

of the commissioner concerning the construction or modification of any fishway around or over such dam;

(12) To take any fish within 50 feet of any fishway;

(13) To take fish from any waters designated or marked as spawning beds or fish preserves or to remove or mutilate any such posted notices, except under the direction of the commissioner;

(14) To use a dark house or fish house without the number of the dark house license, and the name of the owner of the house, plainly marked on its exterior; or to permit such house to remain on the ice more than ten days after the close of the season. Houses so remaining shall be summarily destroyed by any state game warden.

(15) To throw or allow to run into any of the waters of this state any refuse, sawdust, shavings, tan bark, lime, or other deleterious or poisonous substances or chemicals in quantities injurious to fish life therein, or injurious to the propagation of fish therein. Each day during which an act or operation in violation of this provision occurs shall constitute a separate and distinct offense. Recurrent violations shall be deemed a public nuisance and an action may be brought by the attorney general on the request of the commissioner to enjoin and abate such nuisance.

Approved April 12, 1947.

CHAPTER 309—H. F. No. 751

An act relating to liens for repairing, altering, dyeing, cleaning, pressing, and laundering wearing apparel; and amending Minnesota Statutes 1945, Section 514.78.

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

Section 1. Minnesota Statutes 1945, Section 514.78, is hereby amended to read as follows:

514.78. Notification of owner; sale. When possession of any of the articles of wearing apparel, bedding, linens, flatwork and household furnishings, embraced in section 514.77, has continued for ninety days after the charges accrue, and the charges so due have not been paid, it shall be the duty of the persons so holding said articles to notify the owner of

these charges, by registered mail at his last known address. On the owner's failure to pay *these charges* within ten days after such notice has been given, the persons so holding said wearing apparel, bedding, linens, flatwork and household furnishings shall then be authorized to sell said wearing apparel, bedding, linens, flatwork and household furnishings. Said sale may be public or private and the proceeds of the same shall be applied toward the payment of the charges and any balance shall be paid over to the person entitled to the same. If the owner's residence is beyond the state, or is unknown, the person holding said wearing apparel, bedding, linens, flatwork and household furnishings shall not be required to give such notice before proceeding to sell.

Approved April 12, 1947.

CHAPTER 310—H. F. No. 791

An act relating to royalty taxes; amending Minnesota Statutes 1945, Sections 299.05, 299.06 and 299.08.

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

Section 1. Minnesota Statutes 1945, Section 299.05, is amended to read as follows:

299.05. Tax on royalties; assessment by commissioner. Upon the receipt by the commissioner of taxation of the report provided for in section 299.03, he shall determine, from such information as he may possess, or obtain, whether the same is correct, or otherwise; and, if found correct, he shall determine therefrom the amount of tax due from such person, enter the amount thereof in his records, make his certificate of taxes due thereon from such person, and the amount that has been paid thereon; and, on or before the first day of May, of each year, file the same with the state auditor and file a duplicate thereof with the state treasurer. The commissioner of taxation shall have power, in case he shall deem the report incorrect, or in case the report is not made and filed with the commissioner as provided in section 299.03, to make his findings as to the amount of such taxes due after hearing upon notice to the person interested, and his findings shall have the same effect as the determination of the amount of such taxes upon a report made as hereinbefore provided.

A person subletting land for the use of which he received