

SECTION 13. The county treasurer of any county which shall issue bonds by virtue of the powers conferred by this act, for all the duties which he shall perform under this act, shall receive not exceeding one-half of one per cent. of the amount of bonds disposed of by him, in addition to the salary fixed by law, or the fees of his office for other duties by him performed, as treasurer of such county.

Fee of county treasurer.

SECTION 14. All legislative and administrative powers necessary to carry the powers conferred by this act into full force and effect, is hereby conferred upon the county board of supervisors of any county within this state, which shall avail itself of the provisions of this act, agreeably to the conditions thereof.

Legislative and administrative power conferred on board.

SECTION 15. Chapter 334 of the laws of Wisconsin for the year of 1895, and any and all acts or parts of acts, inconsistent or conflicting with this act, are for the purpose of this act, hereby expressly repealed.

SECTION 16. This act shall take effect and be in force, from and after its passage and publication.

Approved May 1, 1899.

No. 287, S.]

[Published May 3, 1899.

## CHAPTER 311.

AN ACT to amend the Wisconsin statutes of 1898 relating to the protection of fish and game.

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

SECTION 1. Section 4560b of the Wisconsin statutes of 1898 is hereby amended to read as follows: section 4560b. Any person who shall kill,

Close season for bass.

capture or take by any device whatever, or any manner in any of the inland waters of this state, any black bass, muskallonge and pike, 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 the closed season for such bass shall be from the first day of March to the first day of July next succeeding, and in Devil's lake in Sauk county the closed season for such bass shall be from the fifteenth day of December to the fifteenth day of June or who shall take or kill such bass in the waters of Geneva lake in Walworth county of a length less than six inches), shall 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; but the closed season above prescribed in this section shall not apply to Rush lake in Fond du Lac and Winnebago counties, or to Geneva lake in Walworth county.

In certain lakes.

Penalty.

Close season for trout.

SECTION 2. Section 4560c of the Wisconsin statutes of 1898 is hereby amended to read as follows: section 4560c. Any person who shall fish for, catch or kill in any of the inland waters of the state, with any device or in any manner, any variety of trout between the first day of September and the succeeding fifteenth day of April, or who shall sell, offer for sale or barter any brook trout caught in any of the streams, ponds or lakes, of this state, 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; provided, that this section shall not prohibit the catching, for sale or barter, of brook trout raised and propagated in any of the streams, ponds or lakes of this state by the owners thereof or their agents.

Net, traps and snares in inland waters.

SECTION 3. Section 4560d, Wisconsin statutes of 1898, is hereby amended to read as follows: section 4560d. Any person who shall, except as provided herein, set, place or use in any of the in-

land 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 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; provided, that dip nets may be used in said waters to take whitefish between the first day of November and the succeeding eighth day thereof, and in taking shiners, chubs, dace, suckers, carp, redhorse, sheepshead, dogfish, garfish, sturgeon, catfish and bullheads in any stream not frequented by or containing trout of any variety. Set lines may be used in the waters of lake Winnebago, lake Butte des Morts, lake Wineconne, lake Poygan and the river connecting said lakes and the Mississippi river, for the purpose of taking catfish or sturgeon under the following restrictions: any person who shall put out a set line shall first procure from the county clerk of any county bordering on such waters, a license for that purpose, which shall be issued to him the same as hunting licenses are issued. He shall also procure from the said county clerk and attach to each one hundred yards or fraction thereof of set line, a metal tag. The license shall be numbered and the metal tag issued to any license holder shall be stamped to correspond with the number of the license. The licensee shall pay one dollar for such license and twenty-five cents for each metal tag. The proceeds thereof shall go to the county issuing the same to be used to enforce the state game laws. No person shall assist in setting or in taking up a set line who does not possess a license. Any person who shall set such line shall maintain at each end thereof a white flag not less than sixteen inches square, and such flag shall be placed at least two feet above the water, and shall be numbered with figures at least three inches in size to correspond with the number of the license possessed by the person setting the line. Any game warden or deputy game warden or person having

License for  
set lines re-  
quired.

State game  
warden to  
furnish license  
and tags.

the powers of the game warden within the provisions of the laws of this state, is authorized to raise at any time, with as little damage as may be, any set line to see if the same is set according to the provisions of this act. The state game warden is hereby authorized and required to furnish to county clerks, upon application, the licenses and tags provided for herein. Any person who shall be convicted of violating the provisions of this act shall, if he possesses a license under the provisions of this act, forfeit the same and shall not be granted another license for the term of three years, and shall be further punished by a fine or imprisonment, as provided by section 4560c. Set lines set in violation of the provisions of this act shall be considered public nuisances.

Use of spear.

SECTION 4. It shall be unlawful, and is prohibited, to use a spear for the purpose of taking, catching or killing any fish in the inland waters of the state, except suckers, carp, sheepshead, dogfish, garfish, redhorse, sturgeon, catfish and bullheads, and other fish not protected by the laws of the state. And it shall be unlawful to use a spear for the taking of these fish so mentioned and excepted only in the daytime. Any person who shall use a spear for the purpose of taking or attempting to take any fish of the varieties protected by the laws of the state, or who shall use said spear in such taking or attempting to take at any other time than in the day time shall be deemed guilty of a misdemeanor and be punished by a fine of not less than ten, nor more than fifty dollars, or by imprisonment in the county jail not less than thirty nor more than ninety days.

Fishing  
through ice.

SECTION 5. Section 4560g of the Wisconsin statutes of 1898, is hereby amended to read as follows: section 4560g. Any person who shall fish through the ice on any of the inland waters of this state with more than five lines to each person, and with more than one hook to any line, or who shall construct upon the ice of said waters, except Sturgeon bay, Geneva lake, in Walworth

county, and Winnebago lake, and the Mississippi river, any building or enclosure of any nature whatsoever which shall conceal the person of the occupant while engaged in fishing through the ice, or who shall occupy any building or enclosure while engaged in so fishing, shall be punished by a fine of not less than twenty dollars nor more than fifty dollars, or by imprisonment in the county jail not more than thirty days.

SECTION 6. It shall be unlawful, and is prohibited, for any person to fish in any of the waters in Walworth county (excepting Geneva lake), in Pewaukee lake, in Waukesha county, or in Devil's lake, Sauk county, between the first day of December and the twenty-fifth day of May next succeeding. 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 twenty-five dollars, or by imprisonment in the county jail for not more than ten days.

Close season  
in certain  
waters.

SECTION 7. Section 4560j of the Wisconsin statutes of 1898, is hereby amended to read as follows: section 4560j. Any person who shall set or cause to be set in the waters of Lake Superior within one mile of the main shore thereof, within the jurisdiction of this state or in the entire Chequamegon Bay, or 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 or in the waters of Lake Michigan, commencing at the state line south and running north to the north line of Racine county, any seine, gill, pound or fyke net, 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.

Use of net in  
outlying  
waters.

SECTION 8. Section 4561e of the Wisconsin statutes of 1898 is hereby amended to read as follows: section 4561e. It shall be unlawful and is prohibited for any person to take bass of any kind by means of nets in the waters of Green

Bass in Green  
bay.

Bay. Any person who shall violate any provision of this section shall be punished by a fine of not less than ten dollars nor more than fifty dollars and shall be imprisoned until such fine is paid, not exceeding sixty days.

Close season  
for deer.

SECTION 9. Section 4562d of the Wisconsin statutes of 1898, is hereby amended to read as follows: section 4562d. Any person who shall take, pursue or kill, by any kind of device or contrivance whatever, or pursue with intent to take, kill or worry any deer, buck, doe or fawn between the twentieth day of November and the succeeding first day of November, in the year following (all of the year excepting the first twenty days of November being thereby intended to be included in the closed or prohibited season for such animals), or who shall hunt deer, buck, doe or fawn at any time with dogs or in the night time, or in either of the counties of Sheboygan and Fond du Lac until after April tenth, A. D. 1902, or who shall kill or capture any deer, buck, doe or fawn, or attempt to kill or capture such, in the waters or on the ice of any of the streams, lakes or ponds within the jurisdiction of this state at any time, or who shall take, catch or kill, or attempt to take, catch or kill any deer, buck, doe or fawn by means of any pit, pitfall or trap at any time; or who shall make use of any artificial light in hunting deer; or have in possession the skin of any deer when it is in its red coat, or of any fawn when it is in its spotted coat; or who shall kill more than two deer in any one year, 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.

Prohibited  
methods of  
hunting.

Harmless  
birds.

SECTION 10. Section 4565, Wisconsin statutes of 1898, is hereby amended to read as follows: section 4565. Any person who shall catch or kill at any time, or for any purpose whatever, except as authorized by law, any whippoorwill, night-

hawk, bluebird, finch, thrush, robin, lark, turtle dove, or any other harmless bird 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, crows, English sparrows or pigeons for trapshooting.

SECTION 11. Section 4565d, Wisconsin statutes of 1898, is hereby amended to read as follows: section 4565d. Any person who shall enter into any growing or standing grain, not his own, with firearms or permit his dog to enter into any such grain, without the permission of the owner or the occupant of the land upon which such grain is situated, or who shall hunt or shoot upon any land of another, after being notified not to hunt or shoot thereon, shall be punished by a fine of not less than five dollars nor more than ten dollars, and in default of payment thereof shall be imprisoned in the county jail not less than ten days nor more than thirty days. No person shall enter any land inclosed by a fence, and belonging to another, which said enclosure is kept and maintained as a deer park or game preserve by the owner thereof, and hunt or shoot therein without the consent of the owner of such enclosure, and any person who shall hunt, or kill any deer or game within such park or preserve at any season of the year shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than ten nor more than twenty-five dollars, and costs of prosecution, and in default of payment of such fine and costs he shall be imprisoned in the county jail not less than fifteen days nor more than thirty days; provided, that this section shall not limit or in any way affect civil liability on account of such trespass. Nor shall any person having posted notices as heretofore provided in this section enter upon the premises of another for the purpose of hunting or killing protected game, whether the land is cultivated or uncultivated, without first having ob-

Hunting on  
another's  
land.

Penalty for  
trespass.

Notice of  
owner.

tained the permission of the owner of such premises, under the penalty as heretofore provided in this section. Any owner or occupant 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.

Possession of  
fish or game  
during close  
season.

SECTION 12. Section 4565e, Wisconsin statutes of 1898, is hereby amended so as to read as follows: section 4565e. Any person who shall have in his possession or under his control any variety of fish, animals, game or birds, except whitefish and lake trout, during the close season prescribed by law therefor (except alive) or any carcass or flesh thereof; and any keeper of a hotel, restaurant or boarding house who shall serve to any of his guests any such fish, venison, animals, game or birds, except whitefish and lake trout in his possession or under his control during the close season therefor, 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 thirty days nor more than ninety days. Such possession or control of the birds, fowls or animals protected by the laws of the state during the closed season therefor is prohibited, and the penalty herein contained attaches thereto, whether the said fish, birds, fowls or animals were taken within or without this state, or lawfully or unlawfully taken. Section 4565f. Provided, however, that any person residing in this state who shall lawfully kill any deer, may keep and consume the meat thereof in his own family by serving a written notice on the game warden or the nearest deputy game warden on or before the last day of the open season for killing the deer, which notice shall state as nearly as may be when and where said deer was killed and the number of pounds of venison then in his possession and that the same is to be kept and used for his own family.

Possession of  
deer lawfully  
killed.



SECTION 13. Section 4566, Wisconsin statutes of 1898, is hereby amended to read as follows: section 4566. Any person who shall sell, or offer for sale, or purchase, or have in possession any fish, game, birds, fowls or animals, except whitefish and lake trout, protected by the laws of this state at any time during the close season prescribed therefor, respectively, 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 thirty days nor more than ninety days.

Selling in  
close season

SECTION 14. It shall be unlawful and is prohibited to buy, sell or transport any carcass or part of a carcass of a deer, buck, doe or fawn, until the sixth day of November in each year, and it shall be lawful and is permitted to buy, sell or transport the carcasses of deer under the conditions provided by law relative to the transportation of the same, up to and including the twenty-fifth day of November succeeding the end of the open season. Any person who shall buy, sell or transport before the sixth day of November in each year, any carcass or part of a carcass of a deer, buck, doe or fawn, or attempt to do the same, shall be punished by a fine of not less than ten nor more than fifty dollars, and by imprisonment until the fine is paid, not more than thirty days.

Transportation  
of deer.

SECTION 15. The commissioners of fisheries, or other persons authorized by law to propagate fish, shall have the power and are authorized to take fish at all seasons of the year from the outlying waters of the state for stocking other waters or for the purpose of securing eggs for artificial propagation; and shall dispose of said fish in such manner as they deem to be to the best interest of the state; provided, however, that no such fish shall be taken except in the presence of the superintendent of fisheries or his agent, authorized in writing.

Commissioners of  
fisheries au-  
thorized to  
take fish at all  
times.

SECTION 16. All acts or parts of acts in conflict with this act are hereby repealed.

**SECTION 17.** This act shall take effect and be in force from and after its passage and publication.

Approved May 2, 1899.

No. 286, S.]

[Published May 3, 1899.

## CHAPTER 312.

**AN ACT** to amend the Wisconsin statutes of 1898 relative to fish and game, and licenses for the hunting and shipment thereof.

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

Appointment  
of deputy  
game wardens.

**SECTION 1.** Section 1498a, Wisconsin statutes of 1898, is hereby amended to read as follows: section 1498a. The said warden may appoint, by and with the approval of the governor, thirty special deputy wardens who shall have like authority with the state fish and game warden in the enforcement of the laws relative to fish and game. At least two and not more than four of said special wardens shall be appointed from each congressional district. Such special wardens may be removed by the state fish and game warden at any time and their places filled in like manner as at the original appointment.

County deputies.

**SECTION 2.** Section 1498b, is hereby amended so as to read as follows: section 1498b. Whenever the county board of any county shall by resolution authorize the appointment of county wardens, and shall fix the number of the same it shall be the duty of the county judge, district attorney and county clerk, acting as a board of appointment, to select the persons for such positions and certify their names to the