

No. 507, S.]

[Published June 26, 1905.

CHAPTER 465.

AN ACT to appropriate to the commissioners of fisheries five thousand dollars for the purpose of erecting and constructing a permanent hatchery building at or near Minocqua, Wisconsin, and for the making of such other improvements as are needed at said hatchery.

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

Appropriation. SECTION 1. There is hereby appropriated out of the hunting license fund to the commissioners of fisheries of the state of Wisconsin, the sum of five thousand dollars to become available October 1, 1906, for the purpose of erecting and constructing a permanent hatchery building at or near Minocqua, Wisconsin, and for making such other improvements as are needed at said hatchery, and to improve the ponds and grounds used in connection with said hatchery.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved June 20, 1905.

No. 541, S.]

[Published June 26, 1905.

CHAPTER 466.

AN ACT regulating fishing and providing a license for using nets in that part of the St. Croix river known as Lake St. Croix, and that part of the Mississippi river known as Lake Pepin, under certain restrictions, and providing a penalty for violations.

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

Use of net in Lake St. Croix and Lake Pepin. SECTION 1. It shall be unlawful and is hereby prohibited to take, catch or

kill in any manner, or by any device whatever, any black bass or wall-eyed pike in that part of the St. Croix river known as Lake St. Croix and that part of the Mississippi river known as Lake Pepin, between the first day of March and the twenty-fifth day of May next succeeding, or to take, catch or kill during the open season any of said named fish by any other method than by angling or trolling in said waters.

Penalty. SECTION 2. Any person violating any of the provisions of section 1 of this act shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars and the costs of the prosecution, or by imprisonment in the county jail of the county in which the offense was committed not less than thirty days nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

License may be issued how. SECTION 3. It shall be unlawful to take any fish from the aforesaid waters by any other method than by angling or trolling, except that spears may be used to take fish other than those above enumerated, without first having procured a license therefor as hereinafter provided. The state fish and game warden shall, upon application therefor, issue to any person a license to set, use and operate seines, pound nets, fyke or hoop nets, and gill nets of not less than three and one-half inch bar in the aforesaid waters for the purpose of catching and taking all fish not above enumerated. Such nets not to be set, used or operated except as hereinafter provided and then only in compliance with such rules and regulations as may be hereafter prescribed by law. Every licensee shall immediately return to the waters from which the same may have been taken all fish above enumerated when taken in any net used by him or under his supervision or control. Licenses issued under the provisions of this section shall expire on the first day of April succeeding the date of their issuance, and shall not be transferable. Any person or persons desiring to obtain a license to set, use or operate a net or nets under the provisions of this section shall make application to the state fish and game warden therefor, upon blanks to be furnished by the game warden department, and shall accompany such application with a fee of five dollars for each two thousand lineal feet of gill net or fraction thereof, each seven hundred lineal feet of pound net leaders or fraction thereof, each five hundred lineal feet of seine or fraction thereof, or for each fyke or hoop net. Before any such

license shall be issued, the applicant shall execute and deliver to the state fish and game warden a bond running to the state of Wisconsin, in the sum of two hundred dollars, with two sureties, and conditioned that if the applicant shall well and faithfully observe and comply with all the requirements of this section and the rules and regulations which may hereafter be prescribed by law, said obligations to be null and void, otherwise to remain in full force, each such surety shall be worth at least the sum of two hundred dollars in property in this state, over and above all debts and liabilities and property exempt by law from sale on execution. The state fish and game warden shall keep a complete record in his office of all licenses issued under this section and all moneys received for same shall be paid to the state treasurer and shall become a part of the hunting license fund.

Penalty. SECTION 4. Any person who shall take, catch or kill fish, or attempt to take, catch or kill fish, in the aforesaid waters without first complying with the provisions of section 3 of this act, or who shall fail to at once return to the aforesaid waters any fish not permitted to be taken under section 1 of this act, shall be deemed guilty of a misdemeanor and shall on conviction thereof be punished by a fine of not less than fifty dollars nor more than one hundred dollars and the costs of prosecution, or by imprisonment in the county jail in the county in which such offense was committed, not less than thirty days nor more than ninety days, or by both such fine and imprisonment, in the discretion of the court.

Temporary fish ponds may be constructed. SECTION 5. Licensees operating nets under the provisions of this act are hereby permitted to construct temporary fish ponds in any of the bayous immediately connected with said waters for the purpose of keeping fish therein until same can be marketed; provided that fish so taken may be shipped to points within or without this state at any time and in any quantities.

SECTION 6. This act shall take effect and be in force from and after thirty days from and after its passage and publication.

Approved June 20, 1905.