

Utah fishing law for 1872

An act for the protection of fowl and fish and defining the duties of the County Courts in relation thereto. Approved February 16th 1872.

Unlawful to kill quail, etc., for five years.

SEC. 1. Removed not applicable.

Fish traps forbidden.

SEC. 2. The free migration of fish shall not be obstructed, by traps, seines, dams or otherwise, except as hereinafter permitted.

Jurisdiction of County Court.

SEC. 3. The County Court of each County may hold and shall exercise jurisdiction over fisheries in their respective Counties, under the provisions of this Act.

Fishways to be provided.

SEC. 4. No permission shall be given to place dams in any streams in a manner that will obstruct the free migration of fish to and from their spawning grounds, unless the parties constructing said dams shall provide a good and sufficient fishway to the acceptance of the Selectmen of the County, except upon such streams as are not generally occupied by lake or brook trout for spawning purposes.

Size of seines to be regulated.

SEC. 5. The size of meshes in all seines used in any County, shall be determined by the County Court thereof, but they may vary the size to conform to the nature of the ground where it is permitted to be used, and all citizens of the Territory shall have an equal right to fish in any waters of the Territory, except private or corporate ponds or fisheries.

Excepted period.

SEC. 6. All persons are prohibited from taking lake or brook trout by seines or traps from the first day of April until the last day of June in each year.

Use of drugs etc. forbidden.

SEC. 7. No person shall be permitted to place in any stream, lake or pond any lime or any other deleterious substances with intent to injure fish, or any drug or medical bait with the intent thereby to poison or catch fish. The putting of dye Stuff, deleterious products of manufactories in ponds or streams is hereby prohibited.

Wanton destruction of fish a misdemeanor.

SEC. 8. Any person who shall cause a useless destruction of fish by leaving them out of water, or turning the water out of its channel, except for irrigation, shall be deemed guilty of a misdemeanor, and any person violating this or any of the preceding, sections may be fined, by any Court having jurisdiction, not less than five nor more than one hundred dollars for each offence.

Imported fish protected.

SEC. 9. Shad, salmon, black bass, silver eels, or any other fish that have been or may be imported, or their protected progeny, shall not be taken from any public waters in this Territory for the space of five years from the passage of this Act, under a penalty of one dollar for each fish taken.

Private streams and ponds exempt from taxation five years.

SEC. 10. Any individual or corporate company has a right to establish fisheries and places for the propagation of fish upon their own lands, and for this purpose may control ponds or small streams, provided that the waters so used are not directed from their channels, to the injury of irrigation, and all such persons have a right to procure fish in any way they please from any public waters at any time of the year, exclusively for artificial cultivation or propagation. And all such fish ponds are declared private property, and all property invested in fish culture or the introduction and propagation, shall be exempt from taxation for the period of five years from the passage of this Act.

Trespass on private fishing grounds.

SEC. 11. Any person who shall break any dam, hoist any gate belonging to any private fish pond or stream, or any way interfere with the same, or take any fish therefrom, without the consent of the owner, shall be deemed guilty of a trespass, and shall be liable to all damage done, and may be fined in any sum not to exceed one hundred dollars for each offence.

Oyster planting protected.

SEC. 12. Any person who shall import oysters and plant the same in any waters in this Territory, for the purpose of propagation, shall be protected therein, and it shall not be lawful for any persons to take any oysters from any bed planted in this Territory, without the consent of the owner, or in any way injure or interfere with any such oyster bed. Any person so offending shall be liable to all damage and may be fined by any Court having jurisdiction, in any sum not less than fifty, nor more than one hundred dollars.

Disposal of fines.

SEC. 13. All fines which may be collected according to the provisions of this Act, shall be paid into the County Treasury for the benefit of common schools.

Repealing clause.

SEC. 14. An Act to regulate fisheries and to prohibit fish traps and other contrivances for catching fish in the river Jordan, approved January the seventeenth, eighteen hundred and sixty-two, is hereby -repealed.

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