

CHAPTER 26.

H. F. No. 65.

Game and
fish.

An act to amend chapter two hundred and twenty-one (221) of the General Laws of Eighteen Ninety-seven (1897) as amended by chapter two hundred forty-two (242) of the General Laws of Eighteen Ninety-nine (1899), called "An act for the preservation, propagation, protection, taking, use and transportation of game and fish."

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

SECTION 1. That section twenty-three (23) of chapter two hundred twenty-one (221) of the General Laws of Eighteen Ninety-seven (1897) be and the same is hereby amended so as to read as follows:

Prohibition
of sale
of brook
trout and
bass prior
to Jan.
1, 1908.

Section 23. No person shall have in possession for sale, expose, offer for sale, sell or purchase from any one any brook trout or any black, gray or Oswego bass before Jan. 1, 1908; whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five (5) dollars nor more than twenty-five (25) dollars and costs of prosecution, or by imprisonment in the county jail for not less than five (5) days nor more than thirty (30) days for each and every fish so had in possession for sale, exposed or offered for sale, sold or purchased.

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

Approved March 11, 1902.

CHAPTER 27.

S. F. No. 87.

Game and
fish.

An act to amend section 24 of chapter two hundred twenty-one (221) of the General Laws of Eighteen Hundred Ninety-seven (1897) as amended by chapter two hundred forty-two (242) of the General Laws of Eighteen Hundred Ninety-nine (1899), entitled an act for the preservation, propagation, protection, taking, use and transportation of game and fish.

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

SECTION 1. That section twenty-four (24) of chapter two hundred twenty-one (221) of the General Laws

of Eighteen Ninety-seven (1897) be and the same is hereby amended so as to read as follows:

Sec. 24. No person shall at any time catch, take or kill any fish in any other manner than by angling for them with a hook and line held in the hand or attached to a rod and pole held in the hand, nor make use of any artificial light therefor. That nothing in this law shall be construed to prevent any person from fishing within four hundred (400) feet of any fishway with a hook and line held in the hand or attached to a rod or pole held in the hand, except from the first day of March until the fifteenth (15th) day of May in each year. No person shall at any time have in his possession or under his control any fish caught, taken or killed in any other manner than by angling for them with a hook and line held in the hand or attached to a rod or pole held in the hand, except fish caught in international waters and in the Mississippi river or in any other waters wherein fishing is permitted by this act as hereinafter authorized, and no person shall at any time fish with more than one line to each person or with more than one hook attached to such line.

Fishing confined to hook, line and rod.

Exception.

And except further, that in all the inland lakes in this state a net may be used for the purpose of taking whitefish or trelipies during the month of November and the first fifteen (15) days in December of each year, which said net shall not exceed two hundred (200) feet in length and eight (8) feet in width and the meshes of which net shall not be less than three and one-half (3½) inches in size of mesh when the same is extended; and provided, that any person desiring to use such net shall first make application for a permit for such use to the board of game and fish commissioners of this state, stating that the same is to be used by them for the purpose of obtaining fish for their domestic use and not for commercial purposes, which application shall be accompanied by a fee of one (1) dollar. But no such person or family shall be permitted to use more than two (2) of such nets.

Inland lakes, use of nets.

Provided, further, that the board of game and fish commissioners may upon application and satisfactory proof being made to them grant permission to fish in all shallow lakes in this state where fish are annually frozen or smothered to death, under such rules, regulations and restrictions as they shall prescribe; and the designation by them of such lakes shall be final and conclusive.

Permit for shallow lakes that freeze.

Provided further, that a net for catching minnows for bait may be used in all waters uninhabited by any variety of trout; and

In Missis-
sippi and St.
Croix rivers.

Provided further, that a spear may be used in the St. Croix, Pelican, Des Moines, Otter Tail, Minnesota rivers, [and] the Mississippi river [from] below the Falls of St. Anthony, the Red River of the North, and in the inland lakes of Minnesota, for the purpose of catching sturgeon, red horse, dogfish, buffalo fish, catfish, pickerel and suckers.

In Missis-
sippi and
St. Croix
rivers.

And excepted further, that a pound net, seine or dip net may be used in the Mississippi river from the Falls of St. Anthony to a point one thousand (1,000) feet above the mouth of the St. Croix river for catching sturgeon, redhorse, dogfish, buffalo fish, catfish, pickerel and suckers, but no such net or seine shall be used within a distance of one thousand (1,000) feet from the mouth of any stream, and that the said pound net shall not exceed seventy-five (75) feet in length in the Mississippi river above the mouth of the St. Croix river, and the length of such seine shall not exceed one hundred and fifty (150) feet and shall not be used below the mouth of the St. Croix river; the meshes in said net or seine shall not be less than two and one-half ($2\frac{1}{2}$) on the bar and five inches when the same is extended; and before any such pound net or seine is used, the party desiring to use the same shall first make application therefor to the board of game and fish commissioners of this state for permission to use such net or seine, which application shall state the name of the party, the place where the applicant desires to use the same, and which application shall be accompanied by a fee of five dollars (\$5) for every net used. The board may issue such a permit for the use of such net or seine to such applicant, which permit shall be for one season only. The person to whom such permit or license is issued shall not change the location of such net or seine without first giving written notice of his intention so to do to said board of game and fish commissioners, and in such notice describing the place to which he intends to remove his or her net or seine.

Permit for
net or seine.

Fishing in
March and
April pro-
hibited.

No fish shall be caught in any of said waters during the months of March and April in any year, except as hereinbefore provided. Whosoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor and shall on conviction thereof, be punished by

a fine of not less than twenty-five (25) dollars, nor more than one hundred (100) dollars, or by imprisonment in the county jail for not less than thirty (30) days nor more than ninety (90) days.

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

Approved March 11, 1902.

CHAPTER 28.

H. F. No. 33.

An act to prohibit the sale of fish caught in any lake situated partly or wholly within any county of this state having a population of two hundred thousand (200,000) or over, and to provide punishment therefor.

Fish and game.

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

SECTION 1. Any person who shall sell or offer for sale any fish caught in any lake situated partly or wholly within a county in this state that has a population of two hundred thousand (200,000) people or over shall be guilty of a misdemeanor, and upon the conviction thereof shall be punished by a fine of not more than one hundred (100) dollars, or imprisonment in the county jail for a term not to exceed ninety (90) days.

Fish prohibited from lakes in counties exceeding 200,000 population.

SEC. 2. This bill shall take effect and be in force from and after its passage.

Approved March 6, 1902.

CHAPTER 29.

S. F. No. 68.

An act to amend section twenty-nine (29) of chapter one hundred and thirty-two (132) of the General Laws of Minnesota for the year one thousand eight hundred and eighty-three (1883), as amended by chapter two hundred and thirty-eight (238) of the General Laws of one thousand nine hundred and one (1901), being an act relating to infectious and epidemic diseases and the preservation of the public health.

Board of health.

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

SECTION 1. That section twenty-nine (29) of chapter one hundred and thirty-two (132) of the General Laws of Minnesota for the year one thousand eight hundred and eighty-three (1883), as amended by chapter two hundred and thirty-eight (238) of the General Laws of one