

Section 1. **Law amended.**—That Mason's Minnesota Statutes, 1927, Section 5537, be amended so as to read as follows:

"5537. **Open season for big game.**—Deer may be taken from November 15 to November 25, both inclusive, in even numbered years only, but nothing in this chapter shall be construed to permit the taking or killing of moose, elk or caribou at any time. *Except that one antlered moose may be taken within the Northwest Angle State Forest during such open season as may be provided in any year between October 10 to October 20 inclusive, through the issuance of orders therefor by the Director of the Division of Game and Fish, who with the approval of the Commissioner of Conservation shall promulgate and publish rules and regulations in keeping with the minutes and resolutions of the Conservation Commission prescribing the manner of taking and transporting such big game and all further provisions which are deemed necessary and pertinent thereto. The license fee for the hunting of such game in the Northwest Angle State Forest shall be \$5.25 for residents and \$50.25 for non-residents. Each such licensee may take one antlered moose during such season as may be provided.*"

Sec. 2. **Penalties for violations.**—*Any person found guilty of the violation of the above act shall be punishable by a fine of not less than \$75.00 nor more than \$100.00, or by imprisonment in the County Jail not less than 30 days nor more than 90 days.*

Sec. 3. **Inconsistent acts modified.**—*Any acts and parts of acts inconsistent herewith are hereby modified and amended so far as may be necessary to give full force and effect to the provisions of this act.*

Approved April 17, 1937.

CHAPTER 237—H. F. No. 113

An act to amend Mason's Minnesota Statutes of 1927, Section 9221, as amended by Laws 1931, Chapter 200, relating to affidavit of prejudice or bias of judge.

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

Section 1. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 9221, as amended by Laws 1931, Chapter 200, be and the same is hereby amended, so as to read as follows:

"9221. **Affidavit of prejudice or bias of Judge.**—Any party or his attorney to a cause pending in a district court on or before 10 days prior to the first day of a general or five days prior to a special term

thereof or, *in any district having two or more judges*, within one day after it is ascertained which judge is to preside at the trial or hearing thereof or at the hearing of any motion, order to show cause or argument on demurrer, may make and file with the clerk of the court in which the action is pending and serve on the opposite party an affidavit stating that, on account of prejudice or bias on the part of such judge, he has good reason to believe, and does believe that he cannot have a fair trial or hearing thereof, and thereupon such judge shall forthwith without any further act or proof secure some other judge of the same or another district to preside at the trial of such cause or hearing of motion, demurrer or order to show cause, and shall continue the cause on the calendar, until such judge can be present. In criminal actions such affidavit shall be made and filed with such clerk by the defendant or his attorney not less than two days before the expiration of the time allowed him by law to prepare for trial, and in any of such cases such presiding judge shall be incapacitated to try such cause: Provided, that in criminal cases such judge, for the purpose of securing a speedy trial, may, in his discretion, change the place of trial to another county."

Approved April 17, 1937.

CHAPTER 238—H. F. No. 127

An act to amend Mason's Minnesota Statutes of 1927, Sections 4753, 4754, 4755, 4759 and 4760, relating to the promotion of the safety of employes and travelers on railroads by requiring common carriers engaged in operating railroads in the State of Minnesota to establish and maintain a safe and sufficient clearance between structures located on and over their roadways and cars passing over their lines, and to establish and maintain a safe and sufficient clearance between their tracks and by requiring other persons and corporations to establish and maintain a safe and sufficient clearance between structures and obstructions and the roadway of such common carriers and for other purposes.

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

Section 1. **Law amended.**—That Mason's Minnesota Statutes, 1927, Section 4753, be, and the same is hereby, amended to read as follows:

"4753. **Clearance between structure of cars, etc.**—That the provisions of this act shall apply to any person, corporation or anyone owning, operating or maintaining any structure or obstruction adjacent to any railway tracks and to any corporation or receiver