

after be disqualified from holding the same for and during the remainder of the term for which he was elected or appointed.

SEC. 12. That chapter one hundred and forty-two (142) of the general laws of Minnesota, eighteen hundred and eighty-seven (1887), and chapter twenty (20) of the general statutes of the state of Minnesota, so far as said chapter applies to the preservation of game, birds or animals, and all acts amendatory thereof, be and the same are hereby repealed.

Acts repealed

SEC. 13. This act shall take effect and be in force from and after its passage.

When act to take effect.

Approved April 23, 1889.

CHAPTER 206.

[H. F. No. 619.]

AN ACT TO PROVIDE FOR THE PRESERVATION AND PROTECTION OF THE WHITE FISH FRY AND YOUNG BROOK TROUT DEPOSITED IN LAKE SUPERIOR AND STREAMS THEREOF BY THE MINNESOTA FISH COMMISSION, AND THE UNITED STATES FISH COMMISSION, AND TO PROMOTE THE GROWTH OF THE FISHING INDUSTRY ON LAKE SUPERIOR. BY A PROPER REGULATION AND ADJUSTMENT OF THE SIZES OF MESHES IN ALL SEINE, GILL AND POUND NETS, AND TO PROVIDE FOR THE SERVICES OF A FISH WARDEN FOR THIS PORTION OF THE STATE OF MINNESOTA.

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

SECTION 1. That no seine nets shall be used for the purposes of fishing in the Minnesota waters of Lake Superior having meshes of less than three and a half ($3\frac{1}{2}$) inch mesh; nor shall any gill nets be used for fishing of less than four and a quarter ($4\frac{1}{4}$) inch mesh; nor shall pound nets be set or used for fishing of less than three and a half ($3\frac{1}{2}$) inch mesh for the purpose of fishing for white fish and lake trout. Any person found setting or using said gill, seine or pound nets for the purpose of fishing, of less size of mesh than described in this section, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than twenty-five (25) dollars, nor more than one hundred (100) dollars, or by fine and imprisonment, as prescribed by the laws of this state governing misdemeanors; such fines, if levied, shall be applied to the funds of the Minnesota fish commission.

White fishing
in Lake
Superior,
seines.

Herring fishing
seines, season
for catching,
etc.

SEC. 2. That no herring nets shall be used for fishing of meshes smaller than one and one-half ($1\frac{1}{2}$) inch mesh (for bait fishing), nor larger than two and three-eighths ($2\frac{3}{8}$) inch mesh; and that a close season shall be maintained for herring from November 10th to December 10th of each year. Any person found fishing for herring during this specified time shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than twenty-five (25) dollars, nor more than one hundred (100) dollars, or by imprisonment and fine, as prescribed by the laws of the state of Minnesota governing misdemeanors; such fine, if levied, shall be applied to [placed to the credit of] the funds of the Minnesota fish commission.

Seines, nets,
etc., prohibited
in certain
places.

SEC. 3. That any person or persons who shall draw, set or locate any trap, seine, gill or pound nets, or any device for catching fish as in this act forbidden, across the mouth of any stream along the north shores of Lake Superior, or within three hundred (300) feet of the meander line of the mouth of such stream, shall be deemed guilty of a misdemeanor; and any nets, seines, pounds, or any device or trap for catching fish set or placed in violation of the provisions of this section shall be confiscated whenever or wherever found, and the same shall be sold to the highest bidder at public outcry in the port of Duluth, and the proceeds of such sale shall be placed to the credit of the funds of the Minnesota fish commission. The person or persons who shall set, draw or locate any such nets, traps or device at the mouth of such streams, and who shall be convicted thereof shall be fined ten (10) dollars, or by such fine or imprisonment as prescribed by the laws of Minnesota for misdemeanors.

White fish
stripping.

SEC. 4. That all fishermen shall carry with them a stripping bucket for the stripping of white fish and lake trout during spawning season, and fishermen shall after stripping the fish deposit the spawn on the grounds where the fish are caught; fishermen not complying with this law shall be fined ten (10) dollars; said fine when levied shall be placed to the credit of the Minnesota fish commission.

Fish warden,
term and duties
of office.

SEC. 5. That a fish warden shall be appointed by the governor, who shall be a citizen of this state, and a man of good moral character, and familiar with the fishing industry, and who shall hold his office for the term of two (2) years, or until his successor is appointed, and shall receive a salary of two hundred (200) dollars per annum; and who shall be charged, under the direction of the governor with the enforcement of the fishing laws of the state to examine the nets of the fishermen at any time, to visit the fishing grounds, to watch for infringements of the law, and to report the same to the county attorney for action; to collect evidence of any infringements of the law; he shall also report once in each year the result of his work to the

president of the Minnesota fish commission. The sum of two hundred (200) dollars annually is hereby appropriated to be paid for such purposes, out of any moneys in the treasury not otherwise appropriated.

SEC. 6. That this act shall take effect and be in force from and after its passage.

When act to
take effect.

Approved April 24, 1889.

CHAPTER 207.

[S. F. No. 232.]

AN ACT TO AMEND SECTION ONE HUNDRED AND FOUR (104) OF CHAPTER SIX (6) OF THE GENERAL STATUTES ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878), RELATING TO COMMISSIONERS OF FISHERIES.

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

SECTION 1. Section one hundred and four (104) of chapter six (6), of the general statutes one thousand eight hundred and seventy-eight (1878), is hereby amended by inserting between the words "state" and "it" where they occur in the eleventh (11th) line of said section, the following words, to-wit: "And to institute and prosecute actions and proceedings on behalf of the state, against any person or persons to recover any claim or claims due said commissioners and arising on contract or otherwise, or to protect the property of the state employed in or in any manner connected with the work of said commissioners, and all actions or proceedings instituted by them shall be entitled: The commissioners of fisheries, against (naming the defendant).

Commission-
ers of fisheries.

SEC. 2. This act shall take effect and be in force from and after the date of its passage.

When act to
take effect.

Approved April 15, 1889.