

SEC. 2. Every person who shall at any time destroy or remove from the nest of any of the feathered game included in section one of this act, any egg or eggs, or wilfully destroy the nest of any such birds, shall be guilty of a misdemeanor.

SEC. 3. Every person convicted of a violation of any of the provisions of this act shall be punished by a fine of not less than fifty dollars (\$50) nor more than one hundred dollars (\$100), and in default of payment of fine imposed shall be imprisoned in the county jail of the county wherein the offense was committed until such fine shall have been paid at the rate of one day for each two dollars (\$2) of fine imposed. All money collected from fines for the violation of the provision of this act shall be paid into the general fund of the county for the benefit of the public schools in said county.

SEC. 4. Whereas, certain individuals desire to form a game reserve, and the time of breeding being near: therefore, an emergency is declared to exist, and this act shall take effect and be in force from and after its passage and approval by the governor.

Passed the senate March 12, 1895.

Passed the house March 14, 1895.

Approved March 20, 1895.

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## CHAPTER CXXII.

[S. B. No. 367.]

### PROTECTION OF EASTERN OYSTERS.

AN ACT for the protection of eastern species of oysters, and providing a penalty for the violation of the same.

WHEREAS, The United States fish commissioner has placed young oysters into the waters of this state for the purpose of creating a new industry in this state, and it is necessary that they be protected: therefore,

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

SECTION 1. That it shall be unlawful to dredge for or take any oysters of the species known as eastern oysters

from the waters of this state for a period of five years from the passage of this act, except such oysters as may be outside any reservation legally established. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof be fined in a sum not less than twenty dollars or more than one hundred dollars: *Provided*, That this section shall not apply to the state fish commissioner or any deputy sent by the United States fish commissioner for the purpose of examination.

Passed the senate March 11, 1895.

Passed the house March 14, 1895.

Approved March 20, 1895.

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## CHAPTER CXXIII.

[S. B. No. 159.]

### AMENDING THE ACT RELATIVE TO TAKING OF TROUT.

AN ACT amending section one of an act entitled "An act making it unlawful to catch or kill trout during certain months, or to take, catch or kill the same in any manner whatever other than by hook and line, providing a punishment, and declaring an emergency," approved March 6, 1891.

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

SECTION 1. That section one of an act entitled "An act making it unlawful to catch or kill trout during certain months, or to take, catch or kill the same in any manner whatever other than by hook and line, providing a punishment, and declaring an emergency," approved March 6, 1891, is amended to read as follows: "Section 1. Every person who shall, within the State of Washington, during the months of November, December, January, February and March of each year, take, catch, kill or have in their possession any brook trout [or] mountain trout shall be deemed guilty of a misdemeanor. Every person who shall take, catch, kill or have in their possession any of the food