

and may sell such as are not deemed suitable by him for stocking purposes, or he may issue permits so to do to other persons. *Money received therefrom shall be deposited in the state treasury and shall be accredited to a "Fish Fry Fund"* and the amount thereof is hereby annually appropriated to the game and fish department for the purpose of purchasing, propagating and planting fish fry in public waters."

"5539. **Destruction of predatory animals.**—*Wild* animals, whether protected by law or not, may when *destroying or interfering* with the breeding or propagation of protected wild animals, or when *injuring or damaging private or public property* be destroyed or killed under such rules and regulations as the commissioner may prescribe."

"5560. **Certain wild birds protected.**—Wild birds, other than the English sparrow, blackbird, crow, and all species of hawks and owls shall not be taken or possessed at any time, dead or alive, except under the authority of a certificate issued by the commissioner. No part of the plumage, skin or body of any bird protected by this section, or of any birds coming from without the state, whether belonging to the same or a different species from that native to the state of Minnesota, provided such birds belong to the same family as those protected by this chapter, shall be bought, sold or had in possession for sale. This section shall not apply to game birds for which an open season is provided in this chapter, nor to the keeping and selling of parrots or song birds as domestic pets; provided, that nothing herein shall be construed to permit the buying or selling of wild song birds.

"5562. **Unprotected birds.**—English sparrow, blackbird, crow, and all species of hawks and owls may be taken and possessed without limit, in any manner at any time.

Sec. 2. That section 5576 and 5577, General Statutes 1923, are hereby repealed.

Approved April 24, 1925.

CHAPTER 381—H. F. No. 1437.

An act creating a commission to be known and designated as the Balaton-Tracy Tornado Relief Commission, defining the powers and duties thereof relative to providing relief in the matter of preserving the public health and relieving the poor in that portion of the State of Minnesota, and lying in the counties of Lincoln, Lyon, Murray and Cottonwood, swept by a tornado in June, 1923, and known as the Balaton-Tracy district, and appropriating funds therefor.

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

Section 1. **Balaton-Tracy Tornado Relief Commission created.**—There is hereby created a commission to be known and designated as the "Balaton-Tracy Tornado Relief Commission."

Sec. 2. Appointment membership.—The said commission shall consist of five members to be appointed by the Governor within thirty days after the passage of this act for a term of one year, or until the work of the commission has been completed. The members of said commission shall serve without compensation.

Sec. 3. Chairman and secretary.—The Governor shall designate one of said members so to be appointed as chairman of said commission, who shall be authorized to call the commission together from time to time and to preside at the meetings thereof. The Governor shall also appoint one of such members as secretary and business manager of such commission.

Sec. 4. Vacancies to be filled by Governor.—Vacancies in the membership of said commission shall be filled by appointment by the Governor.

Sec. 5. Organization.—The commission shall organize in such manner as to it may seem best to carry out the provisions of this act and shall have authority to employ such assistance at such compensation as may be deemed necessary.

Sec. 6. Powers of commission.—The commission shall have and is hereby given authority to do any and all things by it deemed to be advisable and necessary to provide relief in the matter of the preserving of the public health and relieving the poor in that portion of the State, to-wit: beginning in the westerly part of Lincoln County, running easterly through the counties of Lyon, Murray and Cottonwood, which was swept by a tornado in the month of June, 1923, and known as the Balaton-Tracy Cyclone District, and in so doing the commission is hereby authorized to expend not to exceed the sum of sixty thousand dollars (\$60,000.00) in such manner and at such times as to it may seem advisable.

Sec. 7. Appropriation.—To enable the commission to carry out the provisions of this act and for the purposes designated in Section 6 of this act, there is hereby appropriated from the general revenue fund of the State for the year 1925, not otherwise appropriated, the sum of thirty thousand dollars (\$30,000.00).

Sec. 8. Accounts and reports.—The commission shall keep accurate account of all receipts and disbursements and the public examiner of the State is hereby directed to audit such accounts not later than three months after the completion of the work of such commission and file a report with the Governor of the State.

Sec. 9. Final report.—The commission shall, within three months after the completion of its work under the provision of this act, prepare and file with the Governor of the State a detailed report of its doings in the premises. The report of said public examiner and the report of said commission shall be submitted to the Legislature at its session to be held in the year 1927.

Sec. 10. The act shall take effect and be in force from and after its passage.

Approved April 24, 1925.

CHAPTER 382—H. F. No. 597.

An act relating to public improvements in villages, boroughs and cities of the fourth class, however organized.

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

Section 1. Definitions.—By the word "municipality," as used herein, is meant a village, borough or city of the fourth class, however organized. By the word "council" as used herein, is meant a municipality's governing body; by the word "Mayor," its chief executive officer, and by the word "Clerk," its officer charged with the duty of performing clerical functions, irrespective of their actual titles. In the word "street" as used herein, are included alleys, boulevards, parkways and public roads of any sort within the limits of a municipality. In the term "public improvement" or "improvement" as used herein, are included (a) street paving, (b) the construction or extension of sanitary or storm sewers, and (c) the laying and re-laying of water mains and the extension of water mains, (d) the laying, re-laying and extension of steam heating mains and (e) the installation and extension of street lights. By the word "street paving" as used herein, is meant the laying of a pavement in any municipality on any street or graveling any street, and in the word is included all work incidental to any such improvement, such as grading and the construction of proper gutters, curbs, catch basins and storm sewers. The words "construction or extension of sanitary or storm sewers" means the construction of a sewer system of either class, including outlets, tanks or disposal plants, and trunk district and lateral sewers of any of the foregoing. By the words "extension of water mains" as used herein, is meant the laying of water mains and appurtenances required in connection therewith, such as valves, hydrants and service connections in municipalities already having a water system. Any of the foregoing definitions may be modified in the act by appropriate words in the context in connection with which they may be used and the singular shall include the plural where the context so requires.

Sec. 2. Municipalities to make improvements.—A municipality may make any of said improvements and assess the cost thereof on the property abutting thereon, or on the property benefited thereby to the extent and in the manner hereinafter provided. Any two or more of the improvements aforesaid, may be made at the same time and as part of the same proceedings, and the assessment therefor likewise levied and collected.