

[No. 99, S.]

[Published April 26, 1887.]

CHAPTER 520.

AN ACT in relation to the fishing industries of Lake Michigan, Lake Superior, Chequamegon Bay, Green Bay and Sturgeon Bay, to protect and increase the fish supply thereof, and to appropriate a certain sum of money therein named, and to repeal chapter 455, of the laws of 1885.

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

Protection of white-fish of less than one pound and a half in weight—penalty.

SECTION 1. It shall hereafter be unlawful for any dealer or other person to buy, or for any one to sell or offer to sell, or for any one to have in his possession in this state, or for any one to ship out of this state, any whitefish of less than a pound and a half, round or undressed weight, or one pound dressed weight. Provided however, that any one engaged in fishing as a business may be permitted to have in their possession only such amount of whitefish of less than one and a half pounds in weight as the warden in his judgment may think unavoidable; provided, further, that such amount shall under no circumstances exceed fifty pounds. Any dealer or other person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than five dollars nor more than ten dollars and costs, and on a second or subsequent conviction for a similar offense shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars and costs.

Nets not to be set in certain part of Chequamegon Bay.

SECTION 2. It shall be unlawful after the passage of this act for any person, for himself or another, to set in waters of Chequamegon Bay south of an east and west line drawn at the lighthouse in said bay, known as Chequamegon lighthouse, any pound, gill or trap net, for a term of five years. Any person violating the provisions of this section, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars and costs, and on the

second and subsequent conviction for a similar offense shall be punished by fine of not less than fifty dollars nor more than one hundred dollars and costs.

SECTION 3. It shall hereafter be unlawful for any person or persons to throw overboard from any row, sail or steam-boat, or other craft, or throw into any of the waters mentioned in the title of this act, or any bays thereof, or streams emptying therein, any fish offal. Fish offal shall be construed to mean the cleanings of fish, such as heads, intestines, blood and dead fish. Any fisherman coming to the shore with fish in his boat, dressed and having no offal in his boat, shall be deemed prima facie guilty of a violation of this section. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of not less than five dollars nor more than ten dollars and costs.

Fish offal not to be thrown into any waters mentioned in title of this act—penalty.

SECTION 4. The waters of Sturgeon Bay shall be subject to the provisions of this act as far as applicable, except no pound, gill or fyke net or seine or any other net or device for catching or trapping fish will be permitted to be placed therein, except a dip-net to be used for the purpose of catching minnows for bait and gill nets, the meshes of which are not less than four and one-half inches, stretch measure; and it shall be unlawful to catch any fish in Sturgeon Bay by any other methods than is provided in this section. The waters of Sturgeon Bay shall be considered that portion lying south of a line drawn from the extreme southerly point of Sherwood Point. Said line running east to the shore terminating in section nineteen, township twenty-eight, range twenty-six east, in Door county; provided, that all the waters of Sawyer's harbor shall be construed a part of Sturgeon Bay.

Waters of Sturgeon Bay made applicable to provisions of this act.

SECTION 5. The governor shall within five months after the passage of this act appoint, by and with the advice and consent of the senate, three persons, citizens of the state, who shall be designated fish wardens. They shall be well informed as to the modes and methods of catching fish, and the names and construction of the several nets or seines used. They shall also be acquainted with the fishing industries and the

Governor to appoint three fish wardens.

persons engaged therein in their respective districts. Their term of office shall be two years from the date of their appointment unless sooner removed by the governor for neglect or incompetency.

Duties of wardens.

SECTION 6. It shall be the duty of the said wardens to see that all the provisions of this act are strictly and faithfully complied with, and, to aid them in doing so, they are hereby invested with all necessary power and authority. During the months that the fishermen are engaged in fishing for whitefish in any district it shall be the duty of the warden of such district to devote his time exclusively in performing his duties as herein set forth, and said wardens are hereby given power and authority to examine any packages of salt fish that they may have reason to suspect may contain any whitefish of less weight than allowed by this act. It is also made a part of their duty to collect statistics of the fishing industries in the above named waters in each year in substantially the form set forth in this section, with such additions to it as their experience may suggest. The blanks for said forms shall be furnished by the secretary of state, and shall be promptly delivered by said wardens to the persons or firms engaged in fishing in their respective districts. Each person, having a residence in Wisconsin, engaged in fishing as a business for the whole or a portion of the year in any of the waters before mentioned, shall, on or before the first day of December in each year, report to the warden of his district the amount in pounds of all food fish caught by them during the year, together with the average price per pound, and such other information as the law provides for. Any person neglecting or refusing to make the report provided for in this section shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars and costs. The report above referred to shall be in substance the following form:

Secretary of state to furnish blank forms.

This report covers the fishing season from 188—, to 188, —:

Species of Fish.	Pounds.	Average price per pound.	Total amount received.
White fish.....
Trout, lake.....
Herring.....
Bass.....
Perch.....
All other kinds.....

DESCRIPTION OF NETS USED.

Kind.	Number.	Value.	Size of mesh.
Gill.....
Pound.....
Seine.....
Fyke.....

Number of persons employed.....
 Kind and number of boats used.....
 Value of boats used.....
 Value of docks and buildings.....
 Value of all other property belonging to the fishing interests.....
 Remarks as to season being favorable or unfavorable.....

Signature.

SECTION 7. On or before the last day of December in each year it shall be the duty of the said wardens to make out and transmit to the president of the Wisconsin state commissioners of fisheries on blanks, to be furnished such fish wardens by the secretary of the state, a statement of all labors performed by them under this act, together with such information as the said president of fish commissioners may deem necessary, such statements and information shall be published with and as a part of the several reports of said commission of fisheries, and such additional pages shall be directed by the secretary of state to be printed in said commissioners of fisheries reports as may be necessary to embody such statements and information in a convenient form and the president of said commissioners of fisheries shall cause to be sent to each fisherman or firm of fishermen named in said warden's reports, a copy of the several reports of said commissioners of fisheries.

Statement to be furnished Wisconsin state fish commissioners by wardens, on blanks furnished by secretary of state.

Appropriation. SECTION 8. There is hereby annually appropriated out of any money in the state treasury not otherwise appropriated the sum of twenty-five hundred dollars, which shall be in full compensation for salary and expenses of said wardens, each of said wardens shall be paid in proportion to the size of his warden district. The size of such district to be determined by the number of miles of coast or shore; provided, that no services shall be rendered and no salary paid prior to September, 1887.

Division of
waters, and
districts.

SECTION 9. To more effectually carry out the provisions of this act, the lakes, rivers and bays named in this act are hereby divided into three districts, to be known respectively as district number one, district number two, and district number three, to-wit: Beginning at the boundary line between Wisconsin and Illinois on the south and running northward, and terminating at the north pier of the harbor of Ahnapee, shall be designated as district number one; starting at the north pier of the harbor of Ahnapee, it shall continue northward along the shore of Lake Michigan, passing to the eastward of all islands belonging to and lying within the boundaries of Wisconsin, after passing Rock Island to the eastward, said line to run in a south-westerly direction up the center of Green Bay and to the westward of Chamber's Island to the center of the mouth of the Menominee River, so that all the waters of Green Bay belonging to Wisconsin, shall constitute district number two; beginning at the boundary line between Michigan and Wisconsin on the east, and running from thence in a north-westerly direction, passing to the northward of all islands belonging to or lying within the boundary of Wisconsin and terminating at the line between Wisconsin and Minnesota, shall be known as district number three.

District attorney to prosecute offenders.

SECTION 10. Upon complaint made in writing under oath before any justice of the peace, charging the commission of an offense against any of the provisions of this act, in his county, it shall be the duty of the district attorney of that county to prosecute the offender; and justices of the peace shall have power throughout their respective counties to hear, try and determine any and all violations of the provisions of this act.

SECTION 11. The wardens at present overseeing said districts, appointed by authority of chapter 455, of the laws of 1885, are hereby given power and authority to enforce the provisions of this act until September, 1887. Wardens appointed under chapter 455, laws 1885, to hold over till September, 1887.

SECTION 12. Chapter 455, of the laws of 1885, and all acts or parts of acts contravening the provisions of this act are hereby repealed. Repeal.

SECTION 13. This act shall take effect and be in force from and after its passage and publication.

Approved April 14, 1887.

[No. 895, A.]

[Published April 15, 1887.]

CHAPTER 521.

AN ACT to amend chapter 328, of the laws of 1882, authorizing the city of Milwaukee to establish and maintain a public museum, and chapter 7, of the laws of 1878, to establish a public library in the city of Milwaukee.

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

SECTION 1. Hereafter all appointments of members from the common council of the board of trustees of the public library of the city of Milwaukee, made by the mayor on the third Tuesday in April, shall be made from aldermen having two years to serve, and in case any person so appointed shall vacate his office of alderman before the expiration of his term, he shall thereupon cease to be a member of said board of trustees, and the mayor shall appoint some other alderman of his class in his place, to be such trustee for the remainder of his term. Each alderman appointed shall serve as such trustee during his term as alderman. It shall be the duty of the mayor, on the third Tuesday in April in each year, to appoint a sufficient number of aldermen having two years to serve as aldermen, to be members of such board of trustees, to keep the number of members of such board from the common council always Appointments of trustees of public library, Milwaukee.

Mayor to appoint.