

No. 412, A.]

[Published April 30, 1901.

**CHAPTER 230.****AN ACT** for the preservation of fish in Dane county.

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

**Close season.** SECTION 1. No person shall between the first day of December and the succeeding tenth day of May, take, catch or kill, or attempt to do so, any fish of any kind from the lakes in Dane county, known as Wingra, Waubesa, Kegonsa, Monona and Mendota, or from any streams or waters in said county connected with said lakes, nor shall have in his or their possession any such fish when so taken, caught or killed between the days named, and at no time during the year shall any fish be taken, or attempted to be taken from any of said lakes or waters, by the use of any spear, gun, dynamite or other explosive, or with any net; except that perch, bullheads, suckers, carp and redhorse may be caught at any time with a hook and line, and except that a spear may be used to take carp, suckers, redhorse or bullheads, on the stream between Mud lake and Lake Kegonsa and on the stream between Lake Kegonsa and the county line of Rock county from the fifteenth day of March to the first day of June.

**Manner of taking.** SECTION 2. Angling or trolling with the common hook and line shall be the only lawful method or manner of taking or catching any kind of fish during the open season from any of the lakes or waters aforesaid, except that minnows, other than young bass, pike or pickerel, may be taken at any time and in any manner.

**Prohibited methods of taking.** SECTION 3. It shall be unlawful and is prohibited, for any person to fish in, or on any of said lakes, or said waters with more than five lines to each person, nor with more than one hook attached to each line. It shall further be unlawful and is prohibited to construct upon the ice of any said lakes or said waters, any building or any enclosure of any nature whatsoever, which shall conceal the person of the occupant while engaged in fishing through the ice, or to occupy any building or enclosure while engaged in fishing through the ice.

**Selling prohibited.** SECTION 4. It shall be unlawful to sell or offer to sell, at any time of the year within the limits of Dane county, any small mouth yellow bass or large mouth or black bass or Oswego or green bass.

**Penalty for violations of act.** SECTION 5. Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof, except as otherwise herein provided, shall be adjudged to pay a fine of not less than twenty-five nor more than one hundred dollars, or in default of the payment of such fine, imprisonment in the common jail of said county for not less than thirty days nor more than ninety days; and in case of a second conviction of the same person, the court may impose punishment by a fine of not less than fifty nor more than two hundred dollars or by imprisonment in said jail for not less than sixty days or more than six months.

**Shipping prohibited; taking with person.** SECTION 6. It is unlawful and is prohibited for any person to ship out of Dane county any of the fish common to the lakes or waters of said county, except that during the open season any person may take with him not to exceed twenty pounds or two fish which he himself has taken or caught. Any person violating the provisions of this section shall upon conviction thereof be punished by a fine of not less than ten dollars nor more than fifty dollars, or in default of payment of such fine, imprisonment in the county jail of not less than ten days or more than thirty days.

**Fish in possession during close season, evidence of illegal taking.** SECTION 7. The possession in said county of any fish common to any such lakes or waters during the period of prohibition stated in the first section of this act shall be deemed prima facie evidence that the same was taken, caught or killed in said waters in violation of this act. The possession in, about or upon any said lakes or waters of a spear, except as provided in section 1 of this act, shall be prima facie evidence of an intent of its unlawful use.

**Penalty for possession during closed season.** SECTION 8. It shall be unlawful for any person during the closed season before named, to have in his possession or sell or offer to sell any kind of the fish common to the lakes or waters of Dane county, except that perch, bullheads, suckers, carp or red-horse may be sold. Anyone who shall violate the provisions of this section shall upon conviction thereof, be punished by a fine of not less than ten dollars nor more than fifty dollars or in default of payment

of such fine, imprisonment in the county jail of not less than ten days nor more than thirty days.

**Who charged with execution of act; rewards.** SECTION 9. The sheriff of said county and his deputies and the state fish and game warden and his deputies and each and every constable in said county and the several police officers of the cities and villages in said county, are charged with the execution of the act and may arrest, with or without warrant in any part of the county, any person violating the same and bring him before the proper court for trial. The common council of the city of Madison and the common council of the city of Stoughton and the board of supervisors of any town in said county may offer and pay suitable rewards for the apprehension and conviction of any person violating the provisions of this act.

**Disposition of fines.** SECTION 10. One-third of the fines imposed and collected under this act, shall be paid to the person informing of the offense and prosecuting the offender to conviction, one-third shall be paid by the magistrate before whom the matter shall have been tried and the fines imposed, to the county treasurer and shall be by him designated and set apart as a fund for the protection of fish and game to reimburse the county for the moneys which it shall expend for the enforcement of the fish and game laws, and the remainder shall go to the school fund as provided by law.

**Conflicting laws repealed.** SECTION 11. All acts and parts of acts relating specially to the preservation of fish in said lakes and streams and conflicting with the provisions of this act, are hereby repealed.

SECTION 12. This act shall take effect and be in force, from and after its passage and publication.

Approved April 26, 1901.