

pursue said timber and recover therefor, or have any other appropriate relief in relation thereto, which the state might or could have had if such surety had not made such payment. No assignment or other writing on the part of the state shall be necessary to make such subrogation effective; but the certificate of the *commissioner of conservation* under his hand and official seal, showing the amount of such timber, the lands from which it was cut or upon which it stood, and the amount paid therefor, shall be prima facie evidence of such facts."

Approved March 31, 1939.

CHAPTER 121—H. F. No. 258

An act to amend Mason's 1938 Minn. Supp., Section 5541 (2), relating to the open season for bear and the use of steel traps for taking bear.

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

Section 1. **Open season for bear.**—Mason's 1938 Minn. Supp., Section 5541 (2), is hereby amended to read as follows:

"5541 (2). Bear may be taken during any open season for taking deer, and between April 15 and May 15, both inclusive, next following any such open season for deer; *provided, however, that in areas in which bear becomes a nuisance to agriculture, or a menace to persons or property, bear may be taken at any time by securing a permit from a game warden familiar with the area, which permit shall be issued for the taking of bear in the township or the adjoining township to the township in which applicant for a permit resides. No charge shall be made for such permit but a copy thereof shall be filed with the director of the division of game and fish, and such permit may be revoked at any time by the director of the division of game and fish upon recommendation of the game warden from the district where it was issued.* Steel traps may be used for the purpose of taking or catching bear only upon permission of the game and fish commissioner to do so. Rules and regulations for the safe use thereof shall be prescribed by the commissioner and anyone setting them so as to become a danger to persons walking in the woods shall be guilty of a gross misdemeanor."

Approved March 31, 1939.