

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.

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

fishes implanted in the creeks, rivers, lakes or bays of the State of Washington, except for propagating the same, for a period of three years after the same shall have been implanted, shall be guilty of a misdemeanor.”

SEC. 2. An emergency is hereby declared to exist, and this act shall take effect immediately.

Passed the senate February 28, 1895.

Passed the house March 14, 1895.

Approved March 20, 1895.

CHAPTER CXXIV.

[S. B. No. 42.]

TO PROHIBIT STALLIONS RUNNING AT LARGE.

AN ACT to prohibit stallions running at large, and providing a penalty for the violation thereof.

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

SECTION 1. It shall be unlawful for the owner of stallions in this state to permit the same to run at large. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not less than one hundred and fifty dollars nor more than two hundred and fifty dollars, and one-half of the fine so enforced shall, in each case, be paid to the complaining witness: *Provided*, That this section will not apply to stallions running with and belonging to bands of horses which are herded and corralled by the owners once each day.

SEC. 2. In any prosecution under this act proof that the animal running at large is branded with the registered or known brand of the defendant shall be *prima facie* evidence that the defendant is the owner of said animal, and proof that said animal is found at large shall be *prima facie* evidence that the owner permitted the same to be at large.