

No. 524, S.]

[Published May 24, 1907.]

**CHAPTER 136.**

AN ACT to create section 4560a—2, relating to fishing with nets in inland waters.

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

SECTION 1. There is hereby added to the statutes a new section to read:

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

Approved May 23, 1907.

No. 19, A.]

[Published May 24, 1907.]

**CHAPTER 137.**

AN ACT to provide for suitable dedication of the monument erected by the state of Wisconsin in the national cemetery at Andersonville, Georgia, and to appropriate a sum of money to defray the expense thereof.

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

**Appropriation for dedicatory ceremonies.** SECTION 1. The commission appointed under chapter 322 of the laws of 1903, to select a monument and have the same placed in a proper location in the national cemetery at Andersonville, Georgia, are hereby authorized to provide a suitable dedication for such monument when completed. To defray the necessary expenses of such dedicatory ceremonies, said commission is hereby empowered to use any unexpended balance of the appropriation made by chapter 322 of the laws of 1903 as amended by

of a misdemeanor and shall upon conviction thereof, be punished by a fine of not less than twenty-five dollars nor more than fifty dollars and the costs of prosecution, or by imprisonment in the county jail of the county in which the offense was committed, not less than twenty days nor more than sixty days, or by both fine and imprisonment in the discretion of the court. Provided, that the provisions of this act shall not prohibit the taking of rough fish minnows under the provisions of section 28, chapter 489, laws of 1905.

(Ch. 257, 1907.)

**Certain inland waters: fishing regulations; licenses requisite.** SECTION 4560a—2. It shall be unlawful and is hereby prohibited to take, or attempt to take, fish by any other methods than those provided for in sections three, nine, ten and fifteen of chapter 489, laws of 1905, from any of the following named waters: Lake Winnebago; Lake Butte des Morts; Lake Winneconne; Lake Poygan; and the rivers connecting Lake Poygan and Lake Butte des Morts without first having procured a license therefor as hereinafter provided; further, it shall be unlawful to use set lines as provided in section ten, chapter 489, laws of 1905, in the river connecting Lake Butte des Morts and Lake Winnebago.

**Fyke and gill net licenses.** (a) The state fish and game warden shall upon application therefor issue to any resident of the state of Wisconsin a license to set, use and operate, fyke or hoop nets, and gill nets of not less than seven inch stretch measure in the waters above enumerated, for the purpose of catching and taking buffalo-fish, carp, red-horse, suckers, sheepshead, eel-pout, garfish, dogfish, blue gills, sunfish and bullheads. Such nets shall not be set, used or operated except in the manner hereinafter provided and then only in compliance with such rules and regulations as are or may be hereafter prescribed by law. Licenses issued under the provisions of this act shall expire on the first day of April succeeding the date of their issuance and shall not be transferable.

**Fyke nets: application and fee.** (b) Any resident of this state who shall desire a license to set, use and operate a fyke net or nets, or hoop nets, under the provisions of this act, shall make application to the state fish and game warden therefor upon blanks to be furnished by the game warden depart-

ment, and shall accompany such application with a fee of two dollars for each fyke or hoop net.

**Gill nets: application, fee, supervision.** (c) Any resident of this state who shall desire a license to set, use and operate a gill net under the provisions of this act, 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 ten dollars for each two thousand lineal feet of gill net or fraction thereof. Any licensee operating a gill net under the provisions of this act shall do so under the direction and personal supervision of the state fish and game warden or one of his deputies, but not otherwise. Every person obtaining a license to set or operate gill nets under the provisions of this act shall pay the per diem and all expenses of the game warden supervising such fishing.

**Fisherman's bond and sureties.** (d) Before any license shall be issued under the provisions of this act, 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 are or may be hereafter prescribed by law, said obligation shall 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.

**Temporary ponds.** (e) Licensees operating nets under the provisions of this act are hereby permitted to construct temporary fish ponds in the above mentioned waters for the purpose of keeping fish therein until the same can be marketed; provided that fish so taken may be shipped to points within or without this state at any time in any quantity.

**What fish returned to waters.** (f) Every person using or operating nets under the provisions of this act shall immediately return to the waters from which the same have been taken all fish not specified in his license and if any such person shall be found in possession of any fish not enumerated in his license, it shall be deemed to be prima facie evidence of a violation of this act.

**What fish not returned.** (g) All fish authorized to be taken by nets under this act shall be brought to shore and sold, buried or otherwise disposed of, but none of said fish shall be returned to the water.

**Fyke nets: number; closed season.** (h) Fyke nets operated under the provisions of this act shall be limited to twenty to each licensee and said nets shall not be so used between March 31st and September 1st.

**Game warden's supervision.** (i) The location and setting of all fyke nets operated under the provisions of this act shall be done under the personal direction and personal supervision of the state fish and game warden or one of his deputies. Licensees shall pay the per diem and all expenses of the game warden while so engaged.

**Records and fees.** (j) The state fish and game warden shall keep a complete record in his office of all licenses issued under this act, and all moneys received for same shall be paid to the state treasurer and become a part of the hunting license fund.

**Penalty.** (k) Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and shall, upon 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 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.

(Ch. 136, 1907.)

**Dip nets: diameter and meshes.** SECTION 4560a—3. It shall be unlawful and is hereby prohibited to set, use or operate, a dip net, in any of the inland waters of this state, except in the streams or rivers flowing into Lake Michigan within a distance of three miles of the shore of said lake, and in the waters herein enumerated, dip nets not to exceed *fourteen* feet in diameter *with meshes not less than two inch stretch measure*, may be used only for the purpose of taking and catching buffalo-fish, carp, eel-pout, garfish, redhorse and suckers.