

the property of the state and may be taken for the use of the individual and become his property at any time and in any manner not prohibited by the laws of this state.

Fines, how divided.

SECTION 21. One-half of all fines provided for in this act shall go to the informer, and one-half to the state treasury, to be placed in the school fund thereof.

SECTION 22. All acts or parts of acts interfering with or conflicting with the provisions of this act, are hereby repealed.

When to take effect.

SECTION 23. This act shall take effect and be in force from and after the first day of May, 1893.
Approved April 20, 1893.

No. 100, S.]

[Published April 29, 1893.

CHAPTER 308.

AN ACT to regulate the fisheries in Lake Michigan, Lake Superior and Green bay.

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

White fish and wall-eyed pike of certain weight not to be sold.

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 white fish of less than a pound and a half, round or undressed weight, or one pound dressed weight; or any wall-eyed pike of less than a pound in weight, round or undressed. 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 fifty dollars, nor more than one hundred dollars, and costs, and on a second or subsequent conviction for a similar offense, shall be punished by a fine of not less than one hundred dollars, nor more than two hundred dollars,

Penalty.

and costs, or by imprisonment in the county jail not less than ninety days, nor more than six months, for each offense, or by both such fine and imprisonment.

SECTION 2. It shall be unlawful, after the passage of this act, to set in the waters of Lake Superior or Chequamegon bay, any pound, gill or fyke net, of less than three and one-half inch mesh, stretch measure, between the first day of April and the first day of August following. Any 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 fifty dollars, nor more than one hundred dollars, and costs, or by imprisonment in the county jail not less than ninety days, nor more than six months, or by both such fine and imprisonment.

Nets, what not to be set.

Penalty.

SECTION 3. Every person fishing for himself, or for another as an employe, shall, while fishing in any of the waters of Lake Michigan, Lake Superior, Chequamegon bay, Green bay and Sturgeon bay, from the twentieth day of October to the first day of November in every year, take the eggs from the female trout while alive, and the milt from the male trout while alive, and after mixing them together in a pail or pan, immediately cast them into the water where such fish were taken. And it is likewise made their duty to pursue the same course as to white fish, from the first to the twenty-fifth day of November in each year. 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 ten dollars, nor more than twenty-five dollars, and costs, and upon conviction for a second and subsequent offense, shall be punished by a fine of not less than twenty-five dollars, nor more than fifty dollars, and costs, or by imprisonment in the county jail not to exceed thirty days.

Trout eggs and milt to be cast in water.

Penalty.

SECTION 4. It shall hereafter be unlawful for any person or persons to throw overboard from any row, sail or steamboat, 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

Fish offal not to be thrown in water.

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| Penalty | 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 <i>prima facie</i> 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. |
| Duty of fish and game warden. | SECTION 5. It shall be the duty of the state fish and game warden to see that all the provisions of this act are strictly and faithfully complied with, and to aid him in doing so, he is hereby invested with all the necessary power and authority. During the months that the fishermen are engaged in fishing for white fish in any district, it shall be the duty of the warden or his deputy, to devote his time exclusively in performing his duties as herein set forth, and said warden is hereby given authority to examine any packages of salt fish, that he may have reason to suspect may contain any white fish of less |
| Statistics to be collected. | weight than is allowed by this act. It is also made a part of his 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 his experience may suggest. The blanks for the said forms shall be furnished by the secretary of state, and shall be promptly delivered by said warden to the persons or firms engaged in |
| Report to warden of fish caught. | fishing in the several 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 state fish and game warden the amount in pounds of all food fish caught by him 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 |
| Form.] | substance in the following form: |

This report covers the fishing season from
189...., to.....189...:

| Species of fish. | Pounds. | Average price pr. pound | Total amount receiv'd |
|----------------------|---------|-------------------------|-----------------------|
| White fish..... | | | |
| Trout, lake..... | | | |
| Herring..... | | | |
| Bass..... | | | |
| Perch..... | | | |
| All other kinds..... | | | |

DESCRIPTION OF NETS USED.

| Kind. | No. | Value. | Size of Mesh. |
|------------|-------|--------|---------------|
| Gill..... | | | |
| Pound..... | | | |
| Seine..... | | | |
| Fyke..... | | | |

Number of persons employed.....

SECTION 6. On or before the last day of December, in each year, it shall be the duty of the state fish and game warden, to make out and transmit to the president of the commissioners of fisheries of the state of Wisconsin, on blanks to be furnished said warden by the secretary of state, a statement of all labors performed by him in relation to fishways, and the protection of fish and game. The deputy wardens shall report to the state fish and game warden, and he to the president of the commissioners of fisheries, the number of arrests made, the number of prosecutions commenced, the number of convictions secured, and the amount of fines collected, with day and date for same, together with the number of nets seized and destroyed by them, stating kind and value, with such other information as 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 commissioners 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 convenient form.

Report of warden to president of commissioners of fisheries.

Report of deputies to warden, what to contain.

District attorney to prosecute.

SECTION 7. Upon complaint made in writing under oath, before any magistrate or justice of the peace, charging an offense against the provisions of this act, in his county, it shall be the duty of the district attorney to prosecute the offender; and justices of the peace shall have power throughout their respective counties to hear, try, and determine any violations of the provisions of this act.

Fish warden, etc., to destroy seines, etc.

SECTION 8. Any fish warden, sheriff or deputy sheriff, constable, policeman, or any special officer of this commonwealth, is hereby authorized to destroy any seine, gill net, fyke net, or pound net, or any illegal devices named in any section of this act, when used in violation of any of the provisions of this act.

Division of fines.

SECTION 9. One-half of the fines imposed under any section of this act, shall be for the benefit of the person or persons making the complaint and securing the conviction of the offender, and the other half shall be paid to the state treasurer, to be placed in the general fund.

Fish for artificial propagation.

SECTION 10. The board of fish commissioners, or their authorized agents, may take, at all seasons, and in any way, fish from the public waters for the purpose of artificial propagation.

Previous laws repealed.

SECTION 11. All laws now in force respecting the protection of fish in the waters of Lake Michigan, Lake Superior, Green bay and that portion of the Fox river lying north of the dam at DePere, are hereby repealed.

Gill and dip nets, when and where may be used.

SECTION 12. Nothing in this act shall prohibit the use of gill and dip nets in the lower Fox river, between the dam at DePere and the mouth of said river, between the first day of September and the succeeding fifteenth day of March; the gill nets to have a mesh of not less than four and one-fourth inches stretch measure.

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

Approved April 18, 1893.