

CHAPTER 102

COMMERCIAL FISHING

102.23 POSSESSION, SALE AND TRANSPORTATION.

Statutes authorizing game and fish division of the department of conservation to take fish for sale did not violate the constitutional prohibition against the state engaging in works of internal improvement. *Lipinski v Gould*, 173 M 559, 218 NW 123.

The fish and game commission of California, having seized a purse net while it was being used for fishing in the navigable waters of the state in violation of the state game and fish code brought proceedings under section 845 of the code, for the forfeiture of the net. Thirty pages are devoted to discussion of the question "whether the state courts judgment, (sustained), directing that the net be forfeited and destroyed is a 'common law remedy' which the 'common law is competent to give' within the statutory exception to the exclusive jurisdiction in admiralty conferred on district courts of the United States by section nine of the judiciary act of 1789." On Page 151 is a list of the 22 states whose laws are similar to that of California, including Minnesota. *Hendry v Moore*, 318 US 151, 65 SC 509.

102.26 LAKE OF THE WOODS AND RAINY LAKE FISHING.

Amended by L. 1947 c. 503 ss. 1, 2.

102.28 LAKE SUPERIOR FISHING.

Amended by L. 1947 c. 559 s. 2.