

premises, as the court may determine, hear the parties and their witnesses, and assess all damages.

SECTION 3. The person so entering upon land may tender to the party injured amends therefor, and if in case of appeal to the county court the damages finally assessed do not exceed the amount tendered, the person entering shall recover costs; otherwise, the prevailing party shall recover costs.

Tender of amends.

SECTION 4. The costs to be allowed in all such cases shall be the same as allowed according to the rules of the court.

Costs.

SECTION 5. If any person shall willfully deface, injure, or remove any signal, monument, building or other property of the United States, constructed or used under or by virtue of the authority of congress aforesaid, he shall forfeit a sum not exceeding fifty dollars for each offense, and shall be liable for damages sustained by the United States in consequence of such defacing, injury, or removal, to be recovered in an action on the case in any court of competent jurisdiction.

Penalty for interference with property of U. S.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved February 20, 1879.

[No. 212, A.]

[Published February 25, 1879.]

## CHAPTER 39.

AN ACT to amend chapter one hundred and eighty-two of the general laws of 1875, etc., entitled an act to amend chapter five hundred and fifty of private and local laws of 1867, entitled an act to amend chapter two hundred and thirty-three of private and local laws of 1867, entitled an act for the preservation of fish in the lakes near Madison.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. Chapter one hundred and eighty-two of the general laws of the state of Wisconsin of 1875, is hereby amended so as to read as follows: Section 1. No person or persons shall take, catch, or kill any food fish of any kind in either of the lakes known as Kegonsa or First Lake, Waubesa or Second Lake, Monona or Third Lake, Mendota or Fourth Lake, or Wingra or Dead Lake, situated in the county of Dane, or in any stream or waters connecting said lakes or either of them, or in any stream or waters emptying into said

Where and where fishing prohibited.

Minnows and suckers excepted.

lakes, or either of them, between the first day of March and the tenth day of May in any year; or with any net, seine, wire basket, spear, grapple, trap or device whatever, except hook and line, at any time whatever: *provided*, that minnows may be taken with the net, and that suckers may be speared at any time of the year, and white fish may be speared except from March first to the tenth of May in any year; but it shall not be lawful during the winter season or time when said lakes are frozen over, for any one person catching fish through holes in the ice, to use more than three hooks and lines, nor for more than one person from one household or family to use that number. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by fine of not less than five dollars nor more than fifty dollars, with costs of suit; one-half of such fine shall go to the use of the prosecutor, and the residue as provided by law. In lieu of such fine and costs, the proper court may in its discretion, upon such conviction, imprison the party so convicted, in the common jail of the proper county, not exceeding thirty days.

Penalty for violation.

Jurisdiction of court.

SECTION 2. Justices of the peace and police justices shall have concurrent jurisdiction with the circuit court, in all cases mentioned in the foregoing section. The provisions of this act shall not be deemed to apply to the taking of fish for the purpose of propagation or for scientific purposes, by the fish commissioners of the state.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved February 20, 1879.

[No. 15, A.]

[Published February 25, 1879.]

## CHAPTER 40.

AN ACT to prohibit the killing of deer in Door county, for shipment outside of Door county.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

Killing and selling prohibited.

SECTION 1. No person shall kill any buck, doe, or fawn, in Door county, to sell or to be sold, or to send or deliver, in pursuance of any sale or agreement to sell, in whole or in part, for use as food outside of Door county.