

for the auditing of all accounts under its jurisdiction and the State Auditor is hereby authorized and empowered to certify the expense of such audit to the auditor of the county in which said taxing district is situated, who shall promptly issue his warrant on the county treasurer payable out of the current expense fund of the county, said fund, except as to auditing the financial affairs and making inspection and examination of the county, to be reimbursed by the county auditor out of the money due said taxing district at the next quarterly settlement of the collection of taxes and to be transferred quarterly by the county treasurer to the current expense fund.

Expenses for local examination.

SEC. 12. Each county auditor shall be *ex-officio* deputy supervisor and in such capacity shall be under the direction of the chief inspector and the supervisor of public offices, but shall receive no additional salary or compensation by virtue of the same and shall perform no duties as such, except in connection with county business.

County auditor deputy supervisor.

SEC. 13. June 30 shall end the fiscal year of school districts and December 31 of all other taxing districts. Fiscal year.

Passed by the House February 23, 1909.

Passed by the Senate March 3, 1909.

Approved March 10, 1909.

CHAPTER 77.

[H. B. 305.]

RELATING TO THE TAKING OF FOOD FISHES.

AN ACT providing for the protection and propagation of the [food] fishes in the waters of the State of Washington, relating to the catching thereof, fixing penalties, amending section 1 of chapter 117, Session Laws of 1899, and amending section 2 of chapter 247 of the Session Laws of 1907, and declaring an emergency.

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

SECTION 1. That section 1 of an act entitled, An act providing for the protection and propagation of the food fishes in the waters of the State of Washington, regulating

[Am'd. § 1, ch. 117, p. 194, L. '99; §5273, Pierce.]

the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws and declaring an emergency, Session Laws 1899, chapter 117, be and the same is amended so as to read as follows: Section 1. Hereafter it shall be unlawful to construct, own, operate and maintain within any of the rivers of this state flowing into Puget Sound and within said bodies of water within a distance of three miles from the mouth of any such river, and also within that arm of Puget Sound and body of water known as Deception Pass, or within one-half mile of the west entrance thereof and in any of the other salt waters of this state at a greater depth than sixty-five feet at low tide, any pound net, trap, weir, fish wheel, or other fixed appliance, set lines excepted, for the purpose of catching salmon or other food fishes, and for the purpose of enforcing the provisions of this section, the Fish Commissioner shall indicate the mouths of said rivers by driving piles therein. It shall also be unlawful hereafter to use any purse net, purse seine, or other like seine within two miles, and drag seines within one mile from the mouth of any of said rivers or within said rivers. It shall be unlawful to use any purse seine or purse net longer than five hundred feet, the meshes of which are less than two and one-half (2 1/2) inches stretch measure: *Provided*, That nothing in this act or any other act shall prevent any person residing in this state from taking salmon or other fish by any means at any time for consumption by himself and family: *Provided*, That there shall be a closed season for the catching of salmon in the Skagit river from July 15th to September 15th hereafter: *Provided*, That this provision shall not apply to persons fishing with nets the meshes of which is not less than eight and one-half inches, stretch measure: *Provided further*, That there shall be no commercial fishing hereafter in the Snohomish river above the Snohomish wagon bridge, or above tide water in the Duwamish river.

Rivers of Puget Sound.

Deception Pass.

Mouths of rivers to be indicated.

Size of meshes.

Family supply.

Skagit river.

Snohomish river.

[Am'd. § 2, ch. 247, p. 682, L. '07.]

SEC. 2. That section 2 of an act entitled, An act relating to the taking of food fishes, providing penalties for a

violation thereof, amending section 2 of chapter 117, Session Laws 1899, also amending section 3 of chapter 170, Session Laws 1905, and repealing section 4, chapter 170, Session Laws 1905, and declaring an emergency, Session Laws 1907, be and the same is hereby amended to read as follows: Section 2. It shall be unlawful to take or fish for salmon, except with hook or line, in any of the tributaries of Puget Sound, except as provided in section 1 of this act; and it shall further be unlawful to take or fish for salmon with pound nets, fish traps, weirs, or fish wheels, or other fixed appliances, or with purse seine, purse nets, or other like seines or nets, in any of the open waters of Puget Sound, between the hours of four o'clock P. M., Friday, and four o'clock A. M., Sunday of each week of each year; and it shall further be unlawful to take or fish for salmon with gill nets in that arm of the sound known as Swinomish slough, or in any of the other sloughs, or in any of the waters of Puget Sound, or tributaries thereof, between the hours of six o'clock A. M., Saturday, and six o'clock P. M. of Sunday of each week in each year, and it shall be unlawful to fish for sockeye salmon in the waters of Puget Sound between August 25th and September 15th of each year, and any salmon of that species taken between the last named dates in the waters of Puget Sound shall be liberated. That between four o'clock P. M., Friday, and four o'clock A. M., Sunday, of each week of each year, as above provided, all pound nets or fish traps operated within the waters of Puget Sound shall be closed by an apron placed across the entrance to the heart of the trap or pound net, which apron shall extend from above the surface of the water to the bottom of the sound at the place where the trap is maintained and be connected securely to the piles on either side of the entrance to the heart of such trap or pound net, fastened by rings not more than four feet apart on a taut wire stretched from top to bottom of piles so as to effectually prevent any salmon from entering the heart of such trap or pound net.

Weekly
closed season.

Closed sea-
son for
sockeye.

Traps, how
closed.

Any person violating any of the provisions of this section, whether or not such a violation is otherwise specifically declared to be a misdemeanor, either by neglecting to observe the requirements of this section, or by violating any of the requirements thereof shall be deemed guilty of a misdemeanor, and shall upon conviction thereof in each and every offense be subject to a fine of not less than two hundred and fifty dollars (\$250) nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail not less than twenty-five days nor more than one year, or by both such fine and imprisonment.

Penalty.

SEC. 3. If the locator or owner of a fishing location for pound nets or fish traps in the waters of Puget Sound fails to construct his fishing appliances thereon at least one time during a period of four years, his location shall be deemed abandoned, even though he shall during said period comply with the requirements of the laws of the State of Washington pertaining to fishing locations in other respects. Any statute of the State of Washington inconsistent with the provisions of this section is hereby repealed.

Location
abandoned,
how.

SEC. 4. An emergency exists and this act shall take effect April 1, 1909.

Emergency.

Passed by the House February 25, 1909.

Passed by the Senate March 5, 1909.

Approved March 10, 1909.