

CHAPTER 99

DIVISION OF GAME AND FISH; GAME REFUGES AND FARMS;
STATE PARKS

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99.01 STATE GAME REFUGES; SIGNS; HUNTING OR CARRYING FIREARMS ON. When all the owners, lessees, or persons in possession of lands located outside the corporate limits of any city or village, present a petition to the director accompanied by a map showing clearly the land proposed to be set aside and also accompanied by a certificate by the treasurer of the county where the lands are situated to the effect that the persons named in the petition as the owners, lessees, or persons in possession of the land described are, according to the records of the county and his information, owners, lessees, or persons in possession as represented, and stating the legal descriptions of the land sought to be set aside, and requesting him to set aside these lands as a state game refuge, the director may, without notice or hearing, set aside these lands as a state game refuge. The petitioners shall thereafter post signs, to be furnished by the director in conspicuous places upon these lands. These signs shall state that the lands are a state game refuge and that trespassing thereon by a person carrying firearms is prohibited under penalty of the law. The director may, at any time, acting upon his own motion or upon petition, vacate or modify such order, as to the boundaries of the refuge or as to the wild animals that may be taken thereon, or both. No person shall take any quadruped protected by law, or any game birds, nor shall any person carry firearms on any game refuge established hereunder, except that the director may issue permits to take unprotected wild animals thereon, or to take, either within or without a game refuge, protected wild animals, other than beaver, thereon when such animals are shown to be causing injury to property, and to carry firearms for that purpose.

[1919 c. 400 s. 107; 1925 c. 380 s. 1] (5610)

99.02 GAME REFUGES; PARTIALLY CLOSED TO HUNTING; CARRYING FIREARMS. Wherever 25 or more residents of any county or counties in this state, owning real property therein, present a petition to the director describing certain lands and requesting that a closed season for the taking of game birds or quadrupeds protected by law be ordered therein, then and in such case the director shall fix a date for a hearing on the petition, and post in five of the most conspicuous places in the proposed game refuge, at least 15 days prior thereto, a notice of the hearing. If it shall appear at the hearing that, by reason of the depletion of game birds or protected quadrupeds therein, the same are in danger of extermination and that the proposed closed season is in the public interest, then and in such case the director shall declare a closed season, either permanently or for a specified number of years thereon, and make his order reciting the same. Fifteen days after the posting of this order in the district, as provided herein for the posting of the notice of hearing, it shall take effect and be in force. The order may be vacated, modified, or revised with respect to the boundaries of the refuge established or the varieties of wild animals protected, upon a similar notice, hearing, order, and posting.

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No person shall take any quadruped protected by law, or any game bird, on any game refuge established under this section, nor shall any persons carry firearms on any refuge established hereunder, except that the director may issue permits to take unprotected wild animals, or protected wild animals, other than beaver, doing damage to property or other animals, and to carry firearms for that purpose on the refuge.

[1919 c. 400 s. 108; 1925 c. 380] (5611)

99.03 GAME REFUGES; RESTRICTIONS IN ESTABLISHING; WATER-FOWL. No game refuge shall be established of less than 640 acres of contiguous lands; provided, that refuges of less than 640 acres in area may be established for the protection of water-fowl under the provisions of section 99.02. Refuges for water-fowl shall be established only on lakes and may include land adjacent thereto to a distance not exceeding one-fourth of a mile from the high-water mark.

[1919 c. 400 s. 109; 1921 c. 44 s. 9; 1925 c. 380; 1939 c. 39] (5612)

99.04 UNLAWFUL ENTRY UPON PLACES WHERE GAME BIRDS OR ANIMALS ARE KEPT FOR BREEDING PURPOSES. It shall be unlawful for any person, without the consent of the owner, lessee, or caretaker of a ranch or other enclosure in this state where game birds and animals are kept in captivity for breeding purposes, to enter upon the private grounds belonging to or under the control of the owner or owners of these animals, within a distance of 25 yards from the outer fence or enclosure, or to pass within, through, or over the outer fence or enclosure within which the pens or dens of these animals are located and upon which the fence or outer enclosure notices forbidding trespassing on the premises are kept posted so as to be plainly discernible at the distance of not less than 25 yards; provided, that this section shall not apply to such enclosure erected within 25 yards of any public highway or within 25 yards of any land adjoining the land upon which the enclosure may be or is erected.

[1921 c. 263 s. 1; 1927 c. 24] (5641)

99.05 GAME REFUGES; HUNTING OR TRAPPING RIGHTS EXTINGUISHED. Hunting or trapping rights where wild animals may be lawfully taken, owned, or acquired, by any person in good faith before the commencement of proceedings to establish a game refuge thereon, and in force at the time the game refuge is established, may not be excluded and excepted from the prohibitions relating to the taking of wild animals on the game refuge, but shall be deemed extinguished by the establishment of the refuge.

[1919 c. 400 s. 110; 1925 c. 380] (5613)

99.06 GAME REFUGES; WHAT INCLUDED IN. Any game refuge so established under sections 99.01 or 99.02 and including both land and water shall include all public waters and all state, federal or public lands, and all railroad lands, railroad right of way, and public highways enclosed within the boundaries thereof, and may include adjacent public waters, state, federal, or public lands, in the discretion of the director. The removal or defacement of any posted notice of a game refuge by any one other than at the direction of the director is prohibited.

[1919 c. 400 s. 111; 1925 c. 380] (5614)

99.07 PROTECTION OF GAME BIRDS OR ANIMALS ON STATE PARKS. No person shall take or disturb any game birds or quadrupeds protected by law on any state parks, or upon any lands which may be designated by the director as game propagating or breeding grounds; provided, that wolves and other noxious animals on these lands or parks may be killed or destroyed in any manner under a permit issued by the director, and he may prescribe and enforce additional measures of protection for wild animals in these parks.

[1919 c. 400 s. 112; 1925 c. 380] (5615)

99.08 STATE PARKS; POSSESSION OF FIREARMS, TAKING, DISTURBING, OR POSSESSING BIRDS OR ANIMALS FORBIDDEN. No person, including Indians, shall take or disturb or have in possession any wild bird or quadruped, whether protected by law or not, or any part thereof, within the limits of any territory set apart, designated, used, or maintained as a state public park, and no person shall have in possession within such park any gun, revolver, or other firearm, unless the same is unloaded and duly sealed by the park commissioner and is maintained so sealed and unloaded during the time it is kept within the park, except in the case of persons holding a permit, as provided in section 99.07.

[1919 c. 400 s. 113; 1925 c. 380] (5616)

99.08

99.09 TRAPPING FUR-BEARING ANIMALS IN REFUGES AND PARKS; PERMITS; ITASCA STATE PARK. The director may, in his discretion, employ persons, or he may issue permits to persons, to take injurious species of wild animals and fur-bearing animals by traps on any duly established state game refuge or state park, under such rules and regulations as he may prescribe. No permit shall be issued to trap wild animals on the Superior state game refuge, but in lieu thereof the director may employ game warden trappers to hunt or trap injurious or predatory species of wild animals, and pelts of all animals so taken shall belong to the state and shall be sold at the highest price obtainable and proceeds of such sales shall be paid into the state treasury and be accredited to a predatory animal control fund, and the amount thereof is hereby annually appropriated to the division for maintenance; provided, that, in so far as Itasca state park is concerned, the authority conferred by this section and by sections 99.07 and 99.08 on the director of game and fish shall be exercised jointly by the director of game and fish and the director of state parks, and in all other respects the park shall continue under the control, management, and supervision of the director of state parks.

[1919 c. 400 s. 114; 1925 c. 380] (5617)

99.10 FREEBORN COUNTY GAME REFUGE AND GAME FARM. There is hereby located and established a game refuge and game farm for the propagation, preservation, protection, and breeding of wild fowl and wild game, bordering on and adjacent to Albert Lea lake and Fountain lake and the tributaries thereof and the waters immediately adjacent thereto in Freeborn county, to be known as the Freeborn county game refuge and game farm.

The game refuge and game farm shall be subject to the management and control of the director, as now constituted and existing by virtue of the laws of this state.

The director is hereby authorized, empowered, and directed to acquire by gift, lease, purchase, or condemnation, in the name of and in behalf of the state, any real property, lands, premises, right of way, or easement, public or private, that may be necessary, convenient, or proper for the establishment, equipment, and development of this game refuge and game farm; and in case the owner of any real estate, lands or premises and the director cannot agree as to the value of the premises taken or so to be taken for any such use, the value thereof and the price so to be paid therefor shall be determined by the appraisal of three competent, disinterested persons, residents of the county, commissioned to ascertain and determine the amount to be paid by the director, by the judge of the district court in and for the county of Freeborn, in accordance with the statutes of this state applicable thereto.

[1921 c. 405 ss. 1, 2, 3] (5618) (5619) (5620)

99.11 PERMITS TO ENGAGE IN RAISING WILD ANIMALS. The owner or lessee of any lands or private waters within the state, suitable for breeding and propagating wild animals, fur-bearing animals, and game birds, shall have the right to establish, operate, and maintain thereon a farm or ranch for the purpose of breeding, propagating, and dealing in such animals or game birds and their pelts or products, upon enclosing the lands or private waters, or portions thereof, as hereinafter provided, and upon complying with the provisions of sections 99.11 to 99.22 and obtaining a license therefor, as hereinafter provided. The term "private waters," as used herein, means all bodies of water or streams, whether meandered or not, of a normally shallow, swampy, marshy, or boggy character, not navigable in fact and no longer of any substantial beneficial use to the general public, and where all of the land immediately abutting upon, surrounding, or bordering on these waters, together with all riparian rights incident thereto, are owned or held under written lease from the owner by the person, firm, or corporation making application hereunder. Lands or private waters to be used as a farm or ranch for raising wild animals, fur-bearing animals, or game birds shall have suitable enclosures, approved by the director, for confining the respective kinds of wild animals, fur-bearing animals, or birds to be raised thereon; provided, that private use under sections 99.11 to 99.22 shall not in any way interfere with the free passage of fish in the streams affected.

[1927 c. 423 s. 1; 1929 c. 366 s. 1; 1935 c. 115 s. 1; 1941 c. 443 s. 1] (5625-1)

99.12 APPLICATION FOR PERMITS. Subdivision 1. **Filed with director.** A verified application for such license, in triplicate, shall be filed by such owner or lessee with the director describing the lands or private waters which the applicant

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desires to use for the purposes specified, setting forth the title or leasehold of the applicant and the number of acres enclosed, stating the approximate acreage of land and water separately, and with a suitable map or diagram of the same, showing conditions therein, specifying the kinds of wild animals, fur-bearing animals, and game birds which the applicant desires to keep and raise, and stating the number and kind thereof already in his possession, if any, and that he obtained the same in lawful manner.

Subdivision 2. How made. If the applicant is a corporation, the application shall be made in the name of the corporation by the president or authorized managing officer thereof, and set forth the names and addresses of all the officers, directors, and stockholders of the corporation, stating the number and par value of the shares of stock owned by each. If the applicant is a partnership or unincorporated association, the application shall be made by an authorized partner, member, or managing officer, and set forth the names and addresses of the members of the partnership or association and their respective financial interests and other rights of ownership and control therein.

Subdivision 3. Investigation. Upon the filing of the application, the director shall forthwith investigate the same, and may require the applicant to produce satisfactory evidence of the facts therein stated and of compliance by the applicant with the provisions of sections 99.11 to 99.22. If, upon examination, it shall appear that the applicant is the owner or lessee of such lands and of such waters and the riparian rights therein, as the case may be, and intends in good faith to establish, operate, and maintain a farm or ranch for the raising of such wild animals, fur-bearing animals, and game birds in accordance with sections 99.11 to 99.22, and has complied with all the provisions of sections 99.11 to 99.22, the director shall issue a license to the applicant, describing the lands and waters and certifying that the licensee is lawfully entitled to use the same for breeding, propagating, trapping, and dealing in the kind or kinds of wild animals, fur-bearing animals, and game birds therein specified.

Subdivision 4. Licensee becomes owner of animals. When the license has been granted the licensee shall become the owner of all protected fur-bearing animals of the kind or kinds specified in the license lawfully held in captivity on these lands or waters, as provided in sections 99.11 to 99.22, and of all their offspring remaining thereon; provided, that as to muskrats or beaver, the provisions of section 99.13 shall be complied with; provided, that the licensee shall not become the owner of any wild game birds found upon his premises, and no such game birds shall be confined or taken thereon except as otherwise expressly permitted by sections 99.11 to 99.22, or other provisions of law.

Subdivision 5. Interest in animals transferable. Such license or any interest therein shall be transferable with the title or leasehold of the lands for which the same was granted, or a corresponding interest therein, upon the conditions hereinafter prescribed. No such transfer shall be valid unless and until a verified written report thereof is made, in triplicate, to the director by the licensee making the transfer, accompanied by a copy of any deed, assignment, lease, or other instrument transferring the corresponding title or leasehold in the premises. No transfer of any interest in any license less than the whole thereof shall be valid except to a bona fide partner or associate in the ownership and operation of the farm or ranch for which the license was issued, and unless such transfer is accompanied by a deed, assignment, lease, or other proper instrument conveying to the transferee a corresponding undivided or joint interest in the title or leasehold of the entire farm or ranch.

Subdivision 6. Transferring license. No grantee or lessee of any portion of the area of any such farm or ranch less than the whole thereof, or of any interest in such portion, shall acquire therewith any right or interest in any such license on such farm or ranch; provided, that in case of the transfer of the title or leasehold of a portion of such farm or ranch which complies with the original requirements for obtaining such license, the entire license may be transferred therewith. In case of any sale, lease, or other transfer of any portion of such farm or ranch where the entire license is not transferred therewith, the licensee shall immediately make a verified written report thereof, in triplicate, to the director, accompanied by a copy of the deed, lease, or other instrument evidencing the transaction. After any such sale, lease, or transfer, the license for such farm or ranch shall be valid upon

the remaining portion thereof only in so far as the remaining portion complies with the original requirements for obtaining the license, as herein provided, and in so far as the remaining portion fails to comply with these requirements, the license shall be void.

Subdivision 7. **Copy of application filed with commissioner of securities.** One copy of every application for license and of every report of transfer filed with the director, as hereinbefore provided, shall be by him transmitted to the commissioner of securities.

[1927 c. 423 s. 2; 1929 c. 366 s. 2; 1935 c. 115 s. 2] (5625-2)

99.13 LICENSEE TO PURCHASE ANIMALS ON LAND. Upon the filing with the director of an application for a license for a muskrat or beaver farm or ranch, he shall appoint a qualified game warden, the applicant shall appoint one person, and these two shall select a third person, to act as a board to go upon the lands or waters embraced within the license and determine as nearly as possible the number of muskrats or beaver thereon at the time of the granting of the license. The necessary expenses of all members of this board shall be paid by the licensee. Within ten days after the date of such determination, the licensee shall pay to the director 50 cents for each muskrat, and \$10.00 for each beaver, so found on these lands or waters. When such payment has been made, the licensee shall become the owner of all the muskrats or beaver on the lands or waters and all of their offspring.

[1927 c. 423 s. 3; 1929 c. 366 s. 2] (5625-3)

99.14 LICENSEE MUST MANAGE AND CONTROL LAND. Subdivision 1. **Rights of licensee.** The holder of any license issued pursuant to sections 99.11 to 99.22 shall have the right to manage and control the lands or waters described therein and all fur-bearing animals or game birds of the kind or kinds specified in the license, lawfully enclosed or held in captivity thereon, as provided by sections 99.11 to 99.22, and to take and trap the same at any time or in any manner which he sees fit and deems to the best advantage of his business, and to sell and transport the same or the pelts or products therefrom at any time. This license shall be prima facie evidence in all courts and proceedings of the lawful right of the licensee therein named or his or its successors or assigns, for the term of the license, to establish and operate a farm or ranch for the raising of the kind or kinds of fur-bearing animals or game birds specified in the license upon the premises described therein, and shall entitle the licensee therein named, or his or its successors or assigns, to the exclusive right for and during this term to breed, propagate, trap, and deal in such fur-bearing animals or game birds, their pelts and products, and to the exclusive and sole ownership of any property and of such fur-bearing animals or game birds caught or taken thereupon, all subject to the provisions thereof.

Subdivision 2. **When foxes or mink not to be sold.** No foxes or mink shall be sold in this state by licensed breeders for breeding or propagating purposes that have not been pen bred for two successive generations, according to law.

Subdivision 3. **Sale, delivery required.** No sale or contract for the sale of any such live fur-bearing animals or birds by any such licensee shall be valid unless and until the particular animals or birds affected by such sale or contract are actually delivered to the purchaser, or, if not delivered, unless and until such animals or birds are segregated, identified, and kept separately, subject to the rights of the purchaser under the sale or contract, which sale or contract shall be in writing and one copy thereof shall be mailed to the director within 30 days thereafter. After the fur-bearing animals shall have been segregated and identified, they and their offspring shall become domesticated animals and shall be assessed as personal property of the purchaser, and shall be kept under any contract or arrangement for ranching that the purchaser may deem to his best interest, and subject to the rights of the owner at all times under sections 99.11 to 99.22. The rancher must notify the owner within 15 days of the death of any animal, and notify the owner of number in increase before June twentieth, each year. No animal being ranched in Minnesota can be removed to another state without permission from the owner. Officials must have the right to count and inspect at all times, except during the mating and breeding seasons.

Subdivision 4. **Permit for transporting beaver.** No live beaver shall be transported for any purpose unless the person transporting the same shall first obtain a special permit therefor from the director. Any person desiring a permit shall make a verified written application to the director, setting forth the number of

such beaver, the place where the same are kept, how, where and from whom and under what authority the same were obtained, the date and place from which it is proposed to transport the same, the method and route of transportation, the place of destination, the name and address of the consignee, the purpose for which the beaver are intended, and the authority of the consignee to receive, keep, and dispose of the beaver for such purpose. If all the provisions of the law relating to such beaver and to the proposed transportation and disposition thereof have been and will be complied with, the director shall grant the special permit, and issue therewith suitable tags, which shall be affixed to the cages or other containers by the director, or his duly authorized representative, in which the beaver are transported.

Subdivision 5. **Injured beaver to be killed.** No licensee under sections 99.11 to 99.22 shall keep alive any beaver which has been permanently injured by trapping or otherwise, but all such beaver shall be promptly killed as soon as the injury is discovered, and disposed of according to the provisions of sections 99.11 to 99.22.

[1927 c. 423 s. 4; 1929 c. 366 s. 4; 1931 c. 389 ss. 1, 2; 1933 c. 392 s. 7] (5625-4)

99.15 SHIPMENT OF PELTS AND PRODUCTS; TAGGING. When any pelts or products of any protected animals or game birds raised by any licensee under the provisions of sections 99.11 to 99.22 are sold or transported, a tag, seal, or stamp shall be affixed thereto, in such manner as may be prescribed by the director, who shall cause the same to be affixed at a cost not exceeding one cent for each pelt. A true and correct record shall be kept of the serial number of each tag, seal, or stamp, which record shall show the date of shipment of the pelts or products of any such animals or game birds, the name and address of the person to whom shipped, the license number and the name and address of the licensee, and the kind of pelts, game birds, or products so shipped. Failure to attach such tags, seals, or stamps, provided as above, to any pelts or products of any protected animals or game birds raised under such license shall cause such pelts or products of any protected animals or game birds to be subject to confiscation.

No wild or native deer may be taken or had in possession at any time for propagating, exhibition, or pet purposes except as hereinafter authorized. All deer now contained on licensed game farms, private and public parks and zoos, and the progeny of such deer may be bought and sold or otherwise disposed of only when alive, but before any such disposition is made the licensee shall notify the director of the proposed disposition and if satisfactory the director shall approve the disposition and cause a tag to be placed upon the crate or container to be used in the transportation of such deer before the animal is transported. This tag shall remain upon the crate or container at all times until it has reached its destination. A duplicate copy of the tag shall be kept and maintained in the records of the director. Any deer on any licensed game farm, private and public park, or zoo which dies or is killed, shall be disposed of only as directed by the director, or his agent.

[1927 c. 423 s. 5; 1933 c. 392 s. 16; 1935 c. 115 s. 3; 1941 c. 413; 1941 c. 443 s. 2] (5625-5)

99.16 LICENSES; FEES. The holder of any such license for the raising of wild animals or fur-bearing animals only shall pay an annual license fee of \$3.00 for any such farm or ranch of ten acres or under, and an additional fee of 15 cents per acre for any additional land or waters actually devoted to the raising of wild animals or fur-bearing animals of any kind or kinds specified in the license. Such person may be licensed to raise both fur-bearing animals and game birds for an additional fee of \$2.00. The holder of any such license for propagating deer shall pay an additional fee of \$2.00. The holder of any such license for the raising of game birds only shall pay an annual license fee of \$5.00, regardless of the acreage involved; and for propagating deer only shall pay an annual license fee of \$5.00. These license fees shall be paid on or before March first each year, and expire on December thirty-first each year, but shall be renewed, from year to year, upon payment by the licensee of the annual license fee, subject to the provisions of sections 99.11 to 99.22. The operation of the game bird or fur farms and the raising and propagation of such wild animals, game birds, and fur-bearing animals without having secured a license so to do, and failure to comply with the terms of sections 99.11 to 99.22 and to pay the license fee designated herein, shall constitute a mis-

demeanor, and any animals found upon the premises of any such game bird or fur farm shall be subject to confiscation.

[1927 c. 423 s. 6; 1929 c. 366 s. 5; 1935 c. 115 s. 4; 1941 c. 443 s. 3] (5625-6)

99.17 LICENSEE TO MARK BOUNDARY OF FARM. Within 30 days after the issuance of any such license the licensee shall erect posts or stakes at intervals of not more than 20 rods within the boundary of the lands or waters embraced in the license when the same are not already enclosed and post and maintain upon these posts, stakes, or other enclosures, at intervals of not more than 20 rods, notices furnished by the director proclaiming the establishment of a farm or ranch of the kind specified in the license. For these notices the licensee shall pay to the director the sum of 25 cents each.

[1927 c. 423 s. 7; 1929 c. 366 s. 6] (5625-7)

99.18 TRESPASSERS. Any person, other than the licensee or his agents, who shall hunt, trap, take or attempt to take fur-bearing animals of any kind or kinds specified in the license upon any lands or waters described in any such license shall be liable to the licensee in the sum of \$25.00, in addition to all damages which he may do to the farm or ranch or to such fur-bearing animals or game birds and property thereon, to be recovered by the licensee in a civil action.

All lands and water heretofore or hereafter enclosed and fenced under the provisions of sections 99.11 to 99.22 shall become and be permanent water-fowl refuges on which hunting and shooting of water-fowl is prohibited.

[1927 c. 423 s. 8; 1929 c. 366 s. 7] (5625-8)

99.19 ANNUAL REPORT TO DIRECTOR. On or before the first day of March each year the licensee shall make a report, verified by affidavit, to the director covering the period from the first day of January to the thirty-first day of December of the previous year, upon blanks furnished by the director, stating the number of the license and the total number of fur-bearing animals or game birds of each kind specified in his license killed, transported, or sold from the farm or ranch operated under the license.

The director, and any game warden expressly authorized by the director, or any other officer so authorized, shall have authority at all reasonable times with or without a warrant to enter, inspect, and search the premises of any licensee under sections 99.11 to 99.22, including the premises described in the license and all other premises used by the licensee in any manner for taking, keeping, storing, buying, selling, transporting, shipping, or otherwise disposing of such wild animals or birds or their skins or other parts or products; provided, that the inspection or search shall not be made at such time or in such manner as to interfere with or disturb the breeding of any animals or birds kept or raised under the license on the premises.

[1927 c. 423 s. 9; 1929 c. 366 s. 8] (5625-9)

99.20 PUBLIC RIGHT OF HUNTING, TRAPPING, FISHING, OR NAVIGATION NOT AFFECTED; RIPARIAN RIGHTS. Nothing in sections 99.11 to 99.22 shall be construed to affect any public right of hunting, trapping, fishing, or navigation except as herein expressly provided. Nothing in sections 99.11 to 99.22 shall be construed as giving any person, firm, or corporation the right to interfere with, abrogate, impair, or diminish the riparian or surface rights of any adjacent or adjoining property owners in any manner, and any and all rights and licenses which may be granted by or pursuant to sections 99.11 to 99.22 shall be subject thereto.

[1927 c. 423 s. 10] (5625-10)

99.21 ADDITIONAL LICENSE. Any person desiring to obtain a license for raising fur-bearing animals or game birds of a kind specified in sections 99.11 to 99.22 upon the same premises already licensed for raising such fur-bearing animals or game birds of another kind specified in sections 99.11 to 99.22 and for which a license fee has already been paid, shall be entitled to obtain a license for the raising of the additional kind or kinds of fur-bearing animals or game birds upon the premises upon making application therefor and complying with the provisions of sections 99.11 to 99.22, but no additional license fee shall be charged therefor, and the raising of different kinds of fur-bearing animals or game birds on the same premises shall be permitted upon the payment of one license fee for the premises.

[1927 c. 423 s. 11; 1929 c. 366 s. 9] (5625-11)

99.22 PERMIT TO CAPTURE WILD ANIMALS. Protected wild fur-bearing animals may be taken alive only by licensed trappers during the open season there-

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for, or under special permit in the case of beaver or other animals for which such permit may be required by law. Any person so taking such animals alive may keep the same for breeding purposes only in case he is the holder of a license therefor, as provided by sections 99.11 to 99.22, or may keep such live animals for sale, subject to compliance with all the provisions of law relating to the possession, sale, or other disposition of such protected wild animals; provided, that in so far as it is impracticable to apply to such live wild animals any requirements of law for tagging, stamping, or sealing wild animals, or parts thereof, the director may permit such requirements to be dispensed with upon compliance with such provisions for reporting, identifying, and marking such live wild animals as he may by regulation prescribe. Subject to compliance with such laws, such live animals may be sold and transported, or otherwise disposed of, within or without the state; provided, that within the state the same may only be sold to and purchased or possessed by the holders of licenses under sections 99.11 to 99.22 covering such animals, or to persons otherwise authorized to possess such animals alive according to law.

Protected wild animals of any kind may be taken for scientific, educational, or exhibition purposes, or for use as pets, and may be possessed, transported, or otherwise disposed of by sale or in connection with such purposes only under special permits issued therefor by the director and subject to such regulations and the payment of such fees as the director may prescribe; provided, that the director, at his discretion, may issue permits also for the slaughtering of such animals and the use by the owner and the sale or disposal by gift of the carcasses of such animals.

No person shall take, possess, transport, buy, sell, or otherwise dispose of, any protected wild animal alive except as permitted by sections 99.11 to 99.22, or as otherwise expressly permitted by law.

[1927 c. 423 s. 13; 1929 c. 366 s. 11; 1933 c. 392 s. 18] (5625-13)

99.23 ANIMALS AND BIRDS IN STATE FORESTS, PARKS; PROHIBITION; PENALTY. No person shall kill, or pursue with intent to kill, take, snare, or have in possession, by any means upon any Minnesota state forest lands or parks, or upon any lands that may be designated by the director as game propagating and breeding grounds, any wild animals or birds protected at any time by law. The killing or having in possession of each of such protected animals or birds shall constitute a separate offense. This section shall not prohibit the killing or destroying of wolves or other noxious animals by or under the supervision of the director.

Any person violating the provisions of this section shall be guilty of a misdemeanor; and, upon conviction, punished by a fine of not less than \$50.00, nor more than \$100.00, or by imprisonment in the county jail for not less than 30, nor more than 90, days, or both.

[1907 c. 45 ss. 1, 2; 1909 c. 171; 1913 c. 95 s. 1] (6517) (6518)

99.24 VIOLATIONS; PENALTIES. Any holder of a license issued pursuant to sections 99.11 to 99.22 who shall, during the term of such license, violate any of the provisions of sections 99.11 to 99.22, or who shall, during the term of such license, unlawfully take, buy, sell, transport, ship, or have in his possession, any fur-bearing animal or game bird of any of the kinds specified in his license, or any part thereof, and any person who shall sell, transport, or ship any such fur-bearing animal or game bird, or any part thereof, falsely pretending or representing the same to have been raised by any licensee under any such license, or who shall unlawfully use any tag issued by the director, pursuant to sections 99.11 to 99.22, upon or for any fur-bearing animal or game bird, or part thereof, or who shall unlawfully buy, sell, transport, ship, or have in his possession upon the premises of any such licensee any such fur-bearing animal or game bird, or who shall violate any provision of sections 99.11 to 99.22 for which no penalty is expressly prescribed, shall be guilty of a misdemeanor, and shall be punished, upon conviction, by a fine of not less than \$50.00, nor more than \$100.00, or by imprisonment in the county jail for not exceeding 90 days.

[1927 c. 423 s. 12; 1929 c. 366 s. 10] (5625-12)

Am 1943-57-1