

When fees shall be taxed they shall be taxed and paid as in ordinary cases in courts of justices of the peace and shall be the same in amount as are provided in *Laws 1895, Chapter 229*, as hereinbefore stated."

Approved April 5, 1935.

CHAPTER 115—H. F. No. 578.

An act to amend Mason's Minnesota Statutes of 1927, Section 5625-1, as amended by Laws 1929, Chapter 366, Section 1, and Section 5625-2, as amended by Laws 1929, Chapter 366, Section 2, and Section 5625-5, as amended by Laws 1933, Chapter 392, Section 16, and Section 5625-6, as amended by Laws 1929, Chapter 366, Section 5, relating to wild animals and to the preservation, protection and propagation thereof, and to raising wild animals.

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

Section 1. **Farms for breeding and propagation of certain fur bearing animals and game birds.**—Mason's Minnesota Statutes of 1927, Section 5625-1, as amended by Laws 1929, Chapter 366, Section 1, is hereby amended so as to read as follows:

"5625-1. The owner or lessee of any lands or private waters within the State of Minnesota, suitable for breeding and propagating *wild animals*, fur bearing animals and game birds shall have the right to establish, operate, and maintain thereon a farm or ranch for the purpose of breeding, propagating, and dealing in such animals or game birds and their pelts or products, upon enclosing said lands or private waters or portions thereof, as hereinafter provided, and upon complying with the provisions thereof of this act and obtaining a license therefor, as hereinafter provided: provided that the breeding or propagating of or dealing in deer shall not be permitted under this act. The term "private waters", as used herein, shall mean all bodies of water or streams, whether meandered or not, of a normally shallow, swampy, marshy or boggy character, not navigable in fact and no longer of any substantial beneficial use to the general public, and where all of the land immediately abutting upon, surrounding or bordering on said waters, together with all riparian rights incident thereto, are owned or held under written lease from the owner by the person, firm or corporation making application

hereunder. Lands or private waters to be used as a farm or ranch for raising *wild animals*, fur bearing animals or game birds shall have suitable enclosures approved by the *Director of Game and Fish* for confining the respective kinds of *wild animals*, fur bearing animals or birds to be raised thereon."

Sec. 2. Same—licenses—applications for.—Mason's Minnesota Statutes of 1927, Section 5625-2, as amended by Laws 1929, Chapter 366, Section 2, is hereby amended so as to read as follows:

"5625-2. (1) A verified application for such license in triplicate shall be filed by such owner or lessee with the *Director of Game and Fish*, describing the lands or private waters which the applicant desires to use for the purposes specified, setting forth the title or leasehold of the applicant and the number of acres enclosed, stating the approximate acreage of land and water separately, and with a suitable map or diagram of the same showing conditions therein, specifying the kinds of *wild animals*, fur bearing animals and game birds which the applicant desires to keep and raise, and stating the number and kind thereof already in his possession, if any, and that he obtained the same in lawful manner.

(2) If the applicant is a corporation, the application shall be made in the name of the corporation by the president or authorized managing officer thereof, and shall set forth the names and addresses of all the officers, directors, and stockholders of the corporation, stating the number and par value of the shares of stock owned by each. If the applicant is a partnership or unincorporated association, the application shall be made by an authorized partner, member, or managing officer, and shall set forth the names and addresses of the members of the partnership or association and their respective financial interests and other rights of ownership and control therein.

(3) Upon the filing of such application the *director* shall forthwith investigate the same, and may require the applicant to produce satisfactory evidence of the facts therein stated and of compliance by the applicant with the provisions of this act. If upon examination it shall appear that the applicant is the owner or lessee of such lands and of such waters and the riparian rights therein, as the case may be, and intends in good faith to establish, operate, and maintain a farm or ranch for the raising of such *wild animals*, fur bearing animals and game birds in accordance with this act, and has complied

with all the provisions of this act, the *director* shall issue a license to the applicant, describing the lands and waters and certifying that the licensee is lawfully entitled to use the same for breeding, propagating, trapping, and dealing in the kind or kinds of *wild animals*, fur bearing animals and the game birds therein specified.

(4) When such license has been granted the licensee shall become the owner of all protected fur bearing animals of the kind or kinds specified in the license lawfully held in captivity on such lands or waters as provided by this act and of all their offspring remaining thereon; provided that as to muskrats and/or beaver, the provisions of *Mason's Minnesota Statutes of 1927, Section 5625-3*, shall be complied with: provided further, that the licensee shall not become the owner of any wild game birds found upon his premises, and no such game birds shall be confined or taken thereon except as otherwise expressly permitted by this act or other provisions of law.

(5) Such license or any interest therein shall be transferable with the title or leasehold of the lands for which the same was granted, or a corresponding interest therein, upon the conditions hereinafter prescribed. No such transfer shall be valid unless and until a verified written report thereof is made in triplicate to the *director* by the licensee making the transfer, accompanied by a copy of any deed, assignment, lease, or other instrument transferring the corresponding title or leasehold in the premises. No transfer of any interest in any license less than the whole thereof shall be valid except to a bona fide partner or associate in the ownership and operation of the farm or ranch for which the license was issued, and unless such transfer is accompanied by a deed, assignment, lease, or other proper instrument conveying to the transferee a corresponding undivided or joint interest in the title or leasehold of the entire farm or ranch.

(6) No grantee or lessee of any portion of the area of any such farm or ranch less than the whole thereof, or of any interest in such portion, shall acquire therewith any right or interest in any such license on such farm or ranch; provided, that in case of the transfer of the title or leasehold of a portion of such farm or ranch which complies with the original requirements for obtaining such license, the entire license may be transferred therewith. In case of any sale, lease, or other transfer of any portion of such farm or ranch where the entire license is not transferred therewith, the licensee shall immediately make a verified written report thereof in triplicate

to the *Director of the Division of Game and Fish*, accompanied by a copy of the deed, lease, or other instrument evidencing the transaction. After any such sale, lease, or transfer the license for such farm or ranch shall be valid upon the remaining portion thereof only in so far as such remaining portion complies with the original requirements for obtaining such license, as herein provided, and in so far as such remaining portion fails to comply with such requirements, such license shall be void.

(7) One copy of every application for license and of every report of transfer filed with the *Director of Game and Fish*, as hereinbefore provided, shall be by him transmitted to the commissioner of securities.

Sec. 3. Same—tagging pelts, etc., sold or transported.—Mason's Minnesota Statutes of 1927, Section 5625-5, as amended by Laws 1933, Chapter 392, Section 16, is hereby amended so as to read as follows:

"5625-5. When any pelts or products of any *protected* animals or game birds raised by any licensee under the provisions of this act are sold or transported, a tag, in duplicate form, shall be attached thereto, to be furnished by the director of game and fish to the licensee at cost, not exceeding one cent each. Such tags shall be issued for each calendar year and shall expire on the thirty-first day of December in each year. Such tags so issued by the director shall be numbered consecutively and issued in duplicate and shall be executed in duplicate by the licensee, showing the date of shipment of such pelts or products of any such animals or game birds, the name and address of the person to whom shipped, the license number and the name and address of the licensee, and the kind of pelts, game birds or products so shipped. The duplicate of such tag so attached shall be mailed immediately to the Director of Game and Fish. Failure to attach such tags to any pelts or products of any protected animals or game birds raised under such license shall cause such pelts or products of any protected animals or game birds to be subject to confiscation."

Sec. 4. Same—licenses—fees.—Mason's Minnesota Statutes of 1927, Section 5625-6, as amended by Laws 1929, Chapter 366, Section 5, is hereby amended so as to read as follows:

"5625-6. The holder of any such license for the raising of wild animals or fur bearing animals only shall pay an annual license fee of three dollars for any such farm or ranch of ten acres or under, and an additional fee of 15 cents per acre for

any additional land or waters actually devoted to the raising of *wild animals or fur-bearing animals* of any kind or kinds specified in the license: *provided that such person may be licensed to raise both fur-bearing animals and game birds for an additional fee of \$2.00. The holder of any such license for the raising of game birds only shall pay an annual license fee of \$5.00, regardless of the acreage involved. Such license fees shall be paid on or before the first day of March of each year and shall expire on the thirty-first day of December of each year, but shall be renewed from year to year upon payment by the licensee of the annual license fee, subject to the provisions of this act. The operation of said game bird or fur farms and the raising and propagation of such wild animals, game birds and fur-bearing animals without having secured a license so to do, and failure to comply with the terms of this act and to pay the license fee designated herein, shall constitute a misdemeanor, and any animals found upon the premises of any such game bird or fur farm shall be subject to confiscation.*"

Sec. 5. Inconsistent acts superseded, modified or amended.
—*All acts and parts of acts inconsistent herewith are hereby superseded, modified or amended so far as necessary to give effect to the provisions of this act.*

Approved April 4, 1935.

CHAPTER 116—H. F. No. 626.

An act authorizing renewal of the corporate existence of certain co-operative associations.

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

Section 1. Corporate existence of certain co-operative associations renewed.—Any co-operative association organized pursuant to Mason's Minnesota Statutes of 1927, Sections 7822, 7824, 7825, 7826, 7828, 7831, and 7832, whose period of corporate existence has not expired may renew its corporate existence on expiration thereof for a period not exceeding 20 years, any statutory provision to the contrary notwithstanding.

Sec. 2. Inconsistent acts repealed.—All acts and parts of acts inconsistent herewith are hereby modified and superseded so far as necessary to render this act effective.

Approved April 4, 1935.