

## CHAPTER 333—H. F. No. 845.

*An act to regulate commercial fishing in Lake Superior.*

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

**Section 1. Licensing of residents for fishing in Lake Superior authorized.**—The state game and fish commissioner is hereby authorized to issue licenses to residents of Minnesota who are citizens of the United States, for skiffs and power boats for use in commercial fishing in that part of Lake Superior under the jurisdiction of the state of Minnesota, subject to the following regulations and conditions:

**Sec. 2. Size of nets to be used.**—It shall be lawful to use nets as follows in such fishing:

Gill nets of not less than two and one-half ( $2\frac{1}{2}$ ) inch mesh, extension measure, may be used for taking herring, provided that any gill nets of two and three-eighths ( $2\frac{3}{8}$ ) inch mesh, extension measure, in use at the time of the passage of this act may be used until the end of the year 1918, and provided further, that gill nets of not less than two and one-eighth ( $2\frac{1}{8}$ ) inch mesh, extension measure, may be used between April 15th and June 15th for the purpose of taking herring for use as bait only.

Gill nets of not less than four and one-fourth ( $4\frac{1}{4}$ ) inch mesh, extension measure, may be used for taking lake trout. Gill nets of not less than two and five-eighths ( $2\frac{5}{8}$ ) inch mesh, extension measure, may be used for taking ciscoes, provided that no nets for taking ciscoes shall be set in water less than sixty (60) fathoms in depth.

**Sec. 3. Other nets unlawful.**—No nets of any kind shall be used without first having obtained a fishing license therefor and it shall be unlawful to use any net in said waters except such as are herein expressly permitted to be used.

**Sec. 4. Set lines.**—Set lines may be used to taking lake trout.

**Sec. 5. Licensing of boats.**—Skiffs and power boats are hereby authorized to be used in such fishing as is authorized under this act when duly licensed. Applications for licenses for use of boats in fishing under this act shall be made in writing, on blanks to be furnished for that purpose, to the game and fish commissioner, which applications shall state the character and number of boats desired to be used.

Fees for license for each fishing season shall accompany each application as follows:

For each skiff, limited to the use of one man .....	\$ 2.00
For each skiff, limited to the use of two men .....	4.00
For each power boat of one gross ton capacity or less.....	5.00

For each power boat of from one to five gross ton capacity 10.00  
 For each power boat of five gross ton capacity ..... 25.00  
 For each gross ton in excess of five gross ton capacity .... 2.00

Licenses shall not be transferrable and shall be granted for one fishing season only. Each net used under license granted under this act shall have attached thereto when in use, a numbered metal tag to be furnished by the game and fish commissioner. No net shall be set within one-fourth ( $\frac{1}{4}$ ) mile of the mouth of any stream flowing into Lake Superior.

**Sec. 6. Season for fishing.**—The open season for fishing under this act shall be from the first day of December to the first day of November, following for taking herring, provided that this provision for closing herring fishing in November shall not be effective until the state of Wisconsin shall, provide for a similar close season; and from the first day of December to the first day of November, following, for taking lake trout.

**Sec. 7. Fish may be kept in possession one week.**—Fish caught in nets under license authorized by this act may be had in possession by the license for one week after the close of the fishing season.

**Sec. 8. Non-owner not to remove fish from nets.**—It shall be unlawful for any person not the owner or his agent, duly authorized, to take any fish from any nets set by persons licensed under this act, or to wilfully disturb or interfere with such nets.

**Sec. 9. Fish may be sold within or without state.**—Fish caught in such nets authorized for use by persons licensed under this act, or with hook and line in open season, may be shipped and sold within or without the state. /

**Sec. 10. Packages to be plainly marked.**—All packages containing fresh or salted fish shall be plainly marked with a number, either by stencil or durable tag, said number to be furnished licensee by the game and fish commissioner.

**Sec. 11. Depositing of fish gurry or offal in Lake Superior prohibited.**—It shall be unlawful for any person to place any fish gurry or fish offal in the waters of Lake Superior or in any waters tributary thereto.

**Sec. 12. Written report to be made to commissioner.**—Every person, firm, co-partnership, or corporation receiving a license for fishing under this act shall make a written report on blanks to be furnished for that purpose by the game and fish commissioner at the end of each fishing season, to said commissioner, stating accurately and in detail the amount, in pounds, of each kind of fish caught, the price at which such fish were sold and the total value of each kind.

**Sec. 13. Commissioner authorized to use nets at any time for procuring eggs.**—The game and fish commissioner shall

have authority, for the purpose of procuring eggs of fish for supplying fish hatcheries, to authorize the use of nets in the waters of Lake Superior at any time of the year under such regulations and restrictions as may be prescribed by him but no such nets shall be used for such purpose except under direct charge of the game and fish commissioner or his agent.

Sec. 14. **Penalty for violation.**—Any person violating any of the provisions of this act, shall upon conviction thereof, be punished by a fine of not less than fifty (\$50.00) dollars nor more than one hundred (\$100.00) dollars or by imprisonment in the county jail for not less than thirty (30) days nor more than ninety (90) days for each and every offense.

Sec. 15. **Section 4874, General Statutes, 1913 repealed.**—Section 4874 of the General Statutes of Minnesota for 1913 is hereby repealed.

Sec. 16. This act shall take effect and be in force from and after its passage.

Approved April 17, 1917.

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CHAPTER 334—H. F. No. 869.

*An act to amend Section 3689, Revised Laws of 1905, being Section 7280 of the General Statutes of 1913, relating to proof of wills.*

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

Section 1. **Wills to be proved by clear and satisfactory evidence.**—That section 3689 of the Revised Laws of 1905, the same being section 7280 of the General Statutes of 1913, be and the same is hereby amended so as to read as follows:

7280. No such will shall be established unless the same is proved to have been in existence at the time of the testator's death, or to have been fraudulently destroyed in his lifetime, nor unless its provisions are clearly and distinctly proved by *clear and satisfactory evidence*.

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

Approved April 17, 1917.

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CHAPTER 335—H. F. No. 872.

*An act enabling home rule charter cities of the fourth class to issue refunding bonds in certain cases.*

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

Section 1. **City of Rochester authorized to issue refunding bonds.**—Any city of the fourth class operating under a home