

No. 534, A.]

[Published May 22, 1903.]

CHAPTER 334.

AN ACT to provide fishways in dams, booms, piers and other obstructions, in the Koshkonong creek, in the counties of Dane and Jefferson, in the state of Wisconsin.

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

Fishway must be constructed. SECTION 1. It shall be the duty of every person, persons or corporation owning, managing, occupying or having in charge any dam, boom, pier or other obstruction of any kind whatsoever in, on or across the stream in Dane and Jefferson counties, in the state of Wisconsin, known as Koshkonong creek, to construct, maintain in or upon such dam, boom, pier or other obstruction a good and safe fishway, which will permit the certain and easy passage of fish up and down said Koshkonong creek, and upon and according to plans which shall be prepared or approved by the board, known as the "Commissioners of Fisheries" in the state of Wisconsin, and as defined in chapter 62 of the statutes of 1898.

Repairs of. SECTION 2. It shall be the duty of every person, persons or corporation owning, managing, occupying or having in charge any such dam, boom, pier or other obstruction in or on said Koshkonong creek, as aforesaid, to keep and maintain such fishway in good repair, and open for the easy and free passage of fish up and down said creek, from the first day of March until the first day of June next ensuing in each and every year after said fishways are built.

Notice; time within which constructed. SECTION 3. The said fishways shall be constructed as aforesaid, within three months after said owner, occupant, manager, or person or persons having the charge or control of any such dam, boom, pier or other obstruction, shall have been notified in writing by the board known as the "Commissioners of Fisheries" of the state of Wisconsin, to build or construct said fishway or fishways, and prescribing the location thereof with reasonable certainty.

Commissioners of fisheries, duty of. SECTION 4. It shall be the duty of the state board of the commissioners of fisheries to furnish, free of expense, to any person or corporation applying for the same, a plan for the fishway in any dam, boom, pier or other obstruction being now in, on, or across said Koshkonong creek, or which may hereafter be constructed on or therein. And said board shall between the first day of April and the first day of June next ensuing in each year, cause all such dams, booms, piers or other obstructions, to be examined and cause complaint in the proper court to be made against any person, persons or corporation violating the provisions of this act.

Forfeiture. SECTION 5. Any person or corporation who shall neglect or refuse to construct, maintain or keep in repair, or keep open a fishway in such manner as to permit the certain and easy passage of fish up and down said Koshkonong creek, and as required by the provisions of this act, shall forfeit to the state of Wisconsin not less than \$25 nor more than \$100 for each of such violations of the provisions of this act, in addition to all costs of suit, and the same to be recovered in a civil action brought in the name of the state of Wisconsin by the said fish and game warden or one of his deputies.

Conflicting laws repealed. SECTION 6. All laws, acts or parts of acts in conflict or inconsistent with the provisions of this act are hereby repealed.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved May 20, 1903.