

**REVISION OF 1915. STATE OF
MICHIGAN. GAME AND FISH
LAWS AND LAWS RELATIVE TO
DESTRUCTION OF NOXIOUS
ANIMALS**

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Revision of 1915. State of Michigan. Game and Fish Laws and Laws Relative to Destruction of Noxious Animals by Coleman C. Vaughan & William R. Oates

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COLEMAN C. VAUGHAN & WILLIAM R. OATES

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STATE OF MICHIGAN

GAME AND FISH LAWS

AND LAWS RELATIVE TO

DESTRUCTION OF NOXIOUS ANIMALS

Compiled by

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WILLIAM R. OATES, State Game, Fish and
Forest Fire Commissioner of the Public Domain
Commission.

Assisted by

GRANT FELLOWS, Attorney General

Published by COLEMAN C. VAUGHAN
Secretary of State

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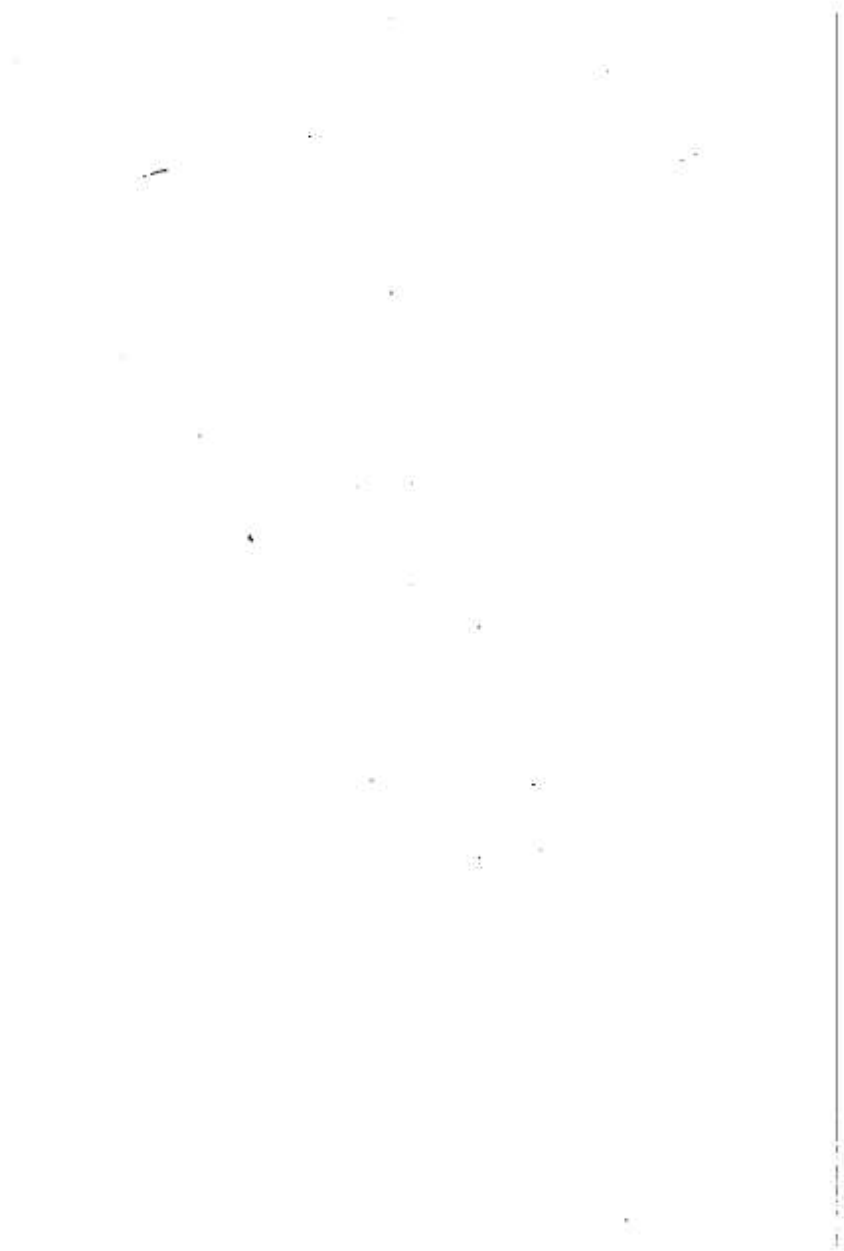
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All violations of the Game and Fish Laws should be reported to William R. Oates, State Game, Fish and Forest Fire Commissioner, Lansing, Michigan.

The section numbers in parentheses (), are compiler's sections and are consecutive throughout the book. On certain laws of a general character the section number of the Compiled Laws of 1897 is also given.



PROTECTION OF FISH.

An Act to provide for the appointment of a game and fish warden, and to prescribe his powers and duties.

[Act 28, P. A. 1887.]

The People of the State of Michigan enact:

SEIZURE OF ILLEGAL NETS.—PROSECUTION.

(1) § 5754. SEC. 2. It shall be the duty of said game and fish warden to seize all nets of illegal mesh found in use in the waters of this State, and all nets and other fishing apparatus or appliances found in use in violation of the laws of this State, and to enforce the statutes of this State for the preservation of moose, wapiti, deer, birds and fish, and to enforce all other laws of this State for the protection and propagation of birds, game and fish now in force, or hereafter enacted, and to bring or cause to be brought, and to prosecute or cause to be prosecuted, actions and proceedings in the name of the people of this State to punish any parties for the violation of said statutes and laws. Such actions and proceedings may be brought in the name of the people in the like cases, in the same courts, and under the same circumstances as they may now or at any time hereafter be brought by any individual or by the prosecuting attorneys of the several counties under and by virtue of any laws now existing or hereafter enacted.

Sec. 1 repealed by Act 28 of 1915. See sections 7-11.

DUTY OF WARDEN IN PROSECUTIONS.

(2) § 5755. SEC. 3. Said warden may make complaint and cause proceedings to be commenced against any person for the violation of any of the laws for the protection or propagation of game or fish without the sanction of the prosecuting attorney of the county in which such proceed-

ings are commenced, and in such case he shall not be obliged to furnish security for costs. Said warden may also appear for the people in any court of competent jurisdiction in any case for violation of any of the laws for the protection or propagation of fish or game, and prosecute the same in the same manner and with the same authority as the prosecuting attorney of the county in which such proceedings are commenced. Said warden shall have power to search any person and examine any boat, conveyance, vehicle, fish box, fish basket, game bag, or game coat, or any other receptacle for game or fish, when he has good reason to believe that he will thereby secure evidence of the violation of the law; and any hindrance or interference, or attempt at hindrance or interference with such search and examination, shall be prima facie evidence of a violation of the law by the party or parties who hinder or interfere with, or attempt to hinder or interfere with such search and examination. Said game and fish warden shall at any and all times seize and take possession of any and all birds, animals or fish which have been caught, taken or killed, at a time, in a manner or for a purpose, or had in possession or under control, or have been shipped contrary to any of the laws of this State, such seizure may be made without a warrant. Any court having jurisdiction of the offense, upon receiving proof of probable cause for believing in the concealment of any bird, animal or fish, caught, taken, killed, had in possession, under control, or shipped contrary to any of the laws of this State, shall issue a search warrant and cause a search to be made in any place, and to that end may cause any building, enclosure, or car to be entered, and any apartment, chest, box, locker, crate, basket or package, to be broken open and the contents thereof examined by said game and fish warden. All birds, animals or fish or nets or fishing appliances or apparatus seized by the said game and fish warden shall be disposed of in such manner as may be directed by the court before whom the offense is tried or by any court of competent jurisdiction. Said game and fish warden shall not be liable for damages on account of any search, examination or seizure, or the destruction of any nets or fishing apparatus of any kind, in accordance with the provisions of this act.

SERVICE OF WARRANTS.—SUNDAY ARRESTS.

(3) § 5756. SEC. 4. Said game and fish warden shall have the same power to serve criminal process as sheriffs, and shall have the same right as sheriffs to require aid in executing such process. Said warden may arrest, without warrant, any person caught by him in the act of violating any of the aforesaid laws for the protection or propagation of birds, game or fish, and take such person forthwith before a justice of the peace, or other magistrate having jurisdiction, who shall proceed without delay to hear, try and determine the matter, and the same proceedings shall be had as near as may be, as in other criminal matters triable before a justice of the peace, or other magistrate having jurisdiction. Such arrests may be made on Sunday, in which case the person arrested shall be taken before a justice of the peace, or other magistrate having jurisdiction, and proceed against as soon as may be, on a week day following the arrest.

ANNUAL REPORT.—VERIFICATION.

(4) § 5757. SEC. 5. Said warden shall, in the month of December in each year, file in the office of the auditor general, an account in writing, stating the days and parts of days spent in the discharge of his duty, the kind of service rendered and the places where rendered, and the expenses paid or incurred in the time of the discharge of such duties, which account shall be verified by the oath of said warden stating that the same is correct and true in every particular.

MONTHLY REPORTS.—TO BE TRANSMITTED TO LEGISLATURE.

(5) § 5758. SEC. 6. Said warden shall, at the close of each calendar month, file with the secretary of state a report in writing, and in detail, stating the service performed by him during the last preceding month, including an account of the suits commenced at his instance, as herein provided for, the disposition made of the same, the result of any brought to trial, and the condition of any undisposed of, and any other particulars he may think proper, and no payment for services performed or