

# GENERAL STATUTES

OF

# MINNESOTA

1913

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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. (2388)

5189. **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. (2389)

5190. **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. (2390)

See §§ 48, 49.

## CHAPTER 39

### BOUNTIES AND REWARDS

5191. **For timber growing**—Every person who shall plant one acre or more of 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. (R. L. § 2391, amended '13 c. 76 § 1)

As to standing appropriations, see §§ 48, 49.

5192. **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 § 5191; 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. (2392)

5193. **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. (2393)

5194. **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. (2394)

5195. **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. (2395)

5196. **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. (2396)

82-71, 84+650.

**5197. Wolves—Standing appropriation—**Every person who shall kill a wolf in this state shall be rewarded in the sum of seven and one-half dollars for a full-grown animal, and three dollars 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. (R. L. 2397, amended '07 c. 381 § 1)

As to standing appropriations, see §§ 48, 49.

**5198. 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. (2398)

**5199. 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 cub, as the case may be; and that the toes of both front feet were 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. (R. L. § 2399, amended '07 c. 298)

**5200. 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. (2400)

**5201. 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. (2401)

**5202. Gophers, rattlesnakes, crows, etc.—**Any county board or board of town supervisors may by resolution offer a bounty for the destruction of gophers, ground squirrels, ground hogs, or wood chucks, rattlesnakes, 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; fifteen cents for each ground hog, or wood chuck; fifty cents for each rattlesnake, and ten cents a dozen for blackbirds killed during the months of April, May and June, and 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. (R. L. § 2402, amended '09 c. 48 § 1)

**5203. Method of payment—Additional bounties by towns—**The heads of such animals and the bodies of such reptiles 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 heads, bodies and evidence to the auditor direct.

The official to whom such heads and bodies are produced shall immediately cause such heads to be destroyed and shall cause the removal of one foot from each bird and the rattlers from the rattlesnake.

Any town board may also offer a bounty for the destruction of blackbirds and adopt rules for the payment thereof.

Any board of township supervisors may also offer a bounty for the destruction of the animals, birds and reptiles described in the title of this act, and adopt rules for the payment thereof, which bounty so offered by a township may be in addition to any bounty which may be offered by the board of county commissioners. (R. L. § 2403, amended '09 c. 48 § 2; '11 c. 220 § 1)

## CHAPTER 40

### PUBLIC LANDS

#### SALES BY AUDITOR

**5204. School lands—Minimum price—Pine lands—**The minimum price of school lands shall be five dollars per acre, and all sales thereof shall be within the county in which said lands are situated: Provided, that pine lands shall not be sold until the timber thereon has been sold according to the provisions of this chapter; and, when such timber has been sold and removed, the land may be appraised and sold as in this chapter provided. Not more than one hundred thousand acres of school lands shall be sold in one year. (2404)

G. S. 1894 § 3965 cited (100-16, 110+371).

See § 5209 and note under § 5264.

**5205. University lands—Minimum price—**The minimum price of all lands donated to the state by the United States by act of congress entitled "An act donating to the states of Minnesota and Oregon certain lands reserved by congress for the territories of Minnesota and Oregon, for university purposes," approved March 2, 1861, and by an act of congress entitled "An act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and mechanic arts," approved July 2, 1862, shall be five dollars per acre. The auditor shall cause said lands, or any part of them, to be appraised and sold in accordance with the provisions of this chapter. (2405)

See § 5209.

**5206. Salt and indemnity lands—University may sell—**The board of regents of the state university shall have the charge and supervision of the state salt lands donated by the United States to aid in the development of the brines in the state, and of the lands granted by congress to the state by an act entitled "An act granting lands to the state of Minnesota in lieu of certain lands heretofore granted to said state," approved March 3, 1879. Said board may sell said lands in such manner and amounts as it may deem expedient, and shall hold the proceeds thereof in trust, and shall only disburse the same in accordance with the law providing for a geological and natural history survey. The university may execute in its name deeds of conveyance of said lands. The proceeds of the sale of such lands, when