

CHAPTER 263—H. F. No. 1178

An act to amend Mason's Minnesota Statutes of 1927, Section 5599, as amended by Laws 1929, Chapter 404, relating to wild animals and to the preservation, protection and propagation thereof, and relating to commercial fishing in Lake Superior.

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

Section 1. **Lake Superior fishing—herring and trout—open season.**—That Mason's Minnesota Statutes of 1927, Section 5599, as amended by Laws 1929, Chapter 404, be and the same hereby is amended to read as follows:

5599. Herring, lake trout, ciscoes, and whitefish may be taken by residents of Minnesota who are citizens of the United States, and who have resided at least 90 days in the county in which they desire to fish, prior to the date of making application for license, by means of gill nets of the sizes herein specified and by the aid of skiffs and power boats at any time as hereinafter provided in that part of Lake Superior under the jurisdiction of Minnesota, provided a license to do so shall be first obtained from the director of game and fish. Residents of the States of Wisconsin and Michigan, who are citizens of the United States, may procure a commercial fishing license, upon payment of a fee of \$50.00, to take such fish as herein enumerated, according to law, in waters of Lake Superior lying within the jurisdiction of Minnesota. Herring may not be taken hereunder between November 16th and November 30th, both inclusive, provided this restriction as to the taking of herring shall not apply until the State of Wisconsin shall by law provide for a similar restriction. Ciscoes may not be taken hereunder during the month of November. Lake trout may not be taken hereunder between October 1 and November 10 following, both inclusive. Lake trout may also be taken by set lines. Herring, lake trout or ciscoes, pickerel and whitefish so taken may be had in possession, bought, sold and transported within or without the state during open season and for a period of one week thereafter. This restriction shall not apply to fish in frozen, salted, or smoked condition caught during the open season, or fish legally caught in waters outside the jurisdiction of the State of Minnesota.

Subdivision 1. The size of mesh of nets shall be as follows:

(a) Gill nets for taking herring of not less than 2½ inch mesh, extension measure, on and after July 1st, 1934.

(b) Gill nets for taking lake trout, pickerel and whitefish, not less than 4½ inches mesh, extension measure.

(c) Gill nets for taking ciscoes; not less than $2\frac{3}{8}$ inches mesh, extension measure. Measurement of mesh shall be calculated after the twine is taut without any strain and shall be between and inside the knots with no slipping of the knot or bending of measuring unit, providing, that whenever nets set for the purpose of taking herring shall catch more than 10% of lake trout less than 17 inches in length, or whitefish less than 16 inches in length, such nets shall be deemed illegally set and shall be moved from the waters in which they were set, upon notice from the director of game and fish or his representative. Nets for taking ciscoes shall be set in water not less than 50 fathoms in depth.

(d) All nets permitted to be used under the provisions of this chapter, shall, when set for fishing purposes be properly marked at the ends of such nets with proper buoys and the licensee's number shall be plainly marked on any buoy indicating the location of any net set for taking of fish. All nets set in Lake Superior waters under the jurisdiction of this state having a mesh less than permitted by this chapter and all nets having a mesh less than permitted by this chapter found on or within premises commonly used for the receiving and marketing of fish from Lake Superior waters, and including fish receiving stations, sheds, warehouses and docks, are hereby declared illegal and subject to confiscation by the director of game and fish or his representative and may summarily be destroyed.

Subdivision 2. Such license shall be procured from the director of game and fish. The applicant shall make a verified written application to the director of game and fish on a form prepared by him, stating (a) his name and residence, (b) the period of time the applicant has resided in the county in which he desires to fish, and whether a citizen of the United States. Such license shall be designated as a "Master's License" and for which he shall pay the sum of \$2.50. Every person assisting the holder of a "Master's License" in going to and from the fishing locations or who assists in the setting and lifting of nets or in the removal of fish from such nets, shall procure a license so to do which license shall be designated as a "Helper's License," and for which he shall pay the sum of \$2.50; such licenses may be transferrable. Application for "Helper's License" shall be made to the director of game and fish and shall give (a) the name and residence of the applicant, (b) name of person holding "Master's License," employing him, (c) whether a resident of Minnesota and (d) whether a citizen of the United States. Licenses shall not be transferable and shall be issued for one fishing season only, and provided that aliens who have duly declared their intention of becoming citizens of the United States

and who have not failed to qualify as citizens within the length of time in which they may legally do so, shall be entitled to "Helper's Licenses."

Subdivision 3. The name and license number of the person licensed to take fish under this section shall be legibly marked by stencil or otherwise, on each package of fresh or salted fish caught by such licensee. It shall be unlawful to ship, sell or offer for sale any spoiled or unwholesome fish. Any package containing spoiled or unwholesome fish shall be contraband and the same may be confiscated.

Subdivision 4. No net shall be set within one-fourth mile of the mouth of any stream flowing into Lake Superior.

Subdivision 5. No person, other than the licensee, or his agent, shall take or remove any fish from nets set by persons licensed under this Act, nor shall any person knowingly injure, disturb or interfere with such nets.

Subdivision 6. Written reports shall be made to the *director of game and fish* on forms prepared by him for that purpose, by each licensee at the close of the season, stating in detail the amount and kind of fish caught, the amount for which the same were sold, and the total value of each kind. *Failure to make a report within three months after the close of the fishing season shall forfeit the right of the licensee to receive another fishing license for a period of one year.*

Subdivision 7. No person shall deposit, or allow to run into Lake Superior or any of the waters tributary thereto, any fish gurry, or fish offal, or other deleterious substance.

Subdivision 8. *No person, company or corporation shall engage in the business of buying fish taken under commercial fishing licenses in Lake Superior waters under the jurisdiction of this state, for the purpose of transporting and reselling same by means of peddling, until he, or it as the case may be, shall have procured a license to do so from the director of game and fish. Fees payable to the director of game and fish for such license shall be as follows: For license for a fish peddler who peddles such fish with the use of a motor vehicle, the sum of \$35.00, if a resident of Minnesota; for a nonresident purchasing and transporting fish taken under commercial fishing licenses, but not for peddling in this state, the sum of \$75.00; for a nonresident purchasing and transporting fish taken under commercial fishing licenses for peddling in this state, the sum of \$100.00. Every peddler and every person transporting fish taken under Lake Superior commercial fishing licenses shall, upon demand by the director of game and fish or any of his representa-*

tives, produce evidence of the legality of the fish transported or peddled by him, such evidences to include invoices or memoranda showing pounds and kinds of fish transported or peddled, and from whom purchased. Such invoices or memoranda shall be signed by the selling licensee.

Subdivision 9. Any person violating any of the provisions of this chapter relating to taking of fish or the transportation thereof, shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$25.00 nor more than \$50.00 or by imprisonment in the county jail for not less than 30 days nor more than 60 days.

Subdivision 10. The various provisions of this Act shall be severable and if any part, provision or subdivision shall be held to be invalid it shall not be held to invalidate any other part, provision or subdivision.

Approved April 15, 1933.

CHAPTER 264—S. F. No. 1230

An act to amend Mason's Minnesota Statutes 1927, Sections 5846-28, 5846-34, 5846-36, and 5846-41, relating to the occupation of hairdressers and beauty culturists, the conduct of hairdressing and beauty culture shops or schools, and the qualifications of applicants for examinations, licenses and license fees.

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

Section 1. Definitions—places where taught or practised:—
That Mason's Minnesota Statutes of 1927, Section 5846-28, be amended to read as follows:

"5846-28. For the purposes of this act, the following definitions shall be adopted and understood to be included within the meaning of the Act.

(a) Any person who engages in general public practice for compensation or other reward in any one or any combination of the following practices, to-wit: arranging, dressing, curling, waving, clensing, singeing, bleaching, coloring, or similar work upon the hair of any living person by any means, or slight hair trimming of women, as a part of women's hairdressing; the use of cosmetic preparations, antiseptics, tonics, lotions, or creams, aided with the hands or mechanical or electrical apparatus, or appliances used in massaging, cleansing, stimulating, manipulating, exercising, beautify-