

Tolls to be
lien upon logs.

SECTION 4. For any tolls or charges herein provided, which shall remain due and unpaid, the said William Baker, his associates and assigns, shall have a lien on all logs and timber upon which such tolls or charges, or any part thereof, shall remain unpaid and may enforce the same in the same manner as other liens on logs and timber for labor or supplies, may be enforced under the general statutes.

Subject to
amendment or
repeal.

SECTION 5. This act shall take effect from and after its passage and publication; but this act and all such acts as shall be passed amendatory thereof, shall be at all times subject to be altered, amended or repealed by the legislature.

Approved March 4, 1879.

[No. 198, A.]

[Published March 14, 1879.]

CHAPTER 192.

AN ACT to regulate the sizes of meshes of nets used in the waters of Lake Michigan and the waters of Green Bay and the waters of Lake Superior, and for the better enforcement of the fish and game laws of the state, and to repeal section four thousand five hundred and sixty-three of the revised statutes.

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

Fishing prohib-
ited.

SECTION 1. Any person or persons who shall catch or take any fish from the waters of Lake Michigan, or of Lake Superior, within the jurisdiction of this state, or from the waters of Green Bay, within such jurisdiction, with any trap or pound net, or with any net or seine the meshes of the pot of which are less than one inch and a half-inch from knot to knot, or with a mesh less than three (3) inches, shall be punished by fine of not less than ten (10) dollars or more than fifty (50) dollars for each day's or part of a day's unlawful use of such net, with costs, to be recovered in an action in the name of the state of Wisconsin, before any justice of the peace or police justice within the proper county; one half of which said fine shall go to the use of the complainant.

Description of
device.

Penalty.

Having in pos-
session or sell-
ing fish unlaw-
ful.

SECTION 2. It shall be unlawful for any person or persons to have in his or their possession and offer for sale any young white fish or lake trout (commonly called Mackinaw trout) of a weight of less than three-fourths of a pounds, and any violation of the provisions of this section shall subject the offender or offenders to a

fine of not less than five (5) dollars nor more than fifty (50) dollars for each offense, with costs of prosecution, to be recovered in like manner as is provided in section one (1), half of the fine imposed to be paid to the complainant.

SECTION 3. It is hereby made the duty of all sheriffs, and of their deputies, of all constables and marshals, and of all police officers in the state, to take care that the provisions of this act are enforced; and upon verbal complaint made to any such officers by any person, that the provisions of this act have been violated, to make complaint before the proper court, and upon warrant, to arrest the offender or offenders and to take him or them before the proper court for trial; and any such officer may summarily arrest, without warrant, any person or persons found in the act of violating the provisions of this act; and such person or persons so arrested shall, within twenty-four hours after such arrest, be taken before the proper court to be dealt with according to law; and, during such period of time, shall be held in close custody, and until taken before such court.

SECTION 4. Any officer named in this act who shall neglect or refuse to discharge the duties hereby imposed upon him, shall be deemed guilty of misfeasance in office, and upon conviction shall be subject to a fine of not less than five (5) dollars nor more than fifty (50) dollars for each offense, with costs, to be recovered in an action in the same manner as is provided in section one (1) of this act, and by removal from office.

SECTION 5. In order to secure the better enforcement of this act, and of the general laws of this state, for the protection of fish and game, the fish commissioners of the state are authorized and empowered to appoint some suitable person, who shall be a resident of either the county of Ashland, Bayfield or Douglas, to act as a fish warden within such counties; and it shall be the duty of the person so appointed to prosecute for all such violations of the provisions of this act, and for any violation of the general laws of this state for the protection of fish or game in the counties named. The compensation of such person, so appointed, shall not exceed the sum of seven hundred (700) dollars per annum; to be paid by the said counties or by either one, or by any two of them, proportionably, at their option, if they shall so agree. Either of said counties is, or any two of them are, hereby authorized and empowered to pay such person so appointed such salary:

Duty of officers.

Penalty for neglect of duty by officers.

Appointment of fish warden authorized.

Compensation.

Of fines received.

provided, that there shall be deducted from such salary and from any compensation paid to such person, the moiety of fines received by him or arising from prosecutions under this act, and the fees which he may receive in the service of process; such person, so appointed, shall receive the same fees as are now appointed by law for constables; but if the amount thereof does not equal the sum heretofore named as his salary, in that case the said counties, or either or any two of them, shall pay to such person such sum as may be agreed upon, not exceeding, together with the fines and fees received by him, the sum named. It shall be the duty of such person so appointed to keep a correct statement of all fines received by him and of all fees for service of process, and he shall, whenever required by the county boards of said counties, or by the county board of either of them, to furnish a statement under oath of the items of such receipts and the aggregate thereof. Such person, so appointed, may be removed for cause by the state fish commissioners.

Fish warden to give bonds.

SECTION 6. The fish warden provided for in this act shall after his appointment, and before he enters upon the discharge of his duties, take and subscribe an oath of office, and give a bond as is required by law for constables, and which oath and bond shall be filed with the county clerk of the county in which he resides; and such warden, after having fully qualified, in addition to the powers hereby conferred upon him, shall have and possess all the powers of a sheriff or of a constable conferred by law in and about the discharge of the duties imposed by this act.

Repealed.

SECTION 7. Section four thousand five hundred and sixty-three of the revised statutes of the state of Wisconsin is hereby repealed.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved March 4, 1879.