

CHAPTER 501—H. F. No. 949.

An Act to amend section 1 of chapter 315 of the General Laws of 1907, relating to the preservation, propagation, protection, taking, use and transportation of game and fish.

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

Licenses for fishing with nets—Tag to be furnished—What fish must be returned to water—To expire on April 1st—Application and fee—Bond Required—Commission to keep record—Licensees given right to construct temporary fish pond—Violation a misdemeanor.—Section 1. That section 1, chapter 315 of the General Laws of Minnesota for 1907, be amended so as to read as follows:

“Section 1. It shall be unlawful and is hereby prohibited to take, or attempt to take, any fish by any other methods than by angling or trolling with hook and line, or by use of licensed set lines, or for the purpose of propagation when taken by the superintendent of fisheries or his duly authorized agents, or taking rough fish by the aid of spears in the day time, without first having complied with all of the requirements of this act. The state game and fish commission shall upon application therefor issue to any person a license to set, use and operate seines and pound nets of not more than one and one-half inch bar in the pot, and fyke or hoop nets of not more than one and one-half inch bar back of the tail hoop, and gill nets of not less than four inch bar, bait nets without leads with four foot hoop front, twenty-one inch tail hoop, not more than fifteen feet in length, two-inch bar in front, and one and one-half inch bar between throats, and one and one-quarter inch bar between fish hooks; turtle nets of three and one-half inch bar, from June 1st, to April 1st of the following year, in that part of St. Croix river known as Lake St. Croix, that part of the Mississippi river known as Lake Pepin and the Mississippi river, where they form the boundary line between the state of Minnesota and Wisconsin, for the purpose of catching and taking all fish except pike of any variety, bass of any variety, perch, sunfish, and crappies or buffalo fish of less than three pounds round or undressed weight. Such nets shall not be set, used and operated except in the manner hereinafter provided, and then only in compliance with such rules and regulations as are or may hereafter be prescribed by law. Set lines may be licensed for use in said waters for catching catfish and sturgeon only. A metal tag shall be furnished by the state game and fish commission for each one hundred yards or fraction thereof of set lines so licensed, but no more than ten such tags shall be issued with each license. A metal tag shall also be furnished for each two thousand feet of gill net or fraction thereof, each pound with seven hundred feet of leads, five

hundred feet of seine or fraction thereof, fyke, hoop, bait or turtle net so licensed.

Every licensee shall immediately return to the water from which the same have been taken all fish above enumerated when taken in any net used by him, or under his supervision or control, and the possession of said fish by said licensee, shall be deemed to be prima facie evidence of a violation of this act.

Licenses issued under the provisions of this act shall expire on the first day of April succeeding the date of their issuance, and shall not be transferable.

Any person who shall desire to set, use and operate a net or nets or set lines under the provisions of this act, shall make application to the state game and fish commission therefor upon blanks to be furnished by them and shall accompany such application with a fee of five (\$5.00) dollars for each two thousand (2,000) feet of gill net or fraction thereof; five (\$5.00) dollars for each seven hundred (700) feet of pound net leaders or fraction thereof, with one pound, and for each additional pound shall pay an additional fee of five (\$5.00) dollars; two (\$2.00) dollars for each two (200) hundred lineal feet of seine or fraction thereof, or for each fyke or hoop net; one (\$1.00) dollar for each bait or turtle net; one (\$1.00) dollar for each one thousand (1,000) yards of set line or fraction thereof. Each application shall also be accompanied by twenty-five (25c) cents for each metal tag required.

Before any such license shall be issued the applicant shall execute and deliver to the state game and fish commission a bond running to the state of Minnesota in the sum of two hundred (\$200) dollars, with two sureties, conditioned that if the applicant shall well and faithfully observe and comply with all of the requirements of this act and the rules and regulations which are, or may hereafter be prescribed by law, said obligation to be null and void, otherwise to remain in full force. Each such surety shall be worth at least the sum of two hundred (\$200) dollars in property in this state over and above all debts and liabilities, and property exempt by law from sale by execution.

The state game and fish commissioners shall keep in their office a complete record of all licenses issued under this section and all moneys received for same shall be paid to the state treasurer and credited to the state game and fish commission fund.

Licensees operating nets under the provisions of this act are hereby permitted to construct temporary fish ponds for the purpose of keeping fish therein until the same can be marketed, provided that fish so taken may be shipped to points within or without this state at any time and in any quantity.

Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and shall, upon conviction

thereof, forfeit his bond, and be punished by a fine of not less than fifty (\$50) dollars nor more than one hundred (\$100) dollars and the costs of prosecution, or by imprisonment in the county jail of the county in which such offense was committed, not less than sixty (60) nor more than ninety (90) days, or both such fine and imprisonment, in the discretion of the court."

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

Approved April 24, 1909.

CHAPTER 502—H. F. No. 1014.

An Act relating to the inspection of petroleum products, the appointment of chief inspector of oils and deputy inspectors, manner of inspection, establishing fees for inspection and salaries of inspectors, prohibiting the sale of adulterated oils, and providing penalties for violation thereof.

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

Chief inspector of oils at \$2,400 a year.—Section 1. The governor by and with the consent of the senate, shall appoint a chief state inspector of oils, whose term of office shall extend until the first Monday of January in the odd numbered year next after his appointment, and until his successor qualifies; and the governor may supersede said inspector whenever he shall deem it necessary for the public good.

He shall receive an annual salary of twenty-four hundred dollars (\$2,400), payable monthly, and shall give bond to the state in the penal sum of five thousand dollars (\$5000), conditioned for the faithful discharge of his official duties, to be approved by the secretary of state.

Two deputy inspectors for Hennepin and Ramsey, one for St. Louis and one for each additional county—Bond and salary.—Sec. 2. Such inspector may appoint and at pleasure remove two deputy inspectors for Hennepin county at a salary of one hundred dollars (\$100) per month each; two deputy inspectors for Ramsey county at a salary of one hundred dollars (\$100) per month; one deputy inspector for St. Louis county at a salary of one hundred dollars (\$100) per month, and one deputy inspector in and for each additional county, who shall assist under his direction in performing the duties imposed by this act.

They shall give bond to the state in the sum of two thousand dollars (\$2000) with like conditions as that of the inspector, to be approved by the judge of the district court of the county in which they severally reside.