

No. 161, A.]

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CHAPTER 351.

AN ACT to secure the better preservation of game.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*Closed season,
game birds.

SECTION 1. It shall be unlawful to take, catch, kill, or have in possession when killed or taken, any woodcock, quail, partridge, pheasant or ruffed grouse, prairie hen or prairie chicken, sharp-tailed grouse or grouse of any other variety, mallard, teal or wood duck, snipe and plover, between the first day of December and the succeeding first day of September, and wild duck of any variety, or wild goose or brant of any variety, or any aquatic fowl whatever, between the first day of May and the succeeding first day of September. It shall be unlawful to hunt with a dog or dogs, any quail, partridge, pheasant or ruffed grouse, prairie hen or prairie chicken, sharp-tailed grouse or grouse of any other variety, for a period of two years from and after the first day of September, 1891.

Closed season,
deer, etc.

SECTION 2. It shall be unlawful to kill or take by any kind of a contrivance or device whatever, or pursue with intent to kill, or take or worry, any deer, buck, doe or fawn between the first day of December and the succeeding first day of November, or to hunt deer, buck, doe or fawn, with dog or dogs at any time, and it shall also be unlawful for any person or persons to sell or expose for sale or have in possession for the purpose of exposing for sale, any of the kinds of game, birds, animals or venison protected by this act, after the expiration of eight days next succeeding the time limited and prescribed for the killing of any such birds or animals.

Snare, nets,
traps and
spring guns
prohibited,
same may be
confiscated by
warden.

SECTION 3. It shall be unlawful at any time to take, catch or kill, or to attempt to take, catch or kill any of the animals or birds mentioned in the first two sections of this act, by means of any snare, net, trap or spring gun, or any similar

contrivance; and it shall be unlawful for any person or persons to place, spread or set anywhere, or permit to be placed, spread or set, any net, trap or snare for the purpose of catching, taking or killing any of the animals or birds mentioned in the first two sections of this act; and any game warden, deputy game warden, sheriff, coroner or constable, having any reason to believe that any violation against the provisions of any of the sections of this act has been or is about to be committed, may enter upon any land in search of evidence thereof, and shall seize, confiscate and remove any net, trap or snare which shall be found so placed, spread or set as to indicate the purpose of taking, catching or killing any of the animals or birds mentioned aforesaid, and take the same before any justice of the peace, police court or magistrate of the county; and if it shall be established on the trial, to the satisfaction of such magistrate, that such net, trap or snare was so placed, spread or set with design to make use of the same for catching, taking or killing any of the animals or birds mentioned aforesaid, contrary to the provisions of this act, such magistrate shall enter as part of his judgment, a finding to that effect, and shall order and cause such net, trap or snare or devise to be destroyed by the game warden or his deputy or by the sheriff or any other official. And it shall also be unlawful at any time to use in pursuit of any such animal or bird, any pivot or swivel gun, or any other fire arm not habitually held at arm's length, and discharged from the shoulder.

SECTION 4. It shall be unlawful to take, destroy or have in possession the eggs of any of the birds mentioned in this act, or of any wild pigeon, king bird, robin, thrush, blue bird, swallow, cat-bird, woodpecker, flicker, pigeon, dove, wren, finch, lark, plover, oriole, humming bird, bunting, grackle, grosbeak, warbler, fly-catcher, swift, wax-wing, creeper, chick-a-dee, goat-sucker, tanager or whip-poor-will, or to wantonly disturb or molest the nesting place of any such bird or pigeon, or to kill, wound or take any wild pigeon within three miles of a pigeon roost. Any person violating the provisions of this section, shall, on

Destruction of
eggs of birds
prohibited.

conviction thereof be fined not less than one dollar, nor more than five dollars.

Sneak boats and scull boats prohibited.;

SECTION 5. It shall be unlawful to use in the pursuit of any duck, goose, or brant, or any other aquatic bird, any sneak boat or scull boat, or any boat impelled by scull oars, sailboat, steamboat, or floating raft or box, or any similar device; and it shall also be unlawful to construct or use any blind in the open water outside the natural growth of grasses or rushes then and there projecting above the water.

Penalties.

SECTION 6. Any person who shall violate any provision of sections 1, 3 or 5, of this act, shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine not less than fifty dollars and not exceeding seventy-five dollars, or by imprisonment in the county jail for not less than sixty days and not exceeding three months, or by both such fine and imprisonment and the costs of the prosecution. And any person who shall violate any provision of section 2, of this act shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not less than fifty dollars and not exceeding one hundred dollars, or by imprisonment in the county jail for not less than thirty days, and not exceeding three months, or by both such fine and imprisonment and costs of prosecution; and two-thirds of such fines as herein provided for, shall go to the person informing of the offense, and one-third shall be covered into the school fund of this state.

Repeals sec. 7, chapter 443, laws of 1889.

SECTION 7. Section 7, of chapter 443, of the laws of 1889, is hereby repealed, and all laws or parts of laws conflicting with this act are hereby repealed.

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

Approved April 22, 1901.