violation be fined not less than twenty-five dollars nor more than two hundred dollars, together with costs.

Sec. 20. A certain act approved March 17th, 1897, and entitled "An act to promote and protect the fruit growing and horticultural interests of the State of Washington, to provide for the appointment of commissioner of horticulture, and to repeal certain laws in conflict therewith," and all other laws or parts of laws inconsistent with or in conflict with the provisions of this act, are hereby repealed.

Repeal.

Sec. 21. An emergency exists and this act shall take effect immediately.

Emergency.

Passed the Senate February 24, 1903.
Passed the House March 10, 1903.
Approved by the Governor March 16, 1903.

CHAPTER 134.

[S. B. No. 40.] FOR THE PROTECTION OF BIRDS AND THEIR NESTS. AN ACT for the protection of birds and their nests and eggs, and to define and punish as misdemeanors all violations thereof, establishing certificates and providing for the disposition of any moneys collected under the same.

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

Section 1. No person shall, within the State of Washington, kill or catch or have in his or her possession, living or dead, any wild bird other than a game bird, or purchase, offer or expose for sale, transport or ship within or without the State, any such wild bird after it has been killed or caught, except as permitted by this act. No part of the skin, plumage or body of any wild bird protected by this section shall be sold or had in possession for sale. For the purposes of this act the following only shall be considered game birds: The anatridae, commonly known as swans, geese, brant, and river and sea ducks; the rallidae, commonly known as rails, coots, mud hens and gallinules; the limicola, commonly known as shore birds; plovers, surf
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birds, snipe, sand-pipers, tatlers and curlews; the gallinae, commonly known as grouse, prairie chickens, pheasants, partridges and quail.

Sec. 2. No person shall, within the State of Washington, take or needlessly destroy the nest or the eggs of any wild bird other than a game bird, or have such nest or eggs in his or her possession, except as permitted by this act.

Sec. 3. Any person who violates any of the provisions of this act shall be guilty of a misdemeanor, and shall be liable to a fine of not less than ten nor more than one hundred dollars for each offense and an additional fine of one dollar for each bird, living or dead, or part of bird or nest, or set of eggs, or part thereof, possessed in violation of this act, together with the costs of prosecution in such action, or to imprisonment for thirty days in the county jail, or both, at the discretion of the court. All fines collected under the provisions of this act shall be turned over to the treasurer of the county in which such action is brought, and by him placed in the game protection fund.

Sec. 4. Sections 1, 2 and 3 of this act shall not apply to any person holding a certificate giving the right to take birds, their nests or eggs for scientific purposes, as provided for in section 5 of this act.

Sec. 5. Certificates shall be granted by the State Game Warden, or by any incorporated society of natural history in the State, through such persons or officers as said society may designate, to any properly accredited person of the age of fifteen years or upward, permitting the holders thereof to collect birds, their nests or eggs, for strictly scientific purposes only. In order to obtain such certificate the applicant for the same must present to the person or persons having the power to grant said certificate, written testimony from two well known scientific men, certifying to the good character and fitness of said applicant to be entrusted with such privilege, must pay to said persons or officers, one dollar, to defray the necessary expenses attending the granting of such certificates, and must file with said person or officers a properly executed bond, in the sum of two hundred dollars, signed by two responsible citizens of the State as sureties. On proof that the holder of such a certificate has killed any bird, or taken the nest or eggs of any bird, for
other than scientific purposes, this bond shall be forfeited to
the State, and the certificate becomes void, and he shall be
further subject for each such offense to the penalties pro-
vided therefor in section 3 of this act.

Sec. 6. The certificates authorized by this act shall be in
force one year only from the date of issue, and shall not be
transferrable.

Sec. 7. The English or European house sparrow, jays,
magpies and chicken hawks, are not included among the
birds protected by this act, and the provisions of this act
shall not apply to any person who shall kill any bird on
his own enclosed premises while such bird is destroying
fruit or grain.

Sec. 8. All acts or parts of acts heretofore passed inco-
sistent with or contrary to the provisions of this act, are
hereby repealed.

Passed the Senate February 6, 1903.
Passed the House March 7, 1903.
Approved by the Governor March 16, 1903.

CHAPTER 135.
[S. B. No. 111]
PROVIDING FOR THE REGULATION AND CONDUCT OF
BAKERIES.

AN ACT providing for the regulation and conduct of bake shops
and bakeries and prescribing the punishment for the violation
thereof.

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

SECTION 1. All buildings or rooms occupied as biscuit,
bread or cake bakeries shall be drained or plumbed in a man-
ner conducive to the proper healthful and sanitary condition
thereof, and constructed with air shafts and windows or
ventilating pipes sufficient to insure ventilation as the
Commissioner of Labor shall direct, and no cellar or base-
ment, not now used as a bakery, shall hereafter be used and
occupied as a bakery and a cellar or basement heretofore oc-