

No. 130, A.]

[Published July 2, 1907.

CHAPTER 470.

AN ACT to create sections 2014—11l, 2014—11m, 2014—11n and 2014—11o, relating to bonding the officials of building and loan associations.

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

SECTION 1. There are added to the statutes of 1898, four new sections 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 July 1, 1907.

No. 598, S.]

[Published July 2, 1907.

CHAPTER 471.

AN ACT to create sections 4560a—25 to 4560a—32, inclusive, of the statutes, relating to fishing in outlying waters, and to repeal sections 9, 27, 28, 29, 30, 31, 32 and 33 of chapter 489, laws of 1905, and chapter 403, laws of 1905, and section 4561, of the statutes, and section 19, chapter 437 of the laws of 1903.

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

SECTION 1. There is added to the statutes, eight new sections to read:

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SECTION 2. Sections 9, 27, 28, 29, 30, 31, 32 and 33 of chapter 489, laws of 1905 and chapter 403, laws of 1905, and section 4561, of the statutes, and section 19, chapter 437 of the laws of 1903 are hereby repealed.

Approved July 1, 1907.

(In effect from and after date of publication.)

Refusal of entry and possession; penalty. 2. Any person who shall refuse to permit an officer charged with the enforcement of the fish and game laws, entry into any buildings or enclosures, except dwelling houses while permanently occupied, vessels, boats, wagons, cars, stages, tents and other receptacles and places, and to take possession of any fish, game, or any unlawful contrivance used for the taking of fish or game, upon demand made by him to that effect, shall be fined not less than twenty nor more than fifty dollars and the costs of prosecution, or by imprisonment not less than twenty nor more than sixty days or by both such fine and imprisonment.

(Ch. 649, 1907.)

Certain outlying waters; regulation of net fishing. SECTION 4560a—25. It shall be unlawful and is hereby prohibited for any person or persons, firm or corporation, to set, cause to be set, placed or used,

a. In the waters of Lake Superior, a gill net or nets having meshes less than two and one-quarter inches stretch measure; except bait nets;

b. In the waters of Lake Superior, within one mile of the main shore thereof, a gill net or nets having meshes less than four and one-quarter inches stretch measure between July 15th and the following 15th day of September:

c. In the waters of Lake Superior, within one mile of the main shore any pound net or nets having meshes less than four inch stretch measure in the pot or crib thereof between July 15th and the following 15th day of September, or to use any pound net having meshes less than two inch stretch measure in the pot or crib thereof at any time:

d. In that part of Chequamegon Bay, included within the following described bounded lines, to-wit: beginning at Houghton Stone quarry, Bayfield county, from thence following the shore line of Chequamegon Bay, south and east to a point where the section line between sections 2 and 3 in township 48, north, of range 3, west, Ashland county, intersects the shore line, thence north on a straight line to Long Island, thence along the south and west shores of Long Island to the extreme northwest point of said island, thence southwesterly in a straight line to the point of beginning: a net of any kind except a gill net or nets having meshes not less than four and one-quarter inches stretch measure may be used between the 1st day of January and the 1st day of May following; provided that gill nets with meshes not less than two and three-

eighth inches stretch measure or pound nets with meshes not less than two inches stretch measure in the pot or crib thereof, or seines, may be used in the above bounded waters during the months of November and December for the purpose of taking herring and other fish, except lake trout, white fish, pike or bass.

e. In the waters of Lake Superior, Lake Michigan and Green Bay and the Fox river up to the dam at De Pere, a gill net or nets having meshes less than two and three-quarter inches stretch measure, except that gill nets having meshes not less than two and one-quarter inches stretch measure may be used for the purpose of taking perch, herring and other fish except lake trout, bass and white fish, in the waters of Green bay and in the waters of Lake Michigan; provided, that persons operating any gill net or nets having meshes less than two and three-quarters inches stretch measure, shall not have any lake trout, bass or white fish in their possession while operating said nets; provided, further, that a bait net, not to exceed two thousand feet in length with meshes from one and one-half to one and three-quarters inches stretch measure may be used in any of the outlying waters for the purpose of taking bloaters for bait for set hooks.

f. In the waters of Green Bay and Lake Michigan any pound net having less than three and one-half inches stretch measure in the pot or crib thereof, for the purpose of taking lake trout or white fish; provided that pound nets having meshes not less than two inches stretch measure may be used for the purpose of taking herring and other fish except bass, if set on perch and herring grounds.

g. In the pot or crib of a pound net in any of the outlying waters of this state, any apron or other device which would prevent small fish escaping through the meshes of the net, when the same is set or raised and all white fish, and lake trout weighing less than two pounds, round or undressed weight, caught in pound nets, fyke nets or seines, in any of the outlying waters of this state, shall be immediately returned alive to the waters from which they were taken.

h. In any of the outlying waters within the jurisdiction of this state except lakes St. Croix and Pepin, any fyke net having meshes less than two and one-fourth inches stretch measure in the pot or tail of said net, or any seine having meshes less than three inches stretch measure, except minnow seines for bait.

The provisions of this section relative to the size of meshes

in nets shall take effect and be in force from and after January 1st, 1909.

(Ch. 471, 1907.)

Certain outlying waters: use of nets. [Section 4560a—25.]h. In any of the outlying waters within the jurisdiction of this state except lakes St. Croix and Pepin, any fyke net having meshes less than two and one-fourth inches stretch measure in the pot or tail of said net, or any seine having meshes less than three inches stretch measure, except minnow seines for bait.

* * * *The provisions of section 4560a—25 of the statutes shall take effect and be in force from and after the passage and publication of this act, except that the provisions thereof relative to the size of the meshes of nets shall not be operative and in force as to nets to be used only in the waters of Green Bay and Lake Michigan until after January 1st, 1908.*

(Ch. 628, 1907.)

Fishermen must carry wardens to nets. SECTION 4560a—26. All persons operating nets or set lines within the outlying waters within the jurisdiction of the state are hereby required to carry any officers authorized to enforce the fish and game laws on their boats to and from their nets and raise same for his or their inspection upon demand by such officer or officers.

(Ch. 471, 1907.)

Trout and whitefish; weight limit of daily catch. SECTION 4560a—27. It shall be unlawful and is hereby prohibited for any person, firm or corporation,

a. To have in his or their possession or to sell, offer for sale, or transport in any one day more than one hundred pounds of undersized lake trout, to-wit: lake trout of less than two pounds round or undressed weight or less than one and one-half pounds dressed weight.

b. To have in his or their possession more than twenty-five pounds of undersized white fish, to-wit: white fish of less than two pounds round or undressed weight, or less than one and one half pounds dressed weight; or to sell, offer for sale or transport any undersized white fish.

(Ch. 471, 1907.)

Certain outlying waters: nets and traps forbidden entirely or for seasons; angling. SECTION 4560a—28. It shall

be unlawful and is hereby prohibited to set or cause to be set or used a net of any kind or other device for trapping fish in any of the following named waters:

1. The waters within one-third of a mile of any harbor, pier or breakwater, on the shores of Lake Michigan, except a seine or dip net for carp.

2. The waters of Sturgeon Bay, to-wit: That portion of said bay lying south of a straight line running easterly from Sherwood Point light house to a point where the south line of lot 1 in section 19, township 28 north, of range 26 east, intersects the meandered line of Sturgeon Bay in Door county, including also the waters of Sawyers Harbor.

3. The waters of Detroit Harbor, to-wit: That portion of said harbor lying north and west of a straight line running in an easterly direction from the extreme southern point of lot 3 in section 14, township 33, north, of range 29 east, to the most southerly point of lot 2, in section 18, township 33, north, of range 30 east, in Door county.

4. The waters of Little Sturgeon Bay, south of a straight line drawn from Horse Shoe or Squaw Island to Bonnett's Point on the mainland.

5. In the waters of Green Bay west and south of a straight line drawn from Marinette Harbor to Sherwood Point light house, in Door county, from the 1st day of April to the succeeding 1st day of May in each year.

6. In the waters of Green Bay, not included in subdivision 5 of this section any net having meshes less than four inch stretch measure between the 1st day of April and the succeeding 1st day of June, except as otherwise provided in subdivision "f" of section 4560a—25.

7. In the waters of Lakes Michigan and Superior and Green Bay any nets or set lines between October 15th and December 1st of any year; provided if on the 15th of October of any year, any person shall have set in such waters nets or set lines which, owing to stress of weather such person or corporation, shall be unable to raise or bring in on said date, five days of grace thereafter shall be allowed for the purpose of raising and bringing in such nets or set lines and the fish caught therein or thereon; provided further that in the waters of Green Bay, Lake Michigan and Lake Superior, nets having meshes not less than two or over two and five-eighths inch stretch measure may be used for the purpose of taking perch and other fish except lake trout, bass, and white fish, during the closed season specified in this subdivision.

Nothing in this act shall be construed to prohibit the taking of fish from any of the outlying waters of this state at any time by angling or trolling, except that black bass and pike shall not be taken or caught during the closed season prescribed for the taking of such fish from inland waters; or to prohibit the taking of rough fish minnows from said waters for bait with a minnow dip net or a minnow seine not more than fifty feet in length or five feet in depth.

(Ch. 471, 1907.)

Nets not usable for bass and pike; undersized fish set free. SECTION 4560a—29. It shall be unlawful and is hereby prohibited to take bass of any kind by means of nets from any waters within the jurisdiction of this state, or any pike by means of nets during the closed season prescribed for the taking of pike from the inland waters, or to take, kill or retain any fish less than six inches in length except rough fish minnows or bloaters for bait; all undersized fish when taken in any net shall without injury, be immediately returned to the waters from where taken.

(Ch. 471, 1907.)

Offal: fishermen not to cast on ice or in waters; evidence. SECTION 4560a—30. It shall be unlawful and is hereby prohibited to leave fish offal, (which shall be construed to mean and include, the heads, intestines and cleanings of fish, and dead fish), upon the ice of any waters within the jurisdiction of this state; or to cast, deposit or throw over board or into any of the waters within the jurisdiction of this state, any fish offal as above defined; the fact of any fisherman coming to shore with dressed fish in his boat and without the offal produced by such dressing shall be prima facie evidence of a violation of this act.

(Ch. 471, 1907.)

Transportation labels; pike season and shipments; fisheries commissioners powers to take. SECTION 4560a—31. Every person delivering to a common carrier a package or parcel containing fish shall place upon said package the name and address of the shipper and the name and address of the person to whom shipped, and the number of pounds of each kind of fish contained therein. Same to be placed in a conspicuous place upon said package.

From May 25th in each year until March 1st of the year following it shall be lawful to have in possession, sell and transport to points within and without this state pike which have been lawfully taken from the waters of Lake Superior without restriction as to the number of pounds possessed, sold or transported. Provided that such shipments shall be billed from a port on Lake Superior directly to their destination, and shall not be rebilled or reshipped from any other point within this state, further provided that persons actually engaged in fishing with nets in the waters of Green Bay, may ship not to exceed 50 pounds of pike a day, to points within or without this state, under the restrictions as to time of closed season and provided that pike be shipped in separate packages, billed from a port on Green bay, and shall not be rebilled from other points within this state. For the purpose of stocking waters or securing fish eggs for artificial propagation the commissioners of fisheries or the superintendent of fisheries, or his duly appointed agents authorized by him in writing may take fish at any time from any of the waters within the jurisdiction of this state; provided that no fish shall be taken except in the presence and under the direction of one of the above enumerated persons; whenever permission is granted to any agent for the taking of fish for the purposes herein specified, same shall be a written permit and shall plainly state to whom the permit is given, the date of expiration, what kind or kinds of fish shall be taken thereunder and only such fish shall be taken and possessed and no other. Fish necessarily killed in such taking shall be disposed of for the best interests of the state.

(Ch. 471, 1907.)

Penalties. SECTION 4560a—32. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars for the first offense and not less than fifty dollars nor more than one hundred and fifty dollars for a second offense, or by imprisonment for not less than thirty days nor more than six months, or by both such fine and imprisonment.

(Ch. 471, 1907.)

Certain inland lakes: gill nets and white fish. SECTION 4560a—35. The state fish and game warden shall grant permits to any person making proper application for the same to