term of such present trustee, or if there be no such place on the board, he shall hold, until the expiration of the term for which he was elected, one of the regular places on the board of which the term expires on August 1 next following the term for which he was elected; provided, that the term for which he was elected shall not be extended, and at the annual meeting next preceding the expiration of such term a successor shall be elected to take office upon the expiration of such term and to serve out the remainder of the regular term of the place on the new board held by such present trustee."

Sec. 2. *"Section 6. The school board in a common school district containing ten or more townships and four or less schools shall have and exercise all powers and responsibilities, and be subject to the same laws and regulations as school boards in independent districts except as herein defined. The board shall have power to employ a superintendent of schools for a term of not to exceed three years, and to fix his compensation."*

Sec. 3. *"Section 7. The clerk and treasurer of the school board in a common school district containing 10 or more townships and four or less schools shall receive such compensation as may be fixed by the board at the annual organization meeting in August, but not to exceed \$100.00 per year."*

Approved April 21, 1933.

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CHAPTER 392—S. F. No. 1685

*An act relating to wild animals and to the preservation, protection and propagation thereof, amending the following sections of*

*Mason's Minnesota Statutes of 1927, and acts amendatory thereof: 5505, 5509, 5510, 5536-1, 5536-2, 5536-8, 5539, 5542, 5543, 5546, 5547, 5548, 5550, 5551, 5556, 5586, 5648, Laws 1927, Chapter 423, Laws 1929, Chapter 366, adding certain new sections and repealing Mason's Minnesota Statutes of 1927, Section 5594-1; amending Mason's Minnesota Statutes of 1927, Sections 5568 and 5574 as amended by Laws 1931, Chapter 323, and Mason's Minnesota Statutes of 1927, Section 5585.*

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

Section 1. **Transportation and exportation of salable fish and game.**—That Mason's Minnesota Statutes of 1927, Section 5505, as amended by Laws 1929, Chapter 417, Section 5, be and the same hereby is amended to read as follows:

"5505 (1) Any person may transport within this state or from a point within to a point without *this state* during the open season any wild animals or parts thereof, which may be lawfully sold, except as specifically prohibited by this chapter.

(2) Any person, except agents or employees of a common carrier while engaged in the performance of their duties, may transport in a vehicle, boat, or other means of transportation otherwise than by common carrier, or may carry with him as baggage on a common carrier any wild animals, including fish, which may be legally in his possession, and common carriers are hereby permitted to carry such wild animals as baggage. If any such wild animal is carried as baggage and is contained in any package, sack, crate or other container there shall be attached to the outside thereof a tag signed by the licensee, written or printed, showing the name and address and license number of such licensee and the number and kind of wild animals or parts thereof contained in the same.

(3) Any resident of this state may ship or transport by common carrier to any point in the county in which he resides, consigned to himself only, during any one open season not more than 45 game birds, of which not more than 36 may be water fowl, rails, or shore birds, and not more than 9 may be upland game birds; provided, that not more than 3 shipments may be made in any one season and no shipment shall contain more than 12 waterfowl, rails, or shore birds of all kinds in the aggregate, nor more than 3 upland game birds of all kinds in the aggregate; and any such resident may so ship or transport during any one open season one deer lawfully taken and lawfully in his possession, and may so ship or transport the head or hide of any deer lawfully taken and lawfully in his possession for mounting or tanning purposes to a point within or without this state; all subject to the provisions of General Statutes 1923, Section 5506, as amended.

(4) A non-resident may ship or transport by common carrier to a point within or without this state, consigned to himself only, during any one open season 25 game birds and one deer lawfully taken or killed and possessed by him in this state, in the manner provided by Section 5506 of this chapter, *and may transport such birds or deer out of the state by vehicle or other means of transportation otherwise than by common carrier.*

(5) Except as otherwise expressly provided by law, no person shall ship or transport any fish outside of this state except those which may lawfully be sold within the state.

(6) Any variety of fish lawfully taken in commercial fishing operations in interstate or international waters may be shipped outside of this state.

(7) A non-resident duly licensed to fish in this state, may, however, ship or transport by common carrier, or carry with him, to a point outside this state not to exceed 24 pounds of fish of any variety or one fish lawfully caught by him in this state on the following conditions:

(a) Each non-resident angling license shall have attached thereto a shipping or transportation coupon for which no charge shall be made and such coupon shall be divided into three equal parts, each part of which shall state the license number and shall contain blank spaces for the name and address of the licensee, the point of origin, the point of destination of shipment, the number of pounds and the variety being shipped, and shall be executed in ink by the licensee and affixed by the licensee to the receptacle containing the fish. Each non-resident licensee holding such transportation coupon may ship or transport to a point outside the state not to exceed 8 pounds of undressed fish on each of the three coupons.

(b) Only undressed fish may be shipped.

(c) Such shipment shall be made by the licensee to himself only.

(8) A resident may ship fish lawfully taken and possessed by him from one point in the state to another provided such shipment must be made to the person taking such fish.

(9) No person shall at any time ship or transport a greater number of any kind of wild animals than he is permitted by law to have in possession at such time. All wild animals under the control of any person, whether actually in his personal custody or in transit or at their destination after shipment, or otherwise, shall be deemed to be in the possession of such person for the purposes of this section and of any other law relating to wild animals."

Sec. 2. **Hunting within two miles of certain cities.**—That Mason's Minnesota Statutes of 1927, Section 5509, be and the same hereby is amended to read as follows:

"5509. No person shall hunt or have in possession for the purpose of hunting, within *two* miles of the corporate limits of any city having a population of 50,000 or more, any gun, rifle, or other firearm. Target practice on duly established and properly guarded rifle ranges, and trap shooting or gun practice by members of duly organized gun clubs on lands owned or leased or occupied for that purpose by such clubs, are excepted from the operation of this section."

Sec. 3. **Penalties for violations.**—That Mason's Minnesota Statutes of 1927, Section 5510, subdivision (3) as amended by Laws 1929, Chapter 417, and Laws 1931, Chapter 399, be and the same hereby is amended to read as follows:

"5510 (3). A person who buys, offers to buy, sells, offers for sale, takes, possesses or transports any of the following wild game or game birds or any part thereof, in violation of this chapter, shall be punished as follows:

(a) *Deer*, by a fine of not less than \$25.00 nor more than \$100.00 or by imprisonment in the county jail for not less than 30 days nor more than 90 days.

(b) *Moose, elk and caribou*, by a fine of not less than \$75.00 nor more than \$100.00 or by imprisonment in the county jail for not less than 30 days nor more than 90 days.

(c) *Game birds*, by a fine of not less than \$10.00 and not to exceed \$100.00 for each bird, or by imprisonment in the county jail for not less than 10 days nor more than 90 days.

(d) *The use of an artificial light in hunting* shall be punished by a fine of not less than \$25.00 nor more than \$100.00, or by imprisonment in the county jail for not less than 30 days nor more than 90 days.

(e) *The placing of a set gun* shall be a gross misdemeanor.

Sec. 4. **Game and fish license act—of whom required.**—That Mason's Minnesota Statutes of 1927, Section 5536-1, as amended by Laws 1929, Chapter 332, Section 1, be and the same hereby is amended to read as follows:

"1. No person shall kill, take or attempt to take in any manner any protected wild animal, or engage in hunting, pursuing, or trapping for the purpose of taking any protected wild quadruped

or bird, or engage in fishing for the purpose of taking any game fish, without first obtaining a license from the director of game and fish so to do, as provided by this act unless otherwise specifically permitted by law. Residents of the state shall be required to procure hunting licenses at the age of 16 years for the purpose of hunting protected wild animals or game birds and a resident of the state shall be required to procure a fishing license at the age of 18 years for the purpose of fishing. Non-resident of the state under 16 years of age may take fish without procuring a license, but may not transport or ship any fish out of the state without procuring a license, provided, that no non-resident under 16 years of age may fish without a non-resident fishing license unless his or her parent or guardian shall have obtained and have in his or her possession such non-resident fishing license. No trapping license shall be issued to any non-resident of the state. All licenses shall be issued for the calendar year, and no reduction in fees shall be made for fractions of a year. Only one license of each kind shall be issued to any one person in any calendar year. No license shall be transferable."

Sec. 5. **Kind of licenses and fees therefor.**—That Mason's Minnesota Statutes of 1927, Section 5536-2, as amended by Laws 1929, Chapter 332, Section 2, be and the same hereby is amended to read as follows:

"5536-2 (A) The kinds of licenses, the fees to be paid therefor, and the kinds of animals which may be taken thereunder, respectively, subject to all other provisions of law relating to the taking of wild animals, shall be as follows:

(1) Resident small game hunting license, \$1.00, to take all small game;

(2) Non-resident small game hunting license, \$25.00 to take all small game;

(3) Resident big game hunting license, \$2.00, to take all big game;

(4) Non-resident big game hunting license, \$50.00, to take all big game;

(5) Resident trapping license, \$1.00, to trap all fur bearing animals.

(6) Resident fishing license, \$.50 to take fish, provided that a resident fishing license shall be issued to the head of a family authorizing all members thereof to use the same by paying a fee of \$1.00, and it shall be the duty of the *director of game and fish* to issue an identification card without payment of any fee for each

member of a family of the age of 18 years, the head of which has applied for and received such resident fishing license: *For the purpose of this chapter the word "family" shall be defined as the immediate family, i. e.; husband and wife, or guardian, and children under the age of 18 years having their abode and domicile with such parents or guardian.*

(7) Non-resident fishing license, \$3.00, to take fish;

(B) The term "big game" as used herein shall include deer, moose, elk, caribou and bear, and the term "small game" as used herein shall include all other protected wild quadrupeds and wild birds.

(C) Every license shall have printed thereon the kind thereof and the name of all wild animals which may lawfully be taken thereunder, and shall entitle the person to whom issued to take the wild animals therein specified in such manner and at such times and places as may be permitted by law. Protected wild animals may be taken under a hunting license only by hunting with a firearm or other lawful weapon. Protected fur-bearing animals may be taken under a trapping license only with lawful traps. Fish may be taken under fishing license only by angling or spearing."

Sec. 6. **Violations of law by licensees.**—That Mason's Minnesota Statutes of 1927, Section 5536-8, as amended by Laws 1929, Chapter 332, Section 4, be and the same hereby is amended to read as follows:

"5536-8. Upon conviction of any person for any violation of any provision of law relating to any license issued to such person or relating to the wild animals covered by such license, such license shall immediately become null and void and no license of the same kind shall be issued to such person for a period of one year after the date of commission of the offense. Upon conviction of any person for hunting, fishing, or trapping without a license or doing without a license any other act for which a license is required as hereinbefore provided, no license of the kind required for the doing of such act shall be issued to such person for one year after the date of conviction of the offense. Provided, that this section shall not apply to resident fishing licenses or to the taking of fish by residents by angling or spearing *with or without license and provided that this exemption shall not apply to residents using dark houses with or without licenses.*"

Sec. 7. **Manner of taking big game.**—That Mason's Minnesota Statutes of 1927, Section 5539, as amended by Laws 1929, Chapter 418, be and the same hereby is amended to read as follows:

"5539. (1) No artificial light, including automobile and motorcycle headlights and spot lights, snare, trap, set gun, swivel gun, salt lick or other device to entrap or entice deer shall be used, made or set, nor shall any deer be taken by aid or use thereof. No snare for wolves or other wild quadrupeds shall be set in any runway used by deer. No such snare shall be set with a loop of greater maximum diameter than 12 inches, nor with the top of the loop higher than 24 inches above the ground. No spring pole shall be set or used with any such snare. Deer shall not be shot from any artificial scaffold, platform, or other construction higher than 6 feet above the ground. Deer shall not be hunted or pursued or killed with dogs. Violation of any provision of this Subdivision relating to set guns or swivel guns shall be a gross misdemeanor. Violation of any provision of this Subdivision relating to artificial lights shall be a misdemeanor, and shall be punishable by a fine of not less than \$25 nor more than \$100, or by imprisonment in the county jail for not less than 30 days nor more than 90 days. *Violation of any other provision of this Subdivision shall be a misdemeanor.*

(2) The licensee shall, after killing a deer, immediately affix to the carcass thereof, coupon tag "B" of his license. Immediately after a deer has been killed there shall be affixed to each carcass of deer before the same is transported or offered for transportation, a metal locking seal bearing the license number of the owner thereof and the year issued in figures, said seal to be furnished by the *director of game and fish* through the county auditors when licenses are sold and for which a fee of 25 cents shall be paid."

Sec. 8. **Open season for fur bearing animals.**—That Mason's Minnesota Statutes of 1927, Section 5542, as amended by Laws 1929, Chapter 418, and Laws 1931, Chapter 379, Subdivision (1), be and the same hereby is amended to read as follows:

"5542. (1) Mink may be taken by trapping between November 1st and February 15th following, both dates inclusive, and bought, sold and possessed at any time; provided no traps for mink shall be set in any muskrat house or runway and provided that mink may not be dug from their dens or taken with the aid of dogs."

Sec. 9. **Same.**—That Mason's Minnesota Statutes of 1927, Section 5543, as amended Laws 1929, Chapter 418, Subsection 1, be and the same hereby is amended to read as follows:

"5543. (1) No person shall take or possess marten, fisher, otter or beaver at any time, or molest or disturb any marten, fisher, otter or beaver, except as hereinafter provided."

Sec. 10. Snowshoe rabbits and mink.—That Mason's Minnesota Statutes of 1927, Section 5546, as amended Laws 1929, Chapter 418, be and the same hereby is amended to read as follows:

"5546. Varying hare or snow shoe rabbit may be taken either in the day time or at night and in any manner except that poison may not be used and as provided in sub-division 1 of Section 4 of this act."

Sec. 11. Traffic in furs.—That Mason's Minnesota Statutes of 1927, Section 5547, be and the same hereby is amended to read as follows:

"5547. Nothing in this act shall be construed as prohibiting the buying, shipping or having in possession at any time, of the skins of fur-bearing animals legally killed within or without the state, and of the hides of moose or deer legally killed within or without the state, upon proof that *such furs and hides were legally taken*. No person shall engage in the business of buying furs until he shall have procured a license so to do from the *director of game and fish*. Fees, payable to the *director of game and fish* for such license shall be as follows: For a local resident fur buyer's license, \$1.00; for a resident traveling fur buyer's license, \$10.00; for a non-resident local or traveling fur buyer's license, \$25.00; for a *resident* wholesale fur buyer's license, \$1.00. Such fur buyer's licenses shall be issued for the calendar year and may be revoked by the *director of game and fish* for any violation of the law relating to wild animals or for fraudulent practices employed in connection with the buying of furs under such license. All fur buyers shall furnish to the *director of game and fish* such reports as he may require for statistical purposes on blanks furnished them for this purpose. Any person applying for a fur buyer's license shall at the time of his application furnish a bond, either personal or corporate surety in favor of the state in the penal sum of \$1,000.00 conditioned upon the observance of all laws of this state relating to wild animals. No beaver trapping license shall be issued to any person to whom a fur buyer's license shall have been issued and in force. *For the purpose of this act a local resident fur buyer shall be defined as a person who buys or purchases furs at a definitely established place of business as distinguished from an itinerant or traveling buyer.*"

Sec. 12. Open season for game birds.—That Mason's Minnesota Statutes of 1927, Section 5548, as amended Laws 1931, Chapter 339, be and the same hereby is amended to read as follows:

"5548. Mourning dove, prairie chicken (also called pinnated grouse), white breasted (also called sharptailed) grouse, and upland plover may be taken or possessed between September 16th and



October 1st following, both inclusive, and woodcock may be taken or possessed between October 1st and November 30, both inclusive; provided that said kinds of birds may be taken in any year in any county and subject to such other provisions not inconsistent with law, as the director of game and fish may by regulation from time to time prescribe so as properly to protect such mourning dove, prairie chicken (also called pinnated grouse) white breasted (also called sharp-tailed) grouse, and upland plover and prevent the undue depletion thereof, according to the conditions in the respective counties; provided, that no new regulations or amendment of any existing regulation shall become effective in any season unless promulgated and published according to law on or before the first day of September next preceding such season. No hunter shall discharge any firearm at any game birds which are within the limits of any state trunk highway, except migratory game birds."

Sec. 13. **Bird dogs.**—That Mason's Minnesota Statutes of 1927, Section 5550, be and the same hereby is amended to read as follows:

"5550. Game birds may be taken during the open season with the aid of dogs. The owner or trainer of a dog may take the same afield for the purpose of training said dog, from August 15th to February 1st following, both inclusive, provided that such owner or trainer shall carry no firearms of more than 22 caliber, and the use of firearms of 22 caliber with blank cartridges in training dogs is hereby permitted when done so as not to inflict upon any game birds or quadrupeds contrary to law. The use or training of dogs between February 1st and August 14th following, both inclusive, in fields inhabited or frequented by game birds is prohibited. Any dog so used is hereby declared to be a public nuisance and may be summarily killed by any person."

Sec. 14. **Open season for certain game birds.**—That Mason's Minnesota Statutes of 1927, Section 5551, as amended Laws 1931, Chapter 69, be and the same hereby is amended to read as follows:

"5551. Quail may be taken and possessed between October 15th and November 20th following, both inclusive, but nothing in this chapter shall be construed to permit the taking or killing of Canada spruce grouse, or of wild turkeys or Hungarian Gray partridges. Partridges or ruffed grouse and Chinese ringneck or English pheasants may be taken and possessed only in such counties of the State and during such times in the several counties, not exceeding any 21 days, between October 15th and December 1st following, both days inclusive, in any year in any county and subject to such other provisions not inconsistent with law, as the director of game and fish may by regulation from time to time prescribe

so as properly to protect such partridges or ruffed grouse and pheasants and prevent the undue depletion thereof, according to the conditions in the respective counties; provided, that no new regulation or amendment of any existing regulation shall become effective in any season unless promulgated and published according to law on or before the first day of October next preceding such season. *No hunter shall discharge any firearm at any game birds which are within the limits of any state trunk highway, except migratory game birds.*"

Sec. 15. **Manner of taking water fowl.**—That Mason's Minnesota Statutes of 1927, Section 5556, as amended by Laws 1931, Chapter 399, Paragraph (a) be and the same hereby is amended to read as follows:

"5556 (a) Waterfowl and rails may be taken during the open season from any place on land from a stationary or permanent artificial blind used to conceal the hunter when located on land, but not from a permanent artificial blind placed anywhere in public waters and may also be taken from a temporary but stationary blind or from a boat or canoe propelled by paddle, oar or pole (other than a sail or power boat) when the same is within a natural growth of weeds, rushes, flags or other vegetation sufficient to partially conceal the hunter, but may not be taken from power or sail boats or upon the open water or from aeroplanes, or from sink boxes built in public waters. *It shall be unlawful to hunt or attempt to hunt any migratory waterfowl, or to molest, harry or worry such waterfowl by discharging any firearms or other noise-producing devices, within 300 yards of any area in which has been placed any natural or prepared grains for the purpose of attracting migratory waterfowl, and which practice is commonly known as "baiting".*"

Sec. 16. **Shipment of pelts and eggs.**—That Laws 1927, Chapter 423, Section 5, be and the same hereby is amended to read as follows:

"Sec. 5. When any pelts or products of any animals or game birds raised by any licensee under the provisions of this act are sold or transported, the same shall be tagged with a tag, to be furnished by the *director of game and fish* to the licensee at cost, not exceeding one cent each. *Such pelts or products shall be tagged by the director of game and fish or his duly authorized representative.*"

Sec. 17. **Transportation of live beaver.**—That Laws 1929, Chapter 366, Section 4, Subdivision (4) be and the same hereby is amended to read as follows:

"(4) No live beaver shall be transported for any purpose unless the person transporting the same shall first obtain a special permit therefor from the *director of game and fish*. Any person desiring such permit shall make a verified written application to the *director of game and fish* setting forth the number of such beaver, the place where the same are kept, how, where and from whom and under what authority the same were obtained, the date and place from which it is proposed to transport the same, the method and route of transportation, the place of destination, the name and address of the consignee, the purpose for which the beaver are intended and the authority of the consignee to receive, keep, and dispose of the beaver for such purpose. If all the provisions of the law relating to such beaver and to the proposed transportation and disposition thereof have been and will be complied with, the *director of game and fish* shall grant such special permit, and shall issue therewith suitable tags which shall be affixed to the cages or other containers by the *director of game and fish* or his duly authorized representative in which such beaver are transported."

Sec. 18. **Sale of protected wild animals.**—That Laws 1929, Chapter 366, Section 13, subdivision (2) be and the same hereby is amended to read as follows:

"(2) Protected wild animals of any kind may be taken for scientific, educational or exhibition purposes, or for use as pets, and may be possessed, transported or otherwise disposed of by sale or in connection with such purposes only under special permits issued therefor by the *director of game and fish* and subject to such regulations and the payment of such fees as the *director of game and fish* may prescribe, provided, however, that the *director of game and fish* at his discretion may issue permits also for the slaughtering of such animals and the use by the owner, the sale or disposal by gift of the carcasses of such animals."

Sec. 19. **Seizure of game and fish.**—That Mason's Minnesota Statutes of 1927, Section 5631, Paragraph (4), be and the same hereby is amended to read as follows:

"(4) To seize and confiscate in the name of the state any wild animal, including birds or fish or carcasses or parts thereof, caught, killed, taken or had in possession or under control, or sold or transported in violation of this chapter, and to seize, confiscate and dispose of all guns, firearms, nets, boats, lines, rods, poles, fishing tackle, lights, lanterns, snares, traps, spears or dark houses, unlawfully used or had in possession with intent to unlawfully use the same in pursuing, taking, attempting to take, conceal or dispose of, or transport such wild animals. Articles which have no lawful use may be summarily destroyed. All confiscated wild animals or car-

casses or parts thereof, and all confiscated apparatus, appliances or devices, shall, if not destroyed as authorized by law, be retained by the *director of game and fish* for the use of the department or sold at the highest price obtainable by the *director of game and fish* or game wardens, or by an agent of the *director of game and fish*, under written authority and supervision of the *director of game and fish*. The net proceeds of such sales, after deducting the expense of seizure and sale, and any such commissions, shall be promptly remitted by the warden by whom and under whose authority and supervision the sales were made, to the *director of game and fish*, and by him paid into the state treasury; the remittance to be accompanied by the complete and certified report of such sales, supported by proper vouchers covering all deductions made for expenses and commissions, to be filed for record in the office of the *director of game and fish*."

Sec. 20. **Open season for fishing in boundary waters.**—That Mason's Minnesota Statutes of 1927, Section 5648, be and the same hereby is amended to read as follows:

"5648. In all cases where the date for the opening of the season for taking fish in waters forming a common boundary between this and other states and the *Province of Ontario*, is later, or where the day for the closing of the season for taking fish in such waters is earlier in Minnesota than it is in any other state or states or *Province of Ontario* bounded by such waters, then and in such case the *director of game and fish* may promulgate and publish an order fixing the days for the opening and the closing of the season for taking fish in such waters coincident with the opening and closing days of the season of such other state or *Province of Ontario* for taking fish in such waters, and thereafter and until said order is amended or repealed such open season for taking fish in such water shall be as in said order provided. The *director of game and fish* is hereby authorized and empowered to enter into arrangements jointly with the proper authorities of such other state or *Province of Ontario* bounded by such waters for the supervision of fishing therein, for the closing thereof, for the stocking thereof; for the enforcement of fishing laws of both states or *Province of Ontario* in such waters, and for locating the boundary line."

Sec. 21. **Unlawful entry upon farms or places where game birds or animals are kept for breeding purposes.**—That Mason's Minnesota Statutes of 1927, Section 5541, as amended by Laws 1929, Chapter 418, and as amended by Laws 1931, Chapter 311, be and the same hereby is amended by adding thereto a subdivision to be known as Subdivision (5).

"(5) 1. Every person engaging in the business of tanning and dressing of raw furs, hides or pelts of beaver, otter, fisher, marten, muskrat, mink, skunk, deer or bear shall procure a license so to do from the director of game and fish, and for which he shall pay a fee of (\$2.00).

2. All licenses issued hereunder shall be for the calendar year and shall expire on the 31st day of December of each year. Licenses may be revoked at any time by the director of game and fish for any violation of the law relating to wild animals.

3. Every person engaged in the business of tanning and dressing of raw furs under license issued by the director of game and fish, shall report to the director of game and fish the number and kinds of raw hides or pelts of beaver and muskrat received for tanning and dressing purposes, when received and from whom, and shall keep a register of such transactions which register shall be open for inspection by the director of game and fish or his duly authorized representatives. Upon reporting to the director of game and fish of the receipt of any shipment of raw beaver or muskrat hides or pelts for the purpose of tanning and dressing, the director of game and fish or his duly authorized representative shall cause to be attached to each individual hide or pelt, an identification tag or seal, which tag or seal shall remain on such hide or pelt during all of the time such hide or pelt is in the process of tanning and dressing. The tag or seal attached by the director of game and fish or his representative shall be of such a nature as not to interfere in any way with the tanning and dressing process and shall be attached so as not to materially damage the hide or pelt to which attached. Such tags or seals shall be procured from the director of game and fish by the licensee and for which he shall pay one cent each, which tags or seals shall remain attached to such hides or pelts during all times such hides or pelts are in the possession of such tanner. All raw hides and pelts of beaver and muskrat found in any tannery, whether in the process of tanning or dressing, without having attached thereto such tags or seals as authorized by this chapter, shall be deemed contraband and subject to seizure by the director of game and fish or his duly authorized representative, and no action for damages shall be maintained against the director of game and fish or his representative for such seizure.

4. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

Sec. 22. General powers and duties of commissioner.—That Mason's Minnesota Statutes of 1927, Section 5630, as amended by Laws 1921, Chapter 319 and as amended by Laws 1931, Chapters

376 and 391, be and the same hereby is amended by adding thereto Subsections to be known as Subsection j, k, and l.

*"j. All income which may be received from the sale of timber, hay stumpage, right-of-way leases, homesite and resort leases or any other special use permits from lands acquired by the state in accordance with the provisions of Mason's Minnesota Statutes of 1927, Section 5630, as amended by Laws 1929, Chapter 319, and Laws 1931, Chapter 376 and 391, and which have been designated or will be designated as public hunting grounds and game refuges, shall be paid to the director of game and fish and by him transmitted to the State Treasurer who shall credit such funds to a "Public Hunting Grounds and Game Refuges Revolving Fund" which fund is hereby created and the same is hereby annually appropriated for the purpose of defraying expenses in the management of such public hunting grounds and game refuges; provided, that this act shall not apply to state trust lands and lands acquired under the system of rural credits, and provided further that should the income received from such sale of timber, hay stumpage, right-of-way leases, homesite and resort leases or any special use permits, be insufficient to defray expenses in the management of such public hunting grounds and game refuges, then the director of game and fish may transfer from the "Public Shooting Grounds Fund" to the "Public Hunting Grounds and Game Refuges Revolving Fund" sufficient funds to defray such management expenses."*

*"k. 1. The State of Minnesota shall hereafter pay annually to each county in which there are now, or hereafter shall be situated, any public shooting grounds and game refuges, authorized by Mason's Minnesota Statutes of 1927, Section 5630, as amended by Laws 1929, Chapter 319, the sum equal to 35 per cent of the gross receipts of aforesaid public hunting grounds and game refuges, located within such counties which payment shall be received and distributed by the County Treasurer among the various funds of the county, the respective towns and school districts therein and wherein such grounds and refuges lie, on the same basis as if the payment had been received as taxes on such lands payable in the current year; provided, however, that this act shall not apply to state trust lands.*

*2. The director of game and fish shall annually draw warrants in favor of the respective counties entitled thereto upon the State Auditor for the proper amounts, and the State Treasurer shall pay such warrants from the "Public Hunting Grounds and Game Refuges Revolving Fund."*

*l. 1. Any person, who shall engage in conducting a taxidermist business, as the term is commonly understood, to prepare*

or mount any skins or dead bodies of any game birds or animals in this state for profit, shall first procure a license so to do from the director of game and fish, which may be granted to any person in the discretion of the director and for which license a fee of \$2.00 shall be paid to the director by such person. Licenses shall expire on the 31st day of December of the year in which issued. Any person engaged in conducting a taxidermist business who fails to procure a license so to do shall be guilty of a misdemeanor.

2. Any taxidermist who shall mount specimens of game animals, birds or fish, shall keep a register in which a list of the names of all persons who furnish him with raw or unmounted specimens shall be kept, together with the species of bird or animal received, and when and where such bird or animal was killed, and such taxidermist shall be required to exhibit such register, together with all unmounted skins or specimens in his possession to the director or his authorized agent, upon demand. Any person failing to do so shall be guilty of a misdemeanor.

3. On proof that any holder of any taxidermist license has violated any of the provisions of this chapter, his license shall be revoked and no license of the same kind shall be issued to such person for a period of one year after the revocation of such license.

4. The provisions of this chapter shall not, however, apply to persons who have been issued permits by the director under the terms of Section 5626, Mason's Minnesota Statutes of 1927."

Sec. 23. **Fishing through ice with aid of lights.**—That Mason's Minnesota Statutes of 1927, Section 5499, as amended by Laws 1929, Chapter 417, be and the same hereby is amended by adding thereto a subsection to be known as subsection 1.

"1. 1. No person shall set, place or use any snag line or snag pole, snag hook, or parts thereof, or cluster of fishhooks that might be attached to same, designed to be placed in or drawn through the water for the purpose of catching or drawing such hooks into the body of fish, provided that the use of one trolling spoon or one artificial bait is permitted.

2. Violation of this chapter shall be a misdemeanor."

Sec. 24. **Law repealed.**—That Mason's Minnesota Statutes of 1927, Section 5594-1, as amended Laws 1929, Chapter 315, be and the same hereby is repealed.

Sec. 25. **Open season for certain fish.**—That Mason's Minnesota Statutes of 1927, Section 5568 as amended by Laws 1931, Chapter 323, Section 1, be amended so as to read as follows:

"5568. Wall-eyed pike (except sand pike), Great Northern pike or pickerel, and yellow perch may be taken by angling and thereafter possessed between May 15th and *March 1st* following, both inclusive. A person may take not to exceed eight such pike or ten such Great Northern Pike or pickerel in a day, and may have not to exceed 16 such pike or 20 Great Northern pike or pickerel in his possession at one time. Yellow perch may be taken and possessed without limit as to number;—provided, that the commissioner may, whenever he deems it necessary to prevent the undue depletion of perch in any waters, fix by regulation a limit of 25 perch per day therein. All such fish taken, regardless of size, may be retained in possession and counted. Wall-eyed pike, Great Northern pike or pickerel, and perch, except those taken from waters which may be open for the sale thereof by the commissioner, may not be bought or sold at any time. Great Northern pike or pickerel may be taken by spearing through the ice between December 1st and *March 1st* following, both inclusive, and such fish so speared may be possessed during said time."

Sec. 26. Same.—That Mason's Minnesota Statutes of 1927, Section 5574 as amended by Laws 1931, Chapter 323, Section 2, be amended so as to read as follows:

"5574. Carp, dogfish, redhorse, sheepshead, catfish, suckers, eelpout, garfish, bullheads of any size, whitefish not less than 16 inches in length, and buffalofish of not less than 15 inches in length may be taken by angling, except during March and April, or by spearing through the ice between December 1st and *March 1st* following, both inclusive, and possessed, without limit, unless otherwise specially provided. Such fish may be bought or sold in any quantity at any time. Provided however that the Commissioner of Game and Fish may allow the use of artificial lights in spearing rough fish in such areas as he may deem proper."

Sec. 27. Open season for fish houses.—That Mason's Minnesota Statutes of 1927, Section 5585, be amended so as to read as follows:

"5585. Fishhouses or shelters to protect a person fishing through the ice to take by spearing or angling, pickerel, carp, dogfish, buffalo-fish, white fish, tullibeas, sheepshead, bullheads, catfish, eelpout, garfish, suckers and redhorse, may be used from December 1st to *March 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 commissioner for which a fee of \$1.00 shall be paid. Such license shall be granted by the commissioner only on satisfactory evidence that such fish house will be used by the applicant for taking fish for domestic



or personal use, and not for commercial purposes, provided, that carp so caught may be bought and sold at any time. Not more than one fish house shall be used by any one person, and every licensee shall have his license on his person while fishing in a fish house. The number of the license shall be plainly marked on the exterior of the fish house. Licenses to erect fish houses on certain lakes may be denied by the commissioner when in his opinion conditions justify such denial."

Approved April 21, 1933.

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CHAPTER 393—S. F. No. 1709

*An act authorizing County Boards of certain counties to contract with certain hospitals for the care, treatment and hospitalization of indigent residents of such counties and validating certain contracts heretofore made.*

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

**Section 1. County board may contract with hospitals for care of poor.**—The county board of any county in this state having a population of not more than seventy thousand inhabitants, nor less than fifty thousand inhabitants, according to the last Federal census, in which county there is located a hospital designated and rated as a Class A. Hospital by the American Hospital of Surgeons, and the county board of any county adjoining any such county in which is located such a hospital, is hereby authorized to contract with such hospital to care for, treat and hospitalize the indigent residents of such county who are afflicted with a malady, deformity, or ailment of a nature which can probably be remedied by hospital service and treatment and who are unable, financially, to secure and pay for such care and treatment, or, in the case of a minor, whose parent, guardian, trustee or other person having lawful custody of his person, as the case may be, is unable financially to secure or provide such care and treatment.

**Sec. 2. Application to be made to judge of probate.**—Whenever the existence of a case described in Section 1 of this act shall come to the notice of the sheriff, town clerk, health officer, public health nurse, peace officer, public official, or physician or surgeon, it shall be his duty to, and any other person may, file with the Judge of Probate of the county of the legal residence of such indigent person requiring such care and treatment an application of the