

# REVISED LAWS

# MINNESOTA

## 1905

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entomologist, the expense thereof shall be paid to him within ten days after rendition of the bill therefor. If not so paid, he shall certify the amount to the county attorney, who shall proceed, by attachment or otherwise, to collect the same in the name of the state. ('03 c. 237 ss. 3, 4)

**2385. Grasshopper infection—Hearing and notice—**Whenever written complaint is made to a county board that any tract of land in the county is so infested with grasshopper eggs as to threaten the destruction of grasses or crops in the vicinity thereof, the board shall fix a time and place for a hearing thereon, and cause notice of such hearing to be served upon the owner or person in charge of such infested land at least ten days prior thereto. ('03 c. 47 ss. 1, 2)

**2386. Same—Order to plow—**Upon the hearing, which may be adjourned from time to time by the board, the certificate of the entomologist, stating that he has examined the tract involved, and giving the result of such examination, shall be prima facie evidence of the facts therein stated. The board shall hear all evidence offered by interested parties, and if, in its opinion, the tract is so infested, it shall make an order, giving the date of the hearing, the substance of the complaint, and the decision of the board thereon, and directing the owner or person in charge to plow any designated part or all of said land before a date therein prescribed. The date shall be so fixed as to allow a reasonable time for such plowing after service of the order. ('03 c. 47 ss. 2, 3)

**2387. Same—Service of order—**The auditor shall immediately cause the order to be served upon the owner or occupant of the land therein described. If the land be unoccupied, and the owner be a non-resident of the county, service may be made upon any person having charge of such land and residing in the county. If the owner be a non-resident of the state, or his residence be unknown, and he have no known agent in the county, two weeks' published notice of such order shall be given. ('03 c. 47 s. 3)

**2388. Same—Failure to obey—**If the order be not complied with, the board shall cause the infested land to be plowed at the expense of the county. In case such plowing shall be of value in the raising of a crop during the season immediately following, the person so benefited shall be liable to the county for such value. When the board is of the opinion that such liability exists, it shall determine the amount thereof, and its determination shall be prima facie evidence of such value. It shall direct the auditor to demand payment of the amount, and, if it be not paid upon demand, the county attorney shall bring a civil action therefor in the name of the county. ('03 c. 47 ss. 4, 5)

**2389. Fines and penalties—**All moneys in excess of costs collected in actions brought under this chapter in the name of the state, and all fines collected thereunder, shall be turned into the state treasury, and added to the sums appropriated for the purposes hereof. Any person who shall violate any of the provisions of this chapter, or hinder the enforcement of any of them, shall be guilty of a misdemeanor. ('03 c. 237 ss. 2, 3, 5, 6)

**2390. Standing appropriation—**Five thousand dollars, or so much of said sum as may be necessary, is hereby appropriated annually out of the general revenue fund for the carrying out of the provisions of this chapter. ('95 c. 161 s. 4)

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## CHAPTER 39

### BOUNTIES AND REWARDS

**2391. For timber growing—Standing appropriation—**Every person who shall plant one acre or more of prairie land with forest trees of any kind other than black locust, and shall keep such trees growing in a thrifty condition, and not more than twelve feet apart either way, replacing yearly such as may die, shall receive from the state two dollars and fifty cents per acre therefor for

six successive years, not exceeding, however, twenty-five dollars in any one year. This section shall not apply to any railway company, to any person who has already received such compensation, nor to any person planting trees in compliance with an act of Congress approved March 3, 1873, relating to the growth of timber on western prairies, or any act amendatory thereof. For the purpose of paying such compensation, the sum of twenty thousand dollars is annually appropriated from the revenue fund. (7859; '95 c. 63; '03 c. 230)

**2392. Claim and proof**—The claimant shall file with the county auditor a plat giving the government subdivision, and the position of the trees thereon. If the number of trees be increased, supplemental plats shall be filed. He shall show his ownership of the land, and make oath to the planting and maintaining of the trees as prescribed in § 2391; and his proof shall be supported by the affidavit of at least two freeholders, residing in the same town, who have personal knowledge of the facts. Such proofs shall be filed with the county auditor between July 1 and July 15 of the year for which compensation is claimed. (7860)

**2393. Duty of assessor**—The assessor of every town, at the time of making his assessment, shall ascertain if trees have been planted therein for which compensation is claimed under this chapter, and, if any such be found, he shall personally examine the same, and report the area planted and the condition of the trees to the auditor when the assessment books are returned. (7861)

**2394. Proofs sent to state auditor**—Before August 1 the auditor shall compare the proofs furnished by the claimant with the assessor's report, and, if they correspond in substance, he shall immediately forward to the state auditor the original proofs of claim, and a certified list of all plats filed. (7862)

**2395. Auditor to issue warrant**—The state auditor shall audit all such claims, and on the first Monday of October in each year shall issue his warrant to the several claimants for the amount to which each is entitled; but, if the aggregate of compensation due to all such claimants shall exceed the appropriation therefor, he shall distribute the available amount amongst them pro rata, which distribution shall relieve the state from further obligation to such claimants for the year. (7863)

**2396. Horse stealing**—A reward of two hundred dollars shall be paid for procuring the arrest and conviction of any person charged with horse stealing. The claimant thereof shall apply to a judge of the court wherein the conviction was had, within twenty days thereafter, and not later, for an order directing the clerk to issue a certificate therefor. Every applicant for such reward shall pay all expenses made by him. After the expiration of such twenty days, the judge shall appoint a time and place for the hearing, of which the claimant shall be notified by the clerk. If the judge finds the claim well founded, he shall direct the clerk to issue the certificate; and, if more than one claimant be found entitled thereto, the court shall apportion the amount between them. The certificate shall set forth the object for which it was given, and be directed to the county treasurer, who shall take a receipt for the sum paid thereon. He shall then forward the certificate and receipt to the state auditor, who at the next tax settlement shall deliver to the state treasurer a warrant for the amount as a credit to said county. (7869-7871; '97 c. 144; '01 c. 212; '03 c. 158) 82-71, 84+650.

**2397. Wolves—Standing appropriation**—Every person who shall kill a wolf in this state shall be rewarded in the sum of seven dollars and fifty cents for a full-grown animal, and one dollar for a cub, to be paid by the state out of the revenue fund, and so much of said fund as may be necessary for such payments is hereby appropriated annually. Any county board may add to such reward, and appropriate county funds therefor. ('03 c. 113 s. 1)

**2398. Claim, when and how made**—Within thirty days after the killing, the claimant shall produce, in the presence of two witnesses, to the clerk of the town wherein the animal was killed, the carcass thereof, and shall make oath

that the killing was done by him at a time and place specified, and that he did not on that occasion spare the life of any wolf he could have killed. He shall then deliver the hide, with head and ears intact, to the county auditor, who on request shall return such hide; but all transportation charges shall be paid by the claimant, who shall also bury or destroy the carcass. ('03 c. 113 s. 2)

**2399. Clerk to issue certificate**—The town clerk shall make and file a certificate that he examined the carcass; that it was that of a full-grown wolf or a cub, as the case may be; and that the hide was removed in his presence and in the presence of the witnesses named. All animals produced at any one time shall be included in one certificate, and the clerk shall furnish a copy thereof to the claimant, who shall pay a fee of twenty-five cents therefor, and ten cents for its filing: Provided, that in unorganized towns the application shall be made to the nearest town clerk in the county. ('03 c. 113 ss. 2, 4)

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**2400. Duties of county and state auditor**—The auditor shall identify the animal, punch a three-eighths inch hole in each ear, and issue to the claimant a warrant upon the county treasurer for the sum due. He shall then transmit copies of the certificate and warrant to the state auditor, who shall issue and return his warrant upon the state treasurer in favor of the county for the amount paid. ('03 c. 113 ss. 3-5)

**2401. Penalties**—Every person who shall fraudulently claim or obtain any reward for the killing of wolves, or issue any certificate or warrant therefor, or claim reward upon a wolf which he has in any way protected, or upon the offspring of a tame wolf, either full blood or crossed, shall be guilty of a misdemeanor; the minimum punishment whereof shall be a fine of twenty-five dollars, or imprisonment in the county jail for thirty days. ('03 c. 113 s. 6)

**2402. Gophers, crows, etc.**—Any county board may by resolution offer a bounty for the destruction of gophers, ground squirrels, crows, or blackbirds. The resolution may be made to cover the whole or any part of the county, and may be annually renewed, but it shall have force and effect only during the calendar year in which it was adopted or renewed. The bounty shall in no case exceed five cents for each pocket gopher; three cents for each common gopher or ground squirrel; ten cents a dozen for blackbirds killed during the months of April, May, and June; five cents a dozen for blackbirds killed during July, August, September, and October; and ten cents for each crow killed between May 15 and June 15 and between August 15 and September 15. (7879-7882; '03 c. 377)

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**2403. Method of payment**—The bodies of such gophers and birds shall be produced to the chairman of the town board of the town where they were killed, and if he shall be satisfied that they were killed within the designated territory, and by the person producing them, he shall certify to the county auditor the number of each kind so killed; and the auditor shall issue thereon a warrant on the county treasurer for the amount the claimant is entitled to receive under the resolution; or the claimant may produce such bodies and evidence to the auditor direct. The official to whom such bodies are produced shall immediately cause the removal of one foot from each. Any town board may also offer a bounty for the destruction of blackbirds, and adopt rules for the payment thereof. (7881, 7882; '03 c. 377)