

347.17 ANY PERSON MAY KILL DOGS IN CERTAIN CASES

The city council has the power to adopt an ordinance to restrain the running at large of dogs and may do this to anticipate the danger of rabies before the disease becomes an actuality. OAG Jan. 30, 1952 (146).

Sections 347.01 to 347.07 are police regulations relating to dogs generally. Sections 347.08 to 347.21 permit counties to establish a system of licensing and regulating the running at large of dogs and creating a livestock indemnity fund based on the license fees. Section 347.07 is effective even though a county dog licensing system has not been established. OAG Feb. 28, 1941 (146-D-2).

347.21 INTERPRETATION

The city council has power under its charter to adopt an ordinance to restrain the running at large of dogs suspected of rabies. OAG Jan. 30, 1952 (146).

347.22 DAMAGES, OWNER LIABLE

HISTORY. 1951 c 315 s 1.

An action brought solely under the statute imposing strict liability in damages, irrespective of negligence, upon a dog owner for injuries which the dog without provocation inflicts upon a person who is peacefully and lawfully conducting himself while in an urban area, was not founded on negligence and did not survive the death of the defendant. *LaValle v Kaupp*, M, 61 NW(2d) 228.

CHAPTER 348

BOUNTIES, REWARDS

348.06 Repealed, 1949 c 295 s 1.

348.07 Repealed, 1945 c 262 s 4.

348.071 BOUNTIES FOR WOLF, FOX, LYNX, OR BOBCAT

HISTORY. 1945 c 262 s 1-3; 1949 c 727 s 1, 2; 1951 c 133 s 1; 1951 c 658 s 1-4; 1953 c 334 s 1, 2.

A wolf killed in the state need not be killed in the county of payment of the bounty. OAG Feb. 11, 1948 (47-F).

It is not in the line of duty of a game warden to kill foxes and he is eligible for a payment of the reward. The county board may not limit payment of the reward to inhabitants of the county. A reward may be paid to a nonresident. OAG Dec. 27, 1948 (47-F).

The fact that the title of this section did not refer to a bobcat, though bobcat was mentioned in the section, did not constitute a violation of the constitutional provision that no law shall embrace more than one subject which shall be expressed in its title. OAG Oct. 31, 1949 (47-F).

The right of a person who has killed a wild wolf, lynx, or bobcat to a reward is determined by section 348.071, as amended by Laws 1951, Chapter 658. Upon compliance with section 348.071 the county auditor, under subdivision 7, must issue to claimant a warrant upon the county treasurer for the sum due. A county board is without authority to order the county auditor by resolution to discontinue such payments. OAG Aug. 9, 1951 (47-F).

There is no duty imposed upon a county to pay a bounty for lynx or bobcats. OAG Oct. 31, 1949 (47-F).

MINNESOTA STATUTES 1953 ANNOTATIONS

348.073 BOUNTIES, REWARDS

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Payment of bounties upon certain predatory animals is county governmental expense, and it is the county board's duty to pay such bounties from the county revenue fund. OAG Oct. 30, 1952 (47-F).

In the absence of a verified statement or claim described by claimant, the production of a wolf pelt from outside the state does not constitute a criminal act. OAG Jan. 13, 1953 (133-B-28).

348.073 BOUNTY FOR BEAR

The obvious purpose of granting a bounty on the killing of bear was to restrict or eliminate predatory wild animals, and it applies to any county where the commissioners have determined and established a bounty on bear. Payments may be made to an Indian for bear killed on an Indian reservation within the county. OAG Oct. 13, 1949 (47-C).

348.08-348.11 Repealed, 1945 c 262 s 4.

348.12 BOUNTIES, CERTAIN BIRDS AND ANIMALS

HISTORY. 1877 c 125 s 1; GS 1878 c 124 s 78; 1885 c 182 s 1; 1887 c 144 s 1, 2; GS 1894 s 7879-7882; 1903 c 377 s 1; RL 1905 s 2402; 1909 c 48 s 1; GS 1913 s 5202; Mason's 1927 s 6259; 1939 c 40 s 1; 1951 c 372 s 1; 1953 c 247 s 1.

Payment of bounties upon certain predatory animals is county governmental expense, and it is the county board's duty to pay such bounties from the county revenue fund. OAG Oct. 30, 1952 (47-F).

348.14 Repealed, 1945 c 262 s 4.

348.15-348.18, Superseded by 348.071.

OTHER PUBLIC RIGHTS AND PRIVILEGES

CHAPTER 350

STATE OFFICERS AND EMPLOYEES, SALARIES

350.01 AMOUNT

Where the right to enjoin payment of the salary annexed to a public office depends upon a determination of title to the office, and the title to the office is disputed and has not been determined in quo warranto proceedings, an injunction should not issue to restrain payment of salary. *Ryan v Hennepin County*, 224 M 444, 29 NW(2d) 385.

350.02 GOVERNOR

HISTORY. Amended, 1949 c 738 s 1; 1951 c 712 s 1.

350.03 SECRETARY OF STATE

HISTORY. Amended, 1949 c 738 s 2; 1951 c 712 s 2.

350.04 STATE AUDITOR

HISTORY. Amended, 1949 c 738 s 3; 1951 c 712 s 3.