

tion shall, upon conviction thereof, be fined in a sum not less than one hundred dollars and not exceeding five hundred dollars, or by imprisonment in the county jail for a term not exceeding ninety days.

Penalty for becoming an inmate of room, shed, etc., where any of the acts mentioned are carried on.

SECTION 3. It shall be unlawful for any person to resort to or become an inmate of any room, shed, tent or place upon any public or private ground within this state, within which is carried on any of the acts or things mentioned in section one hereof and declared unlawful thereby; and any person found guilty of violating any of the provisions of this section shall be punished by a fine of not more than fifty dollars, or by imprisonment in the county jail for a term not exceeding thirty days.

Repealing clause.

SECTION 4. All acts and parts of acts contravening the provisions of this act are hereby repealed.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 8, 1897.

No. 57, S.]

[Published April 10, 1897.

CHAPTER 188.*

AN ACT to regulate the taking, possession, use, transportation, and sale of fish and game.

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

Ownership and title of all fish and game to be in the state.

SECTION 1. The ownership of and title to all fish and game in the state of Wisconsin is hereby declared to be in the state, and no fish or game shall be caught, taken or killed in any

* Amended by chapter 313, laws 1897.

manner, or at any time, except the person so catching, taking, or killing shall consent that the title to said fish and game shall be and remain in the state of Wisconsin, for the purpose of regulating and controlling the use and disposition of the same after such catching, taking or killing. The catching, taking, or killing of fish or game at any time, or in any manner, or by any person, shall be deemed a consent of said person that the title of the state shall be and remain in the state for said purpose of regulating the use and disposition of the same.

SECTION 2. All rivers, including the Mississippi river to the center of its channel, streams, lakes, and other waters within the jurisdiction of the state of Wisconsin, are hereby designated as inland waters, except Lakes Michigan and Superior, and the harbors and bays immediately connected therewith, Green Bay from the mouth of the Fox River, commencing at the most easterly point in section 24, township 24, N. of R. No. 20, E., of the fourth principal meridian, being the angle between the third and fourth runs or courses of the survey of the meander line of said section 24, as shown by the original plat of the survey of said township of record in the state land office of the state of Wisconsin, running thence south forty-five degrees east, until the line reaches the main land in township 24, N. of R. No. 21, E., Lakes St. Croix and Pepin. The waters herein excepted from the inland waters of the state are hereby declared to be outlying waters.

Inland waters defined.

Outlying waters.

SECTION 3. It shall be unlawful and it is prohibited to kill, capture or take by any device whatever or in any manner, in any of the inland waters of this state, any black bass, Oswego bass or yellow bass, between the first day of March, and the twenty-fifth day of May next succeeding, excepting that in Big Green Lake in Green Lake county, and in Devil's Lake in Sauk county, the close season for such bass

Bass fishing prohibited from March 1, to May 25.

Exceptions.

above named shall be from the first day of March, to the first day of July next succeeding. The provisions of this section shall not apply to Rush Lake in Fond du Lac and Winnebago counties. Any person violating any of the provisions of this section shall, upon conviction thereof, be punished by a fine of not less than ten dollars nor more than twenty-five dollars, or by imprisonment in the county jail for not more than ten days.

Penalty for violating this section.

Trout fishing prohibited between Sept. 1, and the succeeding 15th day of April.

Penalty for violating this section.

Nets and traps prohibited in inland waters.

Whitefish may be taken between the 1st day of November and the succeeding 8th day of November.

Penalty for violating this section.

SECTION 4. It shall be unlawful and is prohibited to fish for, catch or kill in any of the inland waters of the state, with any device or in any manner, any speckled or brook trout, California or rainbow trout, mountain or brown trout, or any other variety of trout, between the first day of September and the succeeding fifteenth day of April. Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than ten dollars, nor more than fifty dollars, or by imprisonment in the county jail not exceeding thirty days, or by both such fine and imprisonment in the discretion of the court.

SECTION 5. It shall be unlawful and is prohibited to set, place, or use in any of the inland waters of the state, any net of any variety, or any trap, or any snare of any kind, which shall be intended to or might catch, take or kill fish. A dip net, however, may be used to take whitefish between the first day of November and the succeeding eighth day of November in said inland waters. Dip nets may also be used in taking shiners, chubs, dace, suckers, sheepshead, dogfish, garfish, redhorse, sturgeon, catfish, and bullsheads in any stream not frequented by or containing trout of any variety, but spears, may be used during the day time. Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, and be imprisoned until such fine shall be paid, not exceeding ninety days.

SECTION 6. Except as otherwise provided for by law, no person shall take, catch, or kill any fish in any of the inland waters of this state by any other method or means than that of angling or trolling. Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than ten dollars, nor more than fifty dollars, or by imprisonment in the county jail not less than thirty days, nor more than sixty days.

Angling and trolling only allowed in the inland waters.

Penalty for violating this section.

SECTION 7. It shall be unlawful and is prohibited to take, catch or kill any fish of any variety, in any of the waters of the state by means of dynamite or other explosives, or to place in any of the waters of the state any dynamite or other explosives, which, if exploded would or might cause destruction to fish in such waters, except when such dynamite or other explosive is used by any public authority, or when same is used for the purpose of clearing a channel in any stream or waters for log driving or the actual construction of improvements. Any person violating any of the provisions of this section shall be punished by a fine of not less than twenty-five dollars, nor more than two hundred and fifty dollars, or by imprisonment in the county jail not less than sixty days, nor more than six months.

Dynamite or other explosives not allowed except to clear channels for log driving.

Penalty for violating this section.

SECTION 8. It shall be unlawful and is prohibited for any person to fish through the ice of any of the inland waters of the state, 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 of the inland waters of the state, except Sturgeon Bay and lakes in Waukesha county, any building or inclosure 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 inclosure while engaged in fishing through the ice. Any person who shall violate any of the provisions of this section, shall be punished by a fine of not less than twenty dollars, nor

Unlawful to fish through the ice with more than five lines.

Fish houses.

Penalty for violating this section.

more than fifty dollars, or by imprisonment in the county jail not more than thirty days.

Fishing huts to be open at all times for inspection of fish and game warden.

SECTION 9. No person shall construct upon the ice of any of the inland waters of the state except Sturgeon Bay, any building or inclosure, which shall not at all times be opened by the owner or occupant thereof upon demand of the state fish and game warden or his deputy, or any other officer, and the said state fish and game warden or his deputy, or any other officer, be permitted to investigate the nature and character of such building, inclosure, or structure. Any person who shall refuse to permit an investigation of the interior of such structure, building, or inclosure, upon demand being made therefor by the state fish and game warden or his deputy, or any other officer, shall be deemed guilty of maintaining a public nuisance, and shall, upon conviction thereof, be fined not less than twenty nor more than fifty dollars, and the state fish and game warden or his deputy, or any other officer, shall destroy such structure as a public nuisance, and shall not be held liable therefor in any civil or criminal action.

Penalty for violating this section.

Substances deleterious to fish life prohibited.

SECTION 10. It shall be unlawful and is hereby prohibited to use, set, lay, or prepare in any of the waters of the state, any trap, lime, poison, medicated bait, fish berries, or any substance deleterious to fish life, or which might attract the fish in unusual quantities. It shall be unlawful and is hereby prohibited for any person to fish for, catch, kill, or take by any device or in any manner, in any of the streams of the state, any fish, within one hundred feet of any fish-way, or have in possession or under control any fish so taken, killed or caught. Any person who violates any of the provisions of this section shall be punished by a fine of not less than ten dollars, nor more than fifty dollars, or by imprisonment in the county jail not less than thirty days, nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

Penalty for violating this section.

SECTION 11. It shall be unlawful and is prohibited for any person to set or cause to be set, in the waters of Lake Michigan, within one-quarter of a mile of the main shore thereof, commencing at the state line south and running north to the north line of Racine county, or set or cause to be set, in the waters of Lake Superior within one mile of the main shore thereof, within the jurisdiction of the state of Wisconsin, and in the entire Chequamegon Bay, and waters south of an east and west line drawn from the extreme northwest end of Long Island or Chequamegon Point to the mainland in Bayfield county, any seine, gill, pound or fyke net. Any person who shall violate the provisions of this section or any of them, shall be punished by a fine of not less than twenty-five dollars, and not more than one hundred dollars, or by imprisonment in the county jail not less than thirty days, nor more than three months.

Unlawful to set nets in certain waters of Lake Michigan or Lake Superior.

Penalty for violating this section.

SECTION 12. It shall be unlawful and is prohibited for any person to set or use, or cause to be set or used in the waters of Green Bay any gill, pound, fyke, seine, dip, crab or any other net, from the first day of April to the succeeding first day of May in each year, except that a dip net or minnow seine may be used for the purpose of catching minnows for bait only. The provisions of this section shall not apply to the taking of whitefish, lake trout or herring. Any person who shall violate any of the provisions of this section shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, and be imprisoned until such fine shall be paid, not exceeding ninety days.

Nets prohibited in Green Bay from April 1 to the succeeding 1st day of May.

Penalty for violating this section.

SECTION 13. No net of any kind, or other device for trapping fish, shall be used or set in the waters of Sturgeon Bay, at any time, except that a dip net or minnow seine may be used for the purpose of catching minnows for bait only. Any person violating any of the provisions of this section shall be punished by

Nets prohibited in the Sturgeon Bay at all times.

Penalty for violating this section.

Waters of Sturgeon Bay defined.

Nets prohibited in Detroit Harbor.

Penalty for violating this section.

Detroit Harbor waters defined.

Minimum weight of fish allowed in possession.

Penalty for violating this section.

a fine of not less than twenty-five dollars, nor more than one hundred dollars, and shall be imprisoned until such fine shall be paid, not exceeding ninety days. The waters of Sturgeon Bay shall be considered that portion lying south of a line from the Sherwood Point lighthouse, said line running easterly to the shore, terminating at a point where the south line of lot No. 1, in section 19, township 28, range 26 E., intersects the meander line of Sturgeon Bay in Door county, and including also the waters of Sawyer's Harbor.

SECTION 14. No net of any kind, or device for trapping fish shall be set or used in the waters of Detroit Harbor, except that a hand dip net or minnow seine may be used for the purpose of catching minnows for bait only. Any person violating any of the provisions of this section shall be fined not less than twenty-five dollars, nor more than one hundred dollars, and shall be imprisoned until such fine shall be paid, not exceeding ninety days. The waters of Detroit Harbor shall be construed to include that portion of water lying north and west of a line beginning at the extreme southern point of lot No. 3, section 14, town No. 33 north, of range No. 29 E., running thence easterly in a direct line to the extreme southern point of lot No. 2, section 18, town No. 33 north, of range No. 30 east, all in Door county.

SECTION 15. It is hereby declared unlawful for any person or persons to have in their possession, any lake trout or whitefish of less than two pounds round or undressed weight nor less than one and one-half pounds dressed weight (except that lake trout may be had in possession and offered for sale, not to exceed twenty-five pounds at any time), any wall-eyed pike of less than one pound round or undressed weight, or any catfish of less than three pounds round or one and one-half pounds dressed weight. Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than twenty-five dollars, nor more than one

hundred dollars, and be imprisoned until such fine be paid, not to exceed ninety days.

SECTION 15a. It shall be unlawful, and is prohibited, to capture or take by means of nets of any kind, in any of the outlying waters of the state, any whitefish or trout, between the fifteenth day of October and the first day of December next succeeding. Any person who shall violate any of the provisions of this section shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, and be imprisoned until such fine be paid, not exceeding ninety days.

Unlawful to take whitefish in outlying waters between Oct. 15 and Dec. 1st next succeeding.

Penalty for violating this section.

SECTION 16. No net of any kind or other device for trapping fish shall be used or set in the waters of Little Sturgeon Bay inside of a line drawn from Horseshoe or Squaw Island to Bonnet's Point on the mainland, at any time, except that a dip net or minnow seine may be used for the purpose of catching minnows for bait only. Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, and shall be imprisoned until such fine is paid, not exceeding ninety days.

Nets in Little Sturgeon Bay prohibited within certain lines.

Penalty for violating this section.

SECTION 17. It shall be unlawful and it is prohibited for any person to set or use, or cause to be set or used, in the waters bordering on Door county at any time, any fyke, seine or dip net, except that a dip net or minnow seine may be used for the purpose of catching minnows for bait only. Any person who shall violate any of the provisions of this section shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, and to be imprisoned until such fine is paid, not exceeding ninety days.

Nets prohibited in waters bordering on Door Co.

Penalty for violating this section.

SECTION 18. It shall be unlawful for any person to set or use, or cause to be set or used, in the waters of Green Bay, between the first day of April and the succeeding first day of January, any gill net having smaller mesh than four-

Size of mesh in gill net to be used in waters of Green Bay.

inch stretch measure, but it shall be lawful for any person to set or use seine or fyke nets of not less than three-inch stretch measure in the waters of Green Bay, except the waters bordering on Door county, from the first day of May to the succeeding first day of April; provided, that gill nets of one and three-fourths inches, stretched measure, may be used for the purpose of catching fish to be used for bait only. Any person violating any of the provisions of this section shall be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, and be imprisoned until such fine be paid, not exceeding ninety days.

Penalty for violating this section.

Size of pot of pound net to be used in waters of Green Bay and Lake Michigan.

Penalty for violating this section.

Fish to be taken with hook and line only in certain waters.

Deer hunting prohibited between Nov. 20 and the succeeding 1st day of November, following.

SECTION 19. It shall be unlawful and is prohibited for any person to set or use in the waters of Green Bay and Lake Michigan, between the first day of April and the succeeding first day of July, any pound net whose pot (being the part of the net in which the fish are finally captured) on three sides and extending ten feet downward into the water is of a smaller mesh than three inches stretch measure; provided, however, that no bass shall be taken with nets in the waters of Green Bay at any time. Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, and shall be imprisoned until such fine is paid, not exceeding ninety days.

SECTION 20. It shall be lawful to take or catch any kind of fish except trout from the waters of the Pecatonica and Fever rivers, in Iowa and Lafayette counties, in the Sugar river in Green county and from Koshkonong lake in Rock, Dane and Jefferson counties, with a hook and line at any time.

SECTION 21. It shall be unlawful and is prohibited:

1. To take, pursue or kill by any kind of device or contrivance whatever, or pursue with intent to take or kill, or to worry any deer, buck, doe or fawn between the twentieth day

of November and the first day of November of the year following; all of the year except the first twenty days of November being declared the close season for the animals named in this section; provided, that during the first five days after the close season (November 21st to 25th inclusive) parties shall have the right to purchase, sell and transport game mentioned in this section subject to the provisions of this act.

Except a right to purchase five days after the close season begins.

2. To hunt deer, buck, doe or fawn at any time with dogs.

Dogs not allowed.

3. To hunt deer, buck, or doe in the night time.

To hunt in the night time.

4. To hunt deer, buck, doe or fawn in the counties of Sheboygan and Fond du Lac for the period of five years.

In Sheboygan and Fond du Lac counties for five years.

5. To kill or capture any deer in the waters or on the ice of any of the streams or lakes or ponds within the jurisdiction of this state at any time.

To capture deer on the ice or in the waters at any time.

6. To kill or capture any deer by means of any pit, pit-fall or trap at any time.

Or by pit-falls or traps.

7. To make use of any artificial light in hunting deer.

Or artificial light.

8. To have in possession the skins of any deer when it is in its red coat, or any fawn when it is in its spotted coat.

To possess skins in the red or spotted coat.

9. For any person to kill more than two deer, except that any resident or settler shall have the right to kill at any time during the open season, any deer which is to be consumed by his own family or neighbors and not for the purpose of sale or traffic. Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, or by imprisonment in the county jail not less than two months, nor more than six months, or by both such fine and imprisonment in the discretion of the court.

To kill more than two deer.

Penalty for violating this section.

SECTION 22. It shall be unlawful and is prohibited to take, catch or kill any woodcock, partridge, pheasant, or ruffed grouse, prairie chicken, or prairie hen, sharp-tailed grouse, or

Shooting of prairie chickens, woodcock, etc., prohibited between Dec. 1 and the succeeding Sept. 1.

Penalty for violating this section.

grouse of any variety, plover or snipe, between the first day of December and the succeeding first day of September. Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than ten dollars, nor more than fifty dollars, and by imprisonment in the county jail until such fine is paid, not exceeding ninety days.

Wild duck and goose shooting prohibited between May 1 and Sept. 1 each year.

SECTION 23. It shall be unlawful and is prohibited to take, catch or kill, any wild duck, wild goose or brant, between the first day of May and the succeeding first day of September in each year. It shall be further unlawful and is prohibited to take, catch or kill any mallard, teal or wood duck, between the first day of December and the succeeding first day of September in each year; provided, however, that swan shall not be taken or killed at any time. Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than twenty, nor more than fifty dollars, and by imprisonment in the county jail until such fine is paid, not exceeding three months.

Mallard and teal duck between Dec. 1 and succeeding 1st day of September.

Penalty for violating this section.

Unlawful to shoot ducks, geese, etc., between sundown and sunset and the following sunrise.

Penalty for violating this section.

SECTION 24. It shall be unlawful and is prohibited to pursue, catch, take or kill in this state any wild duck, wild goose, brant, or other aquatic bird or fowl, between sundown and sunset and the following sunrise. Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, and by imprisonment in the county jail until such fine is paid, not exceeding sixty days.

Sneak boats, rafts, etc., or artificial ambush prohibited.

SECTION 25. It shall be unlawful and is prohibited to kill, attempt to kill, to pursue for any purpose, any wild duck, wild goose, brant or other aquatic bird or fowl, on any of the waters of this state, while occupying or using any sneak boat, raft, box or other device, except a boat outside or beyond the natural covering of reeds, grass or other vegetation growing above the water. It shall also be unlawful and is prohibited to construct or to use any fixed or artificial ambush or blind of any kind for the pur-

pose of hunting in any of the open waters of this state. Any person violating any of the provisions of this section shall be punished by a fine of not less than ten, nor more than fifty dollars, or by imprisonment until such fine is paid, not exceeding thirty days.

Penalty for violating this section.

SECTION 26. It shall be unlawful and is prohibited to take, catch or kill or to attempt to take, catch or kill, any animals, birds or water-fowl protected by this act, by means of any snare, net, trap or spring gun or similar contrivance, or to place, spread or set any such net, trap, snare, or spring gun or device, for the purpose of catching, or which might catch, take or ensnare such animal, birds or water-fowl. Any person violating any of the provisions of this section shall be punished by a fine of not less than ten dollars, nor more than fifty dollars, or by imprisonment in the county jail not more than sixty days.

Snares, nets, spring-guns or other device prohibited.

Penalty for violating this section.

SECTION 27. It shall be unlawful and is prohibited to take, catch or kill any Mongolian, Chinese or English pheasants or quail of any variety, until September 1, 1901. Any person violating this section shall be punished by a fine not to exceed fifty dollars, or by imprisonment in the county jail not more than thirty days.

Taking of pheasants and quails prohibited until Sept. 1, 1901.

Penalty for violating this section.

SECTION 28. It is unlawful and prohibited, to place in or upon any waters frequented by wild duck, any net of any kind in such position, that it will, or may, ensnare the ducks so frequenting said waters. Any person violating the provisions of this section shall be punished by a fine of not less than fifty dollars, nor more than one hundred dollars, or by imprisonment in the county jail not less than sixty nor more than ninety days.

Nets to ensnare ducks prohibited.

Penalty for violating this section.

SECTION 29. It shall be unlawful and is prohibited to use in pursuit of any animal, fowl or bird, any pivot gun or swivel gun, or any other fire arm not habitually held at arm's length, and discharged from the shoulder. Any person vio-

Pivot or swivel guns prohibited.

Penalty for violating this section.

lating the provisions of this section, shall be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than three months.

Unlawful to catch or kill harmless birds.

SECTION 30. It shall be unlawful and is prohibited to catch or kill at any time, or for any purpose whatever, except as authorized in this act, any whippoorwill, night-hawk, blue-bird, finch, thrush, lark, robin, turtle dove, or any other harmless bird. Any person violating the provisions of this section shall be punished by a fine of not more than fifty dollars, or by imprisonment in the county jail for not more than thirty days; provided, that this section shall not apply to blackbirds, English sparrows or pigeons for trap shooting.

Penalty for violating this section.

SECTION 31. It shall be unlawful to take or destroy the eggs of any water-fowl or bird, excepting crows and English sparrows. The destroying of any nests of any water-fowl or bird, excepting crows and English sparrows, shall be strictly prohibited. Any person violating any of the provisions of this section shall be punished by a fine of not more than five dollars, or by imprisonment in the county jail of not less than ten days.

Destruction of eggs, except crows and sparrows prohibited.

Penalty for violating this section.

SECTION 32. It shall be unlawful and is prohibited, to take, catch, kill, impede in its progress or otherwise interfere with any carrier or homing pigeon. Any person violating any of the provisions of this section, shall be punished by a fine of not less than ten dollars, nor more than fifty dollars, or by imprisonment for not more than three months.

Interfering with carrier pigeons prohibited.

Penalty for violating this section.

SECTION 33. It shall be unlawful and is prohibited to use a ferret to hunt rabbits. It is further unlawful and is prohibited to take, catch, kill or destroy otter, marten, or fisher, between the first day of May and the succeeding first day of October, and to destroy or molest muskrat houses at any season of the year. Any person violating any of the provisions of this section shall, upon conviction, be punished

Use of ferrets to hunt rabbits prohibited.

Otters, martens, etc., when may be taken.

Penalty for violating this section.

by a fine of not less than ten dollars, nor more than twenty-five dollars, and by imprisonment in the county jail until such fine is paid, not exceeding thirty days.

SECTION 34. No person shall at any time enter into any growing or standing grain not his own, with fire arms about his person or permit his dog or dogs to enter into any such growing or standing grain, without the permission of the owner or the occupant thereof; and no person shall at any time hunt or shoot upon any lands of another after being notified not to hunt thereon, and any person who shall, without the right to do so, hunt or shoot upon any land of another after having been notified not to hunt or shoot thereon, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof, be punished by a fine of not less than five dollars, nor more than ten dollars, and costs of prosecution. In default of payment of such fine, he shall be imprisoned in the county jail not less than ten days, nor more than thirty days; provided, however, that the provisions of this section shall not apply to any person or persons fishing for trout in streams stocked by the state; but nothing in this contained shall be so construed as to limit or in any way affect the remedy of the owner or occupant of any such grain, or inclosed or uninclosed land, or of the person injured, at common law for trespass. Any owner or proprietor of land may give the notice provided for in this section, by maintaining sign-boards at least one foot square, containing such notice, upon at least every forty acres of the premises sought to be protected, in at least two conspicuous places, or by giving personal, written or verbal notice.

Unlawful to enter growing or standing grain without permission of owner.

Penalty for violating.

Sign boards may be maintained by owner of land as provided.

SECTION 35. It is unlawful and prohibited:

1. To have in possession or under control, any varieties of fish, animals, game or birds for which a close season is prescribed by this act or by any law of this state now or hereafter in force, during the close season prescribed by law

Unlawful to have fish or game in possession during close season.

therefor (except alive) or any carcass of flesh thereof.

Hotel keepers, etc., liable if fish or game is served to their guests out of season.

2. To any keeper of a hotel, restaurant or boarding-house to serve to his guests any such venison, birds, fish or game of any kind during the close season therefor unlawfully in his possession. The possession or having under control, any bird, animal or fish of any of the kinds during the close season herein prescribed for such, except as in this act specified, shall be prima facie evidence that it was the property of this state when taken, caught or killed, and that it was caught, taken or killed in this state unlawfully, and the burden of proof shall be upon the defendant in any prosecution or action for forfeiture to prove the contrary.

Unlawful for employe of fish commission to have fish in his possession except he is directed to take.

3. For any employe of the fish commission, while engaged in catching and distributing wild fish from the public waters for the purpose of artificial propagation, to have in his possession any other varieties of fish than those he has been directed to take by the superintendent of the fish commission or his agent duly authorized in writing. Any person violating the provisions of this section shall be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars.

Penalty for violating this section.

SECTION 36. It is unlawful and prohibited:

Unlawful to expose for sale game or fish in close season.

1. To sell or offer or expose for sale any fish, game or birds or venison at any time during the close season prescribed therefor, respectively.

Unlawful to purchase fish or game in close season.

2. To purchase any such fish, game or venison or birds or any or either of them during any period of a close season therefor, respectively. Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars.

Penalty for violating this section.

SECTION 37. It is unlawful and prohibited for any person or corporation, or common carrier, or any agent or servant thereof, for compensation or otherwise:

What is unlawful for common carriers.

1. To transport any fish caught in the waters of this state of the varieties for which a close season is prescribed in this act or by law, during such close season, but this section shall not prevent the shipment of trout raised in private hatcheries, of which the package or box shall be branded with an iron brand as follows: "Shipped from the private hatchery of (here insert the name of the owner and the location of the hatchery)."

To transport fish, except caught in private hatcheries, properly branded.

2. To use the stamp or brand described in the preceding subdivision of this section in the shipment of any fish not raised in such hatchery.

Unlawful to use stamps.

3. To transport any of the animals, wild fowl or birds, except alive, during the time which the killing, catching or faking of such animals, wild fowl or birds is prohibited by this act or by law. The possession of any such animals, fowl, or birds during the close season therefor for shipment or in transit shall be prima facie evidence of the violation of this act. It shall be the duty of every person whenever any animal, fish or game of any of the kinds the taking, catching or killing of which is prohibited by law, at any or all times, (except during the periods in which the same may be lawfully taken, caught or killed) is offered to him for transportation out of the state, or any point or place within the state, to at once notify and give full particulars concerning such offer and by whom, to the state fish and game warden or his deputy.

To transport any animals during the close season.

4. To ship, carry or transport, offer for shipment or transportation, or receive for shipment or transportation to any point or place out of this state, any feathered game protected by the laws of this state, except live birds, excepting that when accompanying and having in his personal charge the owner of such feathered game may carry out of the state not to exceed fifty of any variety of birds or fowl.

To carry any feathered game protected by the laws, except as provided.

5. To ship, carry or transport or receive for shipment or transportation, to any point or place out of this state, any fish taken in the inland

To ship or carry any fish taken in the inland waters except a certain specified amount.

To ship or carry any ducks, snipe or plover between Dec. 1st and the succeeding first day of Sept.

Penalty for violating this section.

Birds, eggs and fish may be gathered for scientific purposes by permit granted by the fish and game warden.

Attempt to violate deemed a violation.

What animals, fish, etc., is construed to include.

waters of this state, excepting that when accompanying and having in his personal charge the owner of such fish may carry out of the state twenty pounds or two such fish, and excepting also trout raised in private hatcheries as provided for in subdivision 1, of this section.

6. To transport, ship or carry out of the state or to sell or offer for sale within this state, any ducks of any variety, snipe or plover between the first day of December and the succeeding first day of September. Any person or corporation or transportation company or firm or individual or agent, or employe of such corporation, transportation company, firm or individual who shall violate any of the provisions of this section shall forfeit not less than twenty-five dollars, nor more than one hundred dollars for each such violation, to be recovered in a civil action brought in the name of the state by the state fish and game warden or his deputy.

SECTION 38. The state fish and game warden may grant to any member of an incorporated society of natural history or to any professor of any university, school or college, or any person properly accredited by such institution, certifying that such person or institution is authorized (is hereby for such purpose authorized) to collect for strictly scientific purposes only, the nests, eggs, animals, birds and fish protected by this act or the laws of the state. No person to whom such certificate is issued or who acts under the same shall dispose of any such specimens except in exchange for scientific purposes. Such certificate shall be issued only on satisfactory testimonials of well known scientific men.

SECTION 39. Any attempt to violate any of the provisions of this act shall be deemed a violation thereof.

SECTION 40. All sections of this act relating to the having in possession or under control, or the sale, shipment or transportation of any animal, fish, water-fowl or bird, shall be construed

to include any and all parts of the flesh and meat thereof.

SECTION 41. The operation of state and public hatcheries in this state, the removal of fish which have died from natural causes from the waters of this state, the removal of deleterious fish, with the written consent and under the direction of the commissioners of fisheries, the propagation or transportation, collecting and transplanting of fish or fish fry by state or public authority and the operation of private hatcheries, or propagation of fish in private waters, and the transportation of fish therefrom in the manner directed by this act are not affected or prohibited by this act, nor shall it affect the transportation of fish into or through the state or out of it by the commissioners of fisheries of other states, or of the United States.

Relating to the conduct of public hatcheries.

SECTION 42. The state fish commission or its agents or employes, are prohibited from furnishing fish or fry from state hatcheries to private ponds, private clubs or corporations or preserves or waters where the public are not allowed the same rights and privileges enjoyed by any other person or persons.

Fish or fish fry not to be furnished to private clubs, etc.

SECTION 43. In the performance of his or their duties as state fish and game warden and deputy fish and game warden, he or they shall be released from any and all liabilities to any person or persons whatsoever, for acts done or permitted or property destroyed under and by virtue of the authority of the provisions of this act.

Liability of the fish and game warden.

SECTION 44. It is unlawful and prohibited:

1. To cast, deposit or throw overboard from any row, sail or steamboat or other craft into any of the inland waters of the state or into Green Bay, Sturgeon Bay, or into Chequamegon Bay, or to deposit or leave upon the ice thereof until it melts, any fish offal which shall be construed to mean and include the head, intestines, blood and cleanings of fish and dead fish. The fact of any fisherman coming to the shore with dressed fish in his boat and without the

Fish offal, etc., not to be thrown into the bays or left on the ice.

offal produced by such dressing shall be prima facie evidence of the violation of this section.

Casting of sawdust, lime, tan-bark, etc., into the bays prohibited.

2. To throw or deposit or to permit to be thrown or deposited any sawdust, lime, tanbark, ship-ballast, stone, sand, cinders, ashes, slabs or decayed wood or other substances deleterious to fish life (authorized drainage and sewerage from municipalities excepted) into any of the rivers, lakes or streams of this state, including Green Bay, Chequamegon Bay and Sturgeon Bay, or into any streams wherein the commissioners of fisheries have caused trout fry to be deposited or in which brook trout naturally abound. Provided, however, that the provisions of this section shall not apply to the Wisconsin river.

Does not apply to the Wisconsin river.

Public nuisances defined.

SECTION 45. The following are declared to be public nuisances:

Prohibited nets of any kind.

1. Any net of any kind prohibited by law while set or placed or found in any waters where such net is prohibited by law from being used.

Prohibited traps and contrivances.

2. All seines or other devices, traps or contrivances set or found in any waters in a manner prohibited by the laws relating to such waters, and any and all boats found in use in the taking of fish in violation of any of the provisions of this act.

Prohibited lines, ropes or cables, etc.

3. All set lines, ropes, or cables with more than one line attached thereto, either directly or indirectly. Set lines are construed to mean any line not held by the person using the same whether the same shall have one or more hooks. This subdivision applies to inland waters only.

Nets spread upon or under the waters.

4. Any nets spread upon, or under the surface of any of the waters of the state, which shall or might entrap or ensnare any wild fowl of any kind.

Traps, snares, spring guns, etc.

5. Any trap, snares, spring gun, set guns or other device or contrivance which might entrap, ensnare or kill any animals, birds or water-fowl protected by law.

Boats used in hunting deer.

6. Any boats, deer lamps or lights while used in the unlawful pursuit or hunting of deer.

Pivot or swivel guns.

7. Any pivot or swivel gun, or other fire

arms not habitually held at arm's length and discharged from the shoulder while the same shall be in unlawful use.

8. Any screen set in the public waters of the state to prevent the free passage of fish, or set in any stream which shall have been stocked by the commissioners of fisheries of Wisconsin.

Screens set to intercept fish.

9. Any boat, floating raft, box or blind, set in open water or outside a natural growth of grasses or rushes, sufficiently high to conceal the boat, raft or blind, or an artificial blind set in open water, for the unlawful pursuit, hunting or shooting of any wild duck, goose or brant.

Boat, raft, box or blind set in open water.

10. Of decoys set in any of the waters of the state during the close season for the hunting of water-fowl as prescribed herein.

Decoys set in the close season.

11. The unlawful use of any of the articles mentioned in this section contrary to the provisions of this act, shall forfeit the same to the state, and upon their being found under any of the conditions which shall render them public nuisances as specified herein, they may be immediately destroyed.

Unlawful articles to be immediately destroyed.

SECTION 46. It shall be the duty of any warden, deputy warden, sheriff, deputy sheriff, constable, special warden or other peace officer to destroy forthwith any article or thing declared hereby to be a public nuisance when found or taken in the unlawful use, which, according to this act, makes the same a public nuisance; and no liability shall be incurred to the owner or any other person for such destruction.

Duty of warden, deputy sheriff to destroy.

SECTION 47. Each person engaged in fishing in the outlying waters of the state as a business during the whole or any part of the year shall, on or before the first day of December of such year, report to the commissioners of fisheries the amount in pounds of all food fish caught by him during the year, the average price per pound, and such other information as is required by the blanks furnished him for the purpose.

Fishermen to make a report annually.

Form of report.

REPORT.

Of — of fish caught during the season from December 1st, 18—, to November 30, 18—.

This report covers the fishing season from —, 18—, to —, 18—.

Description of nets used.

Kind.	Number.	Value.	Size of mesh.

Specimen of fish.	Pounds.	Price per pound.	Total.
White fish			
Trout, lake			
Herring			
Bass			
Perch			
All other kinds			

I hereby certify that the foregoing statement is true.

Dated this — day of —, 18—, —, Wisconsin.

Signature ————

Penalty for failure to make a report or false report.

For failure to make such report and for wilfully making a false report, such persons shall be punished by a fine of not less than twenty-five dollars, nor more than fifty dollars. On or before the last day of December of each year the state fish and game warden, any sheriff or constable, or any other officer who has performed any duties under this act, shall make report to

the state commissioners of fisheries of the actions taken by him, the number of prosecutions commenced, the arrests made, the convictions had, the amount and date of fines and forfeitures collected, with such other information as they may require, the same to be made on blanks furnished him for the purpose.

SECTION 48. The state fish and game warden or his deputy, is hereby authorized to seize and take possession of, in the name of the state, any fish, venison, birds, fowl or game caught, taken or killed, or had in possession contrary to the provisions of the laws of this state, relative to fish and game; and such fish, venison, birds, fowl or game caught, taken or killed, or had in possession contrary to the provisions of this act, are hereby declared to be contraband and shall be sold by the warden or his deputy to the highest bidder, and any person purchasing the same shall have the right to use or dispose of the same in the same manner as though the said fish, venison, birds, fowl or game had been caught, taken or killed, or were had in possession in accordance with the provisions of the laws of this state, anything to the contrary notwithstanding; provided, that after the cost of seizure and of the sale shall have been paid, the clear proceeds shall be paid into the state treasury and credited to the general fund.

Fish and game warden or deputy authorized to take possession of fish or game taken out of season.

SECTION 49. Nothing contained in this or any act shall prohibit any person from entering, occupying and making use of as a blind, any natural covering of grass, reeds or other vegetation growing above the water of any public lake, pond or stream, on foot or in any boat not prohibited by law, for the purpose of fishing and shooting game.

Natural blinds not prohibited.

SECTION 50. All acts or parts of acts inconsistent with this act are hereby repealed.

Repealing clause.

SECTION 51. This act shall take effect and be in force from and after its passage and publication.

Approved April 8, 1897.