

No. 196, A.]

[Published May 6, 1953.]

CHAPTER 105.

AN ACT to create 29.58 of the statutes, relating to the establishment and licensing of mink farms on licensed muskrat farms.

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

29.58 of the statutes is created to read:

29.58 MINK FARMS ON MUSKRAT FARM LANDS. (1) The owner or lessee of any licensed muskrat farm under s. 29.575, shall have the right, upon complying with the provisions of this section, to establish upon such muskrat farm lands, a mink farm, for the purpose of breeding, propagating, trapping and controlling nondomesticated mink thereon.

(2) Such owner or lessee desiring to establish, operate and maintain a mink farm in conformity with this section, shall file with the conservation commission a verified declaration describing the lands which such applicant for a license desires to use for the purpose of breeding and propagating or controlling nondomesticated mink, and setting forth also the title or leasehold of the applicant and the number of acres embraced in the tract.

(3) Upon the filing of the declaration, the conservation commission shall forthwith investigate the same and may require the applicant to produce satisfactory evidence of the facts therein stated. If upon such examination it appears that the applicant is the owner or lessee of said lands, and that the applicant intends in good faith to establish, operate and maintain a mink farm, the commission shall issue a license to the applicant describing such lands, and certifying that the licensee is lawfully entitled to use the same for the breeding, propagating, trapping of and dealing with mink.

(4) Thereupon the commission shall appoint one man and the applicant one man, and these 2 shall select a third man, the 3 men to act as a board to go upon the lands embraced within the license, and determine as near as possible the number of nondomesticated mink thereon at the time of the granting of the license. Such estimates shall only be made during that part of the year when there is snow on the ground. The necessary expenses of the members of such board shall be paid by the licensee. Within 10 days after the date of such determination, the licensee shall pay to the conservation

commission \$2.50 for each mink so found on such lands. When such payment has been made the licensee shall become the owner of all of the mink on said lands and of all of their offspring remaining thereon. He shall have the right to manage and control said lands and the mink thereon, to take and trap the same at any time or in any manner which he sees fit and deems to the best advantage of his business, and to sell and transport at any time said mink or the pelts taken from them, as provided in sub. (11).

(5) The holder of any such license shall pay an annual license fee of \$3.75, and such annual fee shall be for the same lands as are duly licensed as a muskrat farm under s. 29.575, without additional acreage tax.

(6) The licensee shall maintain at intervals of not more than 12 rods along the boundary of the land embraced in said license, wherever the same are not already inclosed, notices proclaiming the establishment of a muskrat or mink farm. Such notices shall be furnished by the conservation commission to the licensee at cost.

(7) Such license shall be prima facie evidence in all courts and proceedings of the lawful right of the licensee therein named, his successors or assigns, for the term of the license, to establish and operate a nondomesticated mink farm upon said premises, and shall entitle the licensee therein named or his successors or assigns, to the exclusive right for and during said term to breed and propagate mink thereon, and to the exclusive and sole ownership of any property in all mink caught or taken therefrom. Such licenses shall expire on December 31 of each year, but may be renewed from year to year upon payment by the licensee of the annual license fee.

(8) Any person other than the licensee or his agents who shall hunt or trap mink upon any lands described in any such license, shall be liable to the licensee in the sum of \$25, in addition to all damage which he may do to said farm or to the mink and property thereon, but all actions for such trespass shall be brought by the licensee.

(9) On or about March 1 of each year, each such licensee shall make a report, verified by affidavit, to the conservation commission, covering the period from January 1 to December 31 of the previous year, upon blanks furnished by the commission, stating the number of his license and the total number and value of mink killed, transported or sold from said mink farm, and such other information as the commission may require.

(10) Nothing in this section shall be construed to affect any public right of hunting, trapping, fishing or navigation except as herein expressly provided, nor shall this section apply to mink raised in captivity.

(11) Any person operating a mink farm under licenses granted by the provisions of this chapter, shall not trap any animals for pelting purposes during the closed season provided for by this chapter, except on a permit granted by and under supervision of the conservation commission; and all skins of such animals so taken during closed season shall be tagged with a tag to be furnished by the conservation commission to the licensee at cost, not exceeding one cent each. No mink on licensed farms shall be killed at any time by gun shot or spear.

Approved April 30, 1953.
