

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

state fish and game warden, who shall, if in his judgment such persons will make competent and efficient deputy wardens, issue commissions as deputy wardens to such persons so designated. The compensation of each of said deputy wardens so appointed for such county shall be fixed by the board appointing the same, and be paid out of the county treasury the same as salaries of other county officers.

SECTION 3. All deputy wardens, whether special or county, shall make to the state fish and game warden full and complete reports of their transactions as such, according to the demand of the state fish and game warden, and shall at all times be held subject to his direction and control in the performance of their duties. They shall also gather and transmit to the state fish and game warden any and all statistical information relative to fish and game as said state fish and game warden shall from time to time call for.

Deputies to make statement of transactions.

SECTION 4. The thirty special deputy wardens shall each receive a per diem to be fixed by the state warden, by and with the approval of the governor, which per diem shall include pay for such days as each such deputy shall be under the direct order of the state warden to perform services in the enforcement of the fish and game laws, and upon certificate of said warden that such services have been actually rendered at his instance and under his direction. In addition to the per diem provided for, such deputies shall receive their actual necessary expenses incurred while working under the direction of the state warden, which expenses shall be paid upon vouchers therefor approved by the governor and countersigned by said state fish and game warden.

Per diem and expenses of deputies.

SECTION 5. Section 1498h, of the Wisconsin statutes of 1898 is hereby amended to read as follows: Section 1498h. The fines collected under the laws regulating the taking, possession, killing or transportation of fish and game, including the violations of the acts relative to

Disposition of fines.

the granting and holding of licenses to hunt certain game, shall be paid by the magistrate to the county treasurer, and one-third of said amounts so received as fines shall be by said treasurer designated and set apart as a fund for the protection of fish and game and to reimburse the county for the moneys which it shall expend for the enforcement of the fish and game laws.

Seizure and disposal of fish and game.

SECTION 6. Section 1498k, Wisconsin statutes of 1898, is hereby amended by adding at the end thereof the following: The right to have in possession and dispose of such fish or game so seized and sold shall expire five days after the date of the sale, and the protection to the purchaser given by this section shall then cease.

Report of state warden.

SECTION 7. Section 1498l, Wisconsin statutes, is hereby amended to read as follows: Section 1498l. On or before the thirty-first day of December in each year the state fish and game warden shall report to the governor the transactions of his department, including the work of himself and deputies and such other information as may be valuable to the state concerning the enforcement of the fish and game laws during the year preceding.

Public nuisance.

SECTION 8. Sub-division 6, section 1498o, Wisconsin statutes of 1898, is hereby amended to read as follows: Sub-division 6, section 1498o. Any boats, lamps or lights when used in the unlawful taking or attempting to take fish or game.

Decoys.

SECTION 9. Sub-division 10, section 1498o, Wisconsin statutes of 1898, is hereby amended to read as follows: Sub-divisions 10, section 1498o. All decoys set in any of the waters of the state, during the close season for the hunting of any variety of water-fowl as prescribed by law, and any decoys set in the water more than two hundred feet from the cover, which said cover shall be construed to mean the weeds, rushes or other vegetation in which the hunter may locate, or any place in which the hunter shall wholly or partially conceal himself.

SECTION 10. Section 1498p, Wisconsin stat-

utes of 1898, is hereby amended to read as follows: Section 1498p. The secretary of state shall issue licenses for the hunting of game in the manner and under the conditions hereinafter stated. All such licenses issued to non-residents shall be countersigned by the state fish and game warden. All fees for such licenses shall be paid to the secretary previous to the issuing thereof, and shall be by him paid to the state treasurer. The secretary of state shall procure the printing of all licenses for the hunting of game, and a record of such licenses issued to non-residents shall be kept in the office of the fish and game warden. All licenses to persons who are residents of the state shall be numbered consecutively at the time they are printed, and shall be furnished by the secretary of state to the clerks of the several counties in the state. Such clerks shall issue the same upon the terms and conditions hereinafter provided. Two forms of licenses for non-residents shall be issued, to-wit: One for hunting of deer, and the other for the hunting of game protected by the laws of the state with the exception of deer. Provided, that a person holding a license for the hunting of deer is hereby authorized to hunt for any game protected by the laws of the state during the seasons and under the conditions prescribed by law, and during the calendar year in which such license is issued.

Preparation
and issuance
of licenses to
hunt:

SECTION 11. Section 1498q, Wisconsin statutes of 1898, is hereby amended so as to read as follows: Section 1498q. Each license for the hunting of game issued under the provisions of law shall state for what year the same is granted, and shall be valid for no other period, nor for any time or season than that which the law shall designate to be the open season for game permitted to be hunted, taken or killed by the terms of such license, subject to the proviso that all kinds of game can be hunted in their season and under the conditions of law by a person holding a license for the hunting of deer. The licenses for non-residents of the state for the

Form of
license.

Non-resident
licenses.

Duty of county
clerk.

Use of cou-
pons.

hunting of deer and the general game licenses for non-residents of the state shall each be numbered consecutively when issued from the office of the secretary of state, and be upon paper of color differing the one from the other; and both of these licenses provided for non-residents shall differ essentially in color from the licenses provided to be furnished to residents. The licenses shall contain the name and place of residence of the licensee, and such other matter and information as may be required by the secretary of state and the state fish and game warden, to identify the licensee or more perfectly guard against violations of law. The licenses issued to persons not residents of this state shall recite that the licensee is a non-resident of the state; those prepared for issuance to residents of the state shall state that the licensee is a resident; all coupons or stubs shall contain like information. Each license issued by the county clerks shall be provided with two stubs, indicating the number of the license, to whom granted, the residence of the licensee, and such other information as may be required by the secretary of state and state fish and game warden. One of such stubs shall be detached by the clerk issuing the license and shall be sent to the state fish and game warden by him; the other stub shall be retained in the office of the county clerk and become a part of the records. Each license for the hunting of deer, issued to a non-resident of the state, shall be provided with two coupons containing the essential information of the license relative to the number of the license and the licensee, and such other information as the secretary of state and the state fish and game warden may determine to embody therein, including the express statement that the licensee is a non-resident of the state. Each coupon shall be divided into three sections, lettered "A," "B" and "C," respectively. The holder of a non-resident license shall be entitled to offer for transportation and have transported within or without the state by a common carrier

of this state one carcass of a deer or part of a carcass of a deer on each of the two coupons attached to his license. The agent receiving the carcass or part of a carcass for transportation shall detach section "A" of the coupon on which the same is to be transported, and forward said section to the state fish and game warden. Section "B" and "C" are to be attached to the carcass or part of carcass of deer received for transportation, and all three sections of the coupon must be canceled by the said receiving agent with the date of reception for shipment and his initials written or stamped plainly thereon. While in transit within the state, sections "B" and "C" of the coupon must be on the carcass of deer or part of carcass of deer or the said carcass or part of carcass shall be subject to seizure as contraband game. If the place of delivery of said carcass or part of carcass is within the state of Wisconsin, the delivering agent of the common carrier or transportation company, shall before the delivery to the consignee, detach section "C" of the coupon, and forward said section to the state fish and game warden, leaving section "B" attached to the carcass or part of carcass. The receiving and delivering agents or employes of transportation companies or common carriers required to transmit to the state fish and game warden sections of the coupons as herein required must so transmit the same within two days of the date of shipment or delivery respectively. If the carcass or part of carcass of deer be consigned to a point without the state of Wisconsin the agent, servant or employe of the transportation company or common carrier who shall be in charge of the carcass or part of carcass while in transit within the state, shall detach section "C" of the coupon, and deliver the same to the agent, servant or employe of the transportation company or common carrier at the last station or place in the state where the train or other conveyance of the said transportation company or common carrier shall stop, and it shall be the duty of the said agent, ser-

Duty of transportation agents in relation to coupons.

vant or employe of the said transportation company or common carrier to whom said section of the coupon is delivered to immediately forward the same to the state fish and game warden, after writing or stamping thereon the name of the station or place and date of reception thereat of said section of said coupon. Any agent, servant or employe of any transportation company or common carrier who shall receive for shipment or transport, or have in his possession with intent to ship or transport any carcass of deer or part of carcass of a deer without having the coupons or sections of coupons attached thereto as herein provided, or who shall refuse or neglect to detach the sections of the coupons as herein provided, or who shall fail to transmit or forward to the state fish and game warden as herein provided the sections by him detached, 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 three months, or by both such fine and imprisonment in the discretion of the court. No transportation company or common carrier shall receive for transportation, or transport or attempt to transport any carcass of deer or part of a carcass of deer unless the same shall be received for transportation, carried and delivered pursuant to the provisions of this section relative to the coupons and parts of coupons, and shall only be received for shipment, carried or delivered during the season or time which the laws of the state shall fix as the open season for the transportation of carcasses of deer or parts of carcasses of deer.

Restrictions as to transportation companies.

Non-resident, who is.

SECTION 12. Section 1498r, Wisconsin statutes of 1898, is hereby amended to read as follows: Section 1498r. Every person who has not resided in this state for one year previous to the time of applying for a license to hunt any of the game protected by the laws of the state of Wisconsin shall, for the purposes of obtaining a license to hunt game, be considered a non-resident thereof and shall, in order to be entitled to

a license for the pursuing or killing of game in this state during the seasons or times which the law permits the hunting, pursuit or killing of game, pay to the secretary of state the following sums, to-wit: For a license to hunt deer in the season therefor as fixed by law, which said license shall include permission to hunt any and all other kinds of game protected by law, in the several seasons or times fixed therefor, twenty-five dollars; for the hunting of all kinds of game protected by the laws of the state, in the seasons or times fixed therefor by law, with the exception of deer, ten dollars. The application for either of such licenses shall state the residence of the applicant and answer such other questions or give such other information as may be required by the secretary of state and the state fish and game warden and be verified by the affidavit of the applicant that the residence stated and the answer made or information given are true.

Fee for
licenses.

SECTION 13. Section 1498s, Wisconsin statutes of 1898, is hereby amended so as to read as follows: Section 1498s. Every person who has resided in this state for one year previous to applying for a license to hunt game and who desires to hunt the same must first obtain a license from the county clerk of the county in which he resides, which said license shall be issued by said county clerk, under seal, upon blanks furnished by the secretary of state. Said license shall certify that the licensee is a bona fide resident of the state of Wisconsin and give a description of such person such as shall be required by the secretary of state and the state fish and game warden in the blank licenses furnished to said county clerk. The applicant for such license shall show that the licensee is a resident of this state, shall give his residence and his postoffice address, shall contain a description of his person, and such other information as shall be required by the secretary of state and the state fish and game warden, shall be verified by the affidavit of the applicant and some

License for
resident,
form of.

resident of the county other than himself acquainted with the facts as set forth in the application. The county clerk shall receive with each such application for license the sum of one dollar, ten cents of which he shall retain and the remainder he shall transmit to the state treasurer. The license so issued to any resident of this state shall have attached two coupons for the shipment of deer. Each coupon shall be divided into two sections lettered "A" and "B" respectively. The holder of a resident coupon license shall be entitled to offer for transportation or have transported within the state by a common carrier of this state one carcass of a deer or part of carcass of deer on each of the two coupons attached to his license. The agent receiving the carcass or part of carcass for transportation shall detach section "A" of the coupon on which the same is to be transported and forward said section to the state fish and game warden. Section "B" is to be attached to the carcass or part of carcass of deer received for transportation and the two sections of the coupon must be cancelled by the said receiving agent with the date of reception for shipment and his initials written or stamped plainly thereon. While in transit, section "B" of the coupon must be on the carcass or part of carcass of deer or the said carcass or part of carcass of deer shall be subject to seizure as contraband game. The receiving agent or employe of transportation companies or common carriers are required to transmit to the state fish and game warden section "A" of the coupon as herein required, must so transmit the same within two days of the date of shipment. Any agent, servant or employe of any transportation company or common carrier who shall receive for shipment or transport any carcass of deer or part of carcass of deer without having the coupon attached thereto as herein provided, or who shall refuse or neglect to detach section "A" of the coupon as herein provided, or who shall fail to transmit or forward to the state fish

Fee of county clerk.

Use of coupons

Duty of transportation agents in relation to coupon.

and game warden as herein provided the section by him detached, 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 three months, or by both such fine and imprisonment, in the discretion of the court. No transportation company or common carrier shall receive for transportation, or transport or attempt to transport any carcass of deer or part of a carcass of deer unless the same shall be received for transportation, carried and delivered pursuant to the provisions of this section relative to the coupons and parts of coupons, and shall only be received for shipment, carried or delivered during the season or time which the laws of the state shall fix as the open season for the transportation of carcasses of deer or parts of carcasses of deer.

Restrictions as to transportation companies.

SECTION 14. It shall be unlawful and is hereby prohibited for any non-resident of this state to hunt for, pursue, take, catch or kill any of the animals, fowls or birds protected by the laws of this state without having in his possession at the time of such taking, catching or killing a license therefor duly issued to him under the provisions of this act. Only one license shall be issued to any person in any one year, except the same shall have been destroyed and a duplicate shall be issued upon proper proof.

Non-residents to have license to hunt.

SECTION 14a. It shall be unlawful, and is hereby prohibited, for any resident of this state to hunt for, pursue, take, catch or kill any of the aquatic fowls or deer protected by the laws of this state or to pursue, take, catch or kill any of the other fowls or birds protected by the laws of this state with dog or dogs, without having in his possession at the time of such pursuing, taking, catching or killing, a license therefor duly issued to him under the provisions of this act.

Residents to have license to hunt.

SECTION 15. Section 1498t, Wisconsin statutes of 1898, is hereby amended to read as follows: Section 1498t. The state fish and game

Access to records.

warden, or either of his deputies may, at any time examine the records of licenses issued by county clerks.

SECTION 16. Section 1498u, Wisconsin statutes of 1898, is hereby repealed.

Amount of game that may be killed by non-resident.

SECTION 17. It is unlawful and is prohibited for any person holding a non-resident license as herein described to take out of the state more than fifty birds, fowls or animals, protected by the laws of this state, in any one year. Provided, that this section shall be construed to mean that when fifty birds, fowls or animals of any kind or variety have been taken from the state by holder of a non-resident license further right to take any kind of birds, fowls, or animals by the holder of the said license shall cease. No transportation

Transportation of game

company or common carrier shall receive for transportation or shipment out of the state any birds, fowl or animals protected by the laws of the state, except when the same shall be in the personal possession of, or carried as baggage or express by the owner thereof, and such owner shall have in his possession at the time of such taking out of the state a non-resident license duly issued to him under the provisions of law, and shall accompany the said birds, fowls or animals on the same train or other conveyance of the common carrier beyond the borders of the state. Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than fifty nor more than two hundred dollars, or by imprisonment in the county jail not less than sixty days nor more than six months, or by both such fine and imprisonment in the discretion of the court.

Shipment of game by residents.

SECTION 18. It is unlawful and is prohibited for any person a resident of this state to ship within or without this state any birds, fowls or animals protected by the laws of this state, except when the same shall be in the personal possession of or carried as baggage or express by the owner thereof, and such owner shall have in his possession a resident license duly issued to him

under the provision of law, and shall accompany the said birds, fowls or animals on the same train or other conveyance. Any person who shall violate any of the provisions of this section shall be punished by a fine of not less than fifty dollars nor more than two hundred dollars, or by imprisonment in the county jail not less than sixty days nor more than six months or by both such fine and imprisonment in the discretion of the court.

SECTION 19. It is hereby required that any and all packages containing fish or game shall be labeled in plain letters on the address side of the package, so as to disclose the fact that said package contains fish or game, and the nature of the said fish or game so contained in said package. Any person who shall deliver to a common carrier for transportation any package or parcel containing fish or game, which said package or parcel shall not be so labeled as herein required, or who shall place upon said package or parcel a false statement as to the contents thereof, 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, or by both fine and imprisonment.

Packages containing game to be labeled.

SECTION 20. Every person delivering to a common carrier a package or parcel containing fish or game, shall place upon said package the name and address of the owner or consignor of said package or parcel. Any person violating the provisions of this section, shall upon conviction thereof, be punished by a fine of not less than ten dollars, nor more than fifty dollars.

Address of owner on package.

SECTION 21. It shall be unlawful and is hereby prohibited for any common carrier or agent, servant or employe of a common carrier, to receive for transportation or transport any package or parcel containing fish or game unless the same shall be labeled as provided in sections 19 and 20 of this act. Any person, firm or corporation violating the provisions of this section shall be required to forfeit to the state of Wisconsin a sum

Transportation without label prohibited.

not less than twenty-five dollars nor more than one hundred dollars, in the discretion of the court.

Examination
of shipments
by wardens.

SECTION 22. It shall be within the power of every officer charged with the enforcement of laws protecting fish and game to examine and open any package in the possession of a transportation company, which said package he shall suspect or have reason to believe contains contraband fish or game. It is hereby made the duty of every common carrier, agent, servant or employe thereof, to permit any officer charged with the enforcement of laws for the protection of fish and game to examine and open any package or parcel in the possession of said common carrier, or agent, servant or employe thereof, which the said officer so charged with the enforcement of said laws shall suspect or have reason to believe contains fish or game protected by the laws of the state, and not entitled under such law to be transported, or when the said officer shall suspect or have reason to believe that the said package or parcel is falsely labeled. Any person, firm or corporation refusing to an officer charged with the enforcement of the fish and game laws permission to examine or open any such package or parcel or shall in any manner hinder or impede such action by the said officer, shall forfeit to the state of Wisconsin a sum not less than fifty dollars nor more than one hundred and fifty dollars, in the discretion of the court.

Penalty for
transportation
in closed sea-
son.

SECTION 23. It shall be unlawful and is hereby prohibited for any person, firm or corporation acting as common carrier to bring into this state any fish or game from any state during the time that such other state prohibits the transportation of such fish or game from said state to a point without the same. Any person, firm or corporation violating the provisions of this section shall be required to forfeit to the state the sum of not less than twenty-five dollars nor more than one hundred dollars in the discretion of the court.

SECTION 24. Any officer of any other state who

is by the laws of said state authorized or directed to enforce the fish and game laws of said state is hereby designated and declared an agent of said state within this state. And it shall be lawful for said officer to follow any fish or game unlawfully shipped or taken from his state into this state and seize the same, and convey the same back to his own state, and so far as concerns said fish or game so shipped or brought from said state into this state, the laws of the state from which the same was brought in to this state shall be declared to be and are hereby constituted the laws of this state concern[ing] such fish or game. And transportation companies are hereby authorized to deliver to such officer of another state, upon submission of proper proof of his official capacity, any fish or game so demanded or seized by him, and he, the said officer, is hereby authorized to take with him such fish or game to his own state. Or the said agent may dispose of said fish or game within this state, in accordance with the laws of the state from which the same was shipped, such disposition to be made under the supervision of an officer of this state authorized and directed to enforce fish and game laws, and the expenses of such officer for his assistance shall be made a lien upon such fish or game, or the proceeds thereof.

Wardens made agents of state.

SECTION 25. It shall be unlawful and is prohibited to have in possession during the close season therefor, any of the varieties of fish or game protected by the laws of this state, except whitefish and lake trout, whether the same shall have been lawfully or unlawfully taken, and it is hereby made the duty of any owner or occupant of any cold-storage warehouse or building used for the storage or retention of fish or game to permit the entry and examination of the premises by any officer authorized to enforce fish and game laws. And the said owner, occupant, or agent or servant, or employe thereof, shall deliver to said officer or agent any fish or game in his possession during the close season therefor, whether the

Possession of fish and game during close season.

same shall have been taken within or without this state, and whether the same shall have been taken lawfully or unlawfully. Any person who shall have in his possession or under his control any fish or game protected by the laws of this state, or who shall refuse to permit any officer charged with the enforcement of fish and game laws, entry into any cold-storage warehouse, and possession of any fish or game therein contained, during the close season for such fish or game, shall be punished by a fine of not less than fifty dollars, nor more than one hundred and fifty dollars, or by imprisonment in the county jail not less than sixty days nor more than four months, or by both such fine and imprisonment.

Possession of lawfully killed deer.

SECTION 25a. 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 deputy warden on or before the last day of the open season for killing of deer, which notice shall state as near 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.

Title of fish and game in state.

SECTION 26. Section 4560, Wisconsin statutes of 1898 is hereby amended to read as follows: The ownership of and the 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 manner or at any time, or had in possession except the person so catching, taking, killing or having in possession 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, killing or having in possession 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 disposi-

tion of the same, and said possession shall be consent to such title in the state whether said fish or game were taken within or without this state.

SECTION 27. The state game warden of every other state, and his deputies and all other officers charged with the enforcement of fish and game laws are hereby designated the agents of this state for the taking possession of, seizing, holding and disposing of any fish and game protected by the laws of this state. Powers of game wardens of other states.

SECTION 28. It shall be unlawful and is prohibited for any person, firm or corporation or common carrier to ship into, or through this state from any other state any fish or game prohibited by the laws of said state to be shipped or transported and it shall be the duty of the state fish and game warden of this state or his deputy, to seize, hold, and dispose of, according to the laws of this state, any fish or game brought into or shipped into this state, or carried through, or attempted to be carried through this state, prohibited to be so shipped or transported by the laws of any other state, and further to dispose of the same according to the laws of this state. Any person, firm or corporation violating the provisions of this act shall be required, upon due proof thereof, to forfeit a sum not less than twenty-five dollars nor more than one hundred dollars, in the discretion of the court. Shipments into the state.

SECTION 29. All such license money so received shall be set aside by the state treasurer and shall constitute a fund for the payment of the special deputy game wardens. The liability of the state for per diem salaries and expenses of deputy game wardens appointed under this act or otherwise and for all other services and expenses incurred, for any purpose under or in consequence of this act shall be limited to the license fees paid in pursuance of this act, and in no event shall the state pay any such salaries or expenses or be liable in any manner therefor. Except to the extent of such license fees received by it under this act, any contract, express or implied, of the Liability of state in compensation of wardens.

game warden to the contrary notwithstanding. And said game warden shall not issue any voucher, nor shall the governor approve any voucher, if issued by said warden, under the provisions of this act or otherwise for any such per diem, salary, services or other expenses of any kind unless the money to pay such voucher received for licenses issued under this act, shall at the time be on hand to pay the same.

SECTION 30. All acts or parts of acts conflicting with the provisions of this act are hereby repealed.

Hunting deer
without li-
cense in pos-
session;
transfer of.

SECTION 30a. Section 4562a of the Wisconsin statutes of 1898, is hereby amended to read as follows: section 4562a. Any person who shall pursue, hunt or kill game protected by the laws of this state without being at the time of such pursuing, hunting or killing in possession of a license duly issued to him, which license shall cover the period in which he shall be so pursuing, hunting or killing such game, or who shall furnish to another person, during the open season for such game or permit such another person to have, during such season, a license issued to him, shall be fined not less than fifty dollars nor more than two hundred dollars, or be imprisoned in the county jail not less than two months nor more than six months.

SECTION 31. This act shall take effect and be in force from and after September first, 1899.

Approved May 2, 1899.