

## CHAPTER 484—H. F. No. 697.

*An Act prohibiting the soliciting, taking or receiving, or the aiding therein, in the state of Minnesota, of certain orders for the sale or delivery of intoxicating liquor from any person or persons except such as have either a lawful license to sell intoxicating liquor in said state, or a current receipt for the United States tax for the sale of spirituous, or vinous malt or fermented liquor; prohibiting any sale of intoxicating liquor in connection with which such prohibited order is filled in whole or in part, and providing a penalty for the violation thereof.*

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

**Section 1. Orders for intoxicating liquor in dry territory prohibited.**—It shall be unlawful for any person, directly or indirectly, to solicit, take or receive or aid in the soliciting, taking or receiving, either for himself or for any other person, firm or corporation, in any township, village or city in this state in which a majority of the votes at the last election, at which the question of license was voted, shall not have been in favor of license, an order for the sale of intoxicating liquors; or for any itinerant peddler to go from place to place within this state and expose for sale or sell such liquors, provided that nothing in this act shall be construed as modifying or repealing Sub-division One of Section 1533, of the Revised Laws of Minnesota for the year 1905.

**Sec. 2. Penalty for violation.**—Any person who violates any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished for the first offense by a fine of not less than twenty-five (25) dollars nor more than fifty (50) dollars, or by imprisonment in the county jail for not less than thirty (30) days nor more than sixty (60) days, and upon conviction of each subsequent offense shall be punished by a fine of not less than sixty (60) dollars and not more than one hundred (100) dollars, or by imprisonment in the county jail for not less than sixty (60) days nor more than ninety (90) days

Approved April 24, 1913.

## CHAPTER 485—H. F. No. 791.

*An Act to amend Section 22 of Chapter 344, General Laws of Minnesota for 1905, being an act entitled "An Act for the preservation, propagation, protection, taking, use and transportation of game and fish, and certain harmless birds and animals."*

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

**Section 1. When permit may be issued for shipping of domesticated animals.**—That Section 22 of Chapter 344, General Laws of the State of Minnesota for 1905, be and is hereby amended to read as follows:

Section 22. The commission may issue permits to breed or domesticate deer, moose, elk and caribou upon application to it which shall contain:

1. The name and address of applicant.
2. A description of the premises on which applicant will keep such domesticated animals.
3. The number and kinds of animals in possession at the time of making the application and whether they are wild or domesticated.

The application shall be accompanied by a fee of fifty cents (.50) for each animal in possession. The commission may thereupon issue a permit to the applicant to keep such animals. Any person holding such permit shall annually on the first day of January report to the commission any increase or decrease had upon the original number applied for, together with a fee of 50 cents for each additional animal. The commission shall keep a record of all persons holding such permits and shall send to them numbered tags to be attached to each of the animals.

Any such animals, *for the keeping of which a permit has been issued as hereinbefore provided*, may be sold or shipped within or without the state upon receipt of a written permit to do so from the commission or from any duly authorized deputy game warden; and with a like written permit such animals may be killed by the owners thereof and the carcasses or any part thereof may be by him at any time sold or shipped.

Persons desiring to maintain a private hatchery for the propagation of trout may do so upon application to said commission giving the name and address of the person owning or controlling the same and a mark used to designate it. Trout grown in such hatcheries may be sold and shipped within or without the state in boxes or packages upon which such mark is placed.

Provided, however, that in any prosecution for any violation of any of the provisions of this chapter it shall not be necessary for the prosecution to allege or prove that the birds or animals were not domesticated or that the trout were not grown in a private hatchery or that the birds, animals or fish were not taken for scientific purposes, but the person claiming that such birds, or animals were domesticated, or the trout grown in a private hatchery, or that the said birds or animals were taken for scientific purposes, as herein provided, shall prove on the hearing or trial that such birds or animals were domesticated, or that such trout were grown in a private hatchery or that such birds or fish were taken for scientific purposes as by law provided, or were not caught, taken or killed outside this state, or had in possession without license or permit therefor.

Approved April 24, 1913,