

## CHAPTER 269.

AN ACT RELATING TO THE PRESERVATION OF FISH IN LAKE MINNETONKA, COUNTY OF HENNEPIN, STATE OF MINNESOTA.

*Be it enacted by the Legislature of the State of Minnesota :*

SECTION 1. No person or persons shall hereafter catch, capture, take or destroy in any manner, nor attempt to catch, capture, take or destroy in any manner, any fish within the waters of Lake Minnetonka, county of Hennepin, state of Minnesota, save only between the first (1st) day of May and the first (1st) day of November succeeding in each year.

SEC. 2. Whoever violates any of the provisions of the preceding section shall be deemed guilty of a misdemeanor, and upon conviction thereof before any justice of the peace, or the municipal court of Minneapolis, shall be punished by a fine of not less than five (5) dollars nor more than fifty (50) dollars for each and every fish so caught, captured, taken or destroyed in violation of this act, together with the costs of prosecution, and shall be punished for every attempt to catch, capture, take or destroy any fish in violation of this act by a fine of not less than five (5) dollars nor more than twenty-five (25) dollars, and shall be committed to the county jail until such fine and cost are paid. One-half (½) of all fines collected for violation of this act shall be paid to the person making the complaint.

SEC. 3. In all suits or prosecutions under this act, establishing of the fact of ownership or occupancy or use by any person or persons of any fish house on said Lake Minnetonka, during the time in each year when the taking, capturing, catching or destroying of fish is by this act prohibited, shall be *prima facie* evidence of such person or persons having attempted to catch, take, capture and destroy fish in violation of this act, and shall be proof conclusive, unless defendant furnishes proof positive to the contrary; and in all prosecutions under the provisions of this act, establishing the fact of the finding in the waters of said Lake Minnetonka, in the possession or under the control of any person or persons, of any fishing tackle or instruments or utensil of any kind or description for the taking, capturing, destroying or alluring fish, during the time in each year when the taking, catching, capturing or destroying of fish is by this act prohibited, shall be *prima facie* evidence of the attempt to take, catch or capture and destroy fish in violation of this act by the person or persons in whose possession or under whose control such tackle, instruments or utensils are found, and shall be proof conclusive unless defendant furnishes positive proof to the contrary.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved February 24, 1885.