

and any excess shall belong to the injured employe or his dependents.

(2) An employer or compensation insurer who shall have paid a lawful claim under this chapter for the injury or death of an employe shall have a right to maintain an action in tort against any other party responsible for such injury or death. If reasonable notice and opportunity to be represented in such action by counsel shall have been given to the compensation beneficiary, the liability of such other party to such compensation beneficiary shall be determined in such action as well as his liability to the employer and insurer. If recovery shall be had against such other party, by suit or otherwise, the compensation beneficiary shall be entitled to any amount recovered over and above the amount that the employer and insurer have paid or are liable for in compensation, after deducting reasonable costs of collection, and in no event shall the compensation beneficiary be entitled to less than one-third of the amount recovered from the third party, less the reasonable costs of collection. Settlement of such claims and the distribution of the proceeds therefrom must have the approval of a court or of the industrial commission.

SECTION 3. This act shall take effect upon passage and publication.

Approved May 19, 1931.

No. 58, A.]

[Published May 21, 1931.]

### CHAPTER 133.

AN ACT to amend paragraph (f) of subsection (2) of section 29.30 and subsection (1) of section 29.35 of the statutes, relating to ciscos.

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

SECTION 1. Paragraph (f) of subsection (2) of section 29.30 and subsection (1) of section 29.35 are amended to read: (29.30)

(2) (f) No license net shall be drawn or lifted at any time between one hour after sunset and sunrise of the following morning, in any waters other than Lake Superior, Lake Michigan, Green Bay, the Fox river beyond a distance of five hundred feet below the dam at De Pere, \* \* \* Sturgeon Bay and any waters referred to in section 29.35.

(29.35) (1) Net licenses which shall authorize the use of dip nets with a diameter of not more than eight feet and with meshes not less than one and one-half inches, for taking, catching or killing whitefish or cisco in any of the inland waters of the state may be issued by the state conservation commission, subject to the provisions of section 29.09, to any resident of the state duly applying therefor. Licenses which shall authorize the use of not exceeding one hundred feet of gill net, with meshes not less than two and three-fourths inches may also be issued by the commission for the catching of whitefish or ciscos, respectively, *in lakes in Waupaca county and in Lake Mendota and Lake Monona in Dane county*, and for the catching of whitefish from October fifteenth to November fourth in Barron, Burnett and Washburn counties. The fee for each such license is one dollar.

SECTION 2. This act shall take effect upon passage and publication.

Approved May 19, 1931.

No. 154, A.]

[Published May 21, 1931.

### CHAPTER 134.

AN ACT to amend section 366.01 of the statutes, relating to inquests.

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

SECTION 1. Section 366.01 of the statutes is amended to read: 366.01 Whenever the district attorney shall have notice of the death of any person within his county and from the circumstances surrounding the same there is good reason to believe that murder or manslaughter has been committed, he shall forthwith order and require the coroner, deputy coroner or in the event of the absence or disability of the coroner, or any deputy coroner, some justice of the peace therein to take an inquest on the view of the dead body of such person. For the purpose of taking such inquest deputy coroners may perform all the duties and exercise all the jurisdiction and powers conferred upon such coroners by this chapter and shall be entitled to the same fees as such coroner for the performance of like duties, except as hereinafter provided. Provided, however, that nothing herein contained shall be construed as preventing such coroner from holding an inquest with-