

upon presentation of such approved statement shall issue his warrant in payment thereof.

*"This act shall not apply to any county containing a city of the first class.*

*"This act shall not apply to any judicial district in which the salary of the court reporter has been heretofore fixed in excess of the salary herein set forth by special statute."*

Approved April 25, 1941.

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#### CHAPTER 443—S. F. No. 676

*An act relating to wild animals, and propagation of deer; amending Mason's Supplement 1940, Sections 5625-1, 5625-5 and 5625-6.*

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

**Section 1. Law amended.**—That Mason's Supplement 1940, Section 5625-1, be amended to read as follows:

**"5625-1. Permits to engage in raising of wild animals.**—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. 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, *provided that private use under this act shall not in any way interfere with the free passage of fish in the streams affected.*"

Sec. 2. Law amended.—That Mason's Supplement 1940, Section 5625-5, be amended to read as follows:

"5625-5. Shipment of pelts and eggs—tagging pelts, etc., sold or transported.—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 *December 31* 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 raised under such license shall cause such pelts or products of any protected animals or game birds to be subject to confiscation. *No wild or native deer may be taken or had in possession at any time for propagating, exhibition or pet purposes except as hereinafter authorized. All deer now contained on licensed game farms, private and public parks and zoos, and the progeny of such deer may be bought and sold or otherwise disposed of only when alive, but before any such disposition is made the licensee shall notify the director of game and fish of the proposed disposition and if satisfactory the director shall approve such disposition and cause a tag to be placed upon the crate or container to be used in the transportation of such deer before said animal is transported. Such tag shall remain upon said crate or container at all times until it has reached its destination. A duplicate copy of said tag shall be kept and maintained in the records of the director of game and fish. Any deer on any licensed game farm, private and public parks and zoos which dies or is killed, shall be disposed of only as directed by the director of game and fish or his agent.*"

Sec. 3. Law amended.—That Mason's Supplement 1940, Section 5625-6, be amended to read as follows:

"5625-6. Licenses—fees.—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 propagating deer shall pay 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, *and for propagating deer only, shall pay an annual license fee of \$5.00.* Such license fees shall be paid on or before *March 1* of each year and shall expire on *December 31* 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."

Approved April 25, 1941.

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#### CHAPTER 444—S. F. No. 861

*An act relating to determination of descent; amending Mason's Supplement 1940, Sections 8992-79, 8992-80 and 8992-81.*

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

Section 1. Law amended.—Mason's Supplement 1940, Section 8992-79, is hereby amended to read as follows:

"8992-79. Essentials.—Whenever any person has been dead for more than five years and has left real estate or any interest therein, and no will or *authenticated copy of a will duly proved and allowed outside of this state in accordance with the laws in force in the place where proved* has been admitted to probate nor administration had in this state; or