

CHAPTER 170.

(H. B. No. 327)

AMENDING ACT RELATIVE TO PROTECTION AND PROPAGATION OF FOOD FISHES.

AN ACT amending sections six, seven and seven and one-half (same being sections 5278, 5279 and 5280 of Pierce's Washington Code), of "An act providing for the protection and propagation of the food fishes in the waters of the State of Washington, regulating the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws, and declaring an emergency," approved March 13, 1899. Repealing section five (being section 5277 of Pierce's Washington Code). Also amending an act to amend section eight (being section 5281 of Pierce's Washington Code) 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 the catch and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws, and declaring an emergency," approved March 16, 1903, providing penalties for the violation of the provisions of this act, and declaring an emergency.

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

SECTION 1. That section six (same being section 5278 of Pierce's Washington Code) of "An act providing for the protection and propagation of the food fishes in the waters of the State of Washington, regulating the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws, and declaring an emergency," approved March

5728 Pierce. 13, 1899, be amended to read as follows: Section 6 (5278).

All licenses provided in sections two and three of this act shall be issued as follows: Upon application therefor by any person, a license shall be issued by the fish commissioner for fixed and other appliances for catching salmon or other food fishes as herein provided, which shall entitle the holder to operate said appliances in the waters of this State, wherein such appliances are not prohibited by law. The following fees for such licenses shall be collected by the fish commissioner and turned over to the state treasurer on or before the tenth of each month, and by him turned into the fish hatchery fund, to-wit:

Licenses—
fees therefor.

For each drag seine not exceeding 250 feet in length..	\$ 2.50
For each drag seine more than 250 feet in length and not more than 400 feet in length.....	7.50
For each drag seine more than 400 feet in length and not exceeding 500 feet.....	15.00
For each additional foot in length, the further sum of..	.03
For each first class pound net, trap or weir, on the Columbia river	25.00
For each second class pound net, trap or weir, on the Columbia river	10.00
For each first class purse seine.....	50.00
For each second class purse seine.....	25.00
For each gill net or drift net.....	5.00
For each set net.....	2.50
For each pound net, trap or weir, on Willapa Harbor and Grays Harbor.....	10.00
For each pound net, trap or weir (except on the Columbia river, Willapa Harbor or Grays Harbor). .	50.00
For each scow fish wheel.....	15.00

Stationery [stationary] fish wheels shall pay twenty-five *Fish wheels.* dollars for first class wheels, and ten dollars for second class wheels; all classifications of wheels, pound nets and purse seines to be determined by the fish commissioner:

Provided, Where any trap or pound net is so constructed ^{Traps or} _{pound nets.} as to take fish at each end of its main lead, it shall obtain and pay for a license especially permitting the taking of fish at both ends, for which it shall pay a license fee double the amount of a pound net or trap taking fish at one end only. In addition to the foregoing license charges there shall also be paid by the owner of each trap, pound net or fish wheel operated in the waters of the State, the sum of one dollar for each one thousand fish taken by such trap, pound net or fish wheel to furnish to the fish commissioners on or before the tenth day of each month. It shall be the duty ^{Duty of} _{owners of} _{traps—as to} _{locations.} of every person owning or operating any trap, pound net or fish wheel to furnish to the Fish Commissioners on or before the tenth day of each month a sworn statement giving the number and location of such trap or pound net and a detailed statement of the actual number of fish caught at such trap or pound net, and in addition to answer such questions as the fish commissioner shall propound with reference thereto, which statement shall be filed with and

retained by the fish commissioner. Any person, firm or corporation using scows and boats or other craft in the buying of fish on the Columbia river, are hereby required to obtain from the fish commissioner of the State of Washington, before engaging in said trade or occupation, a license for such scow, boat or other craft. Each person, firm or corporation obtaining such license shall pay to the fish commissioner of the State of Washington at the time said license is issued, for said license the sum of fifty dollars (\$50.00).

*License for
boats or
scows.*

All licenses issued under the provisions of this section shall expire on the thirty-first day of March following the issuance of such license, and shall be renewed upon application upon payment of the license fees as provided, by this act: *Provided*, That licenses now issued shall be valid until their expiration, and shall likewise be renewed to expire on March thirty-first following the issuance of such license.

SEC. 2. That section seven and one-half of said act (being section 5280 Pierce's Code of Washington) be amended to read as follows: Section 7½ (5280). Every person, firm or corporation engaged in canning salmon shall procure a license before commencing the season's packing, as follows:

5280 Pierce.

*Licenses for
canneries.*

For each cannery packing less than ten thousand cases per annum.....	\$100.00
For each cannery packing from ten thousand cases to fifteen thousand cases per annum.....	150.00
For each cannery packing from fifteen thousand to twenty thousand cases per annum.....	200.00
For each cannery packing from twenty thousand to twenty-five thousand cases per annum.....	250.00
For each cannery packing from twenty-five thousand to thirty thousand cases per annum.....	300.00
For each cannery packing from thirty thousand to forty thousand cases per annum.....	400.00
For each cannery packing from forty thousand to fifty thousand cases per annum.....	500.00
For each cannery packing from fifty thousand to sixty thousand cases per annum.....	600.00
For each cannery packing from sixty thousand to seventy thousand cases per annum.....	700.00
For each cannery packing from seventy thousand to eighty thousand cases per annum.....	800.00

For each cannery packing from eighty thousand to ninety thousand cases per annum.....	900.00	Rates on can- neries—how based.
For each cannery packing from ninety thousand to one hundred thousand cases per annum.....	1000.00	

Rates on all canneries to be based upon pack of each preceding year. New canneries shall pay a license of \$250.00 ⁵²⁷⁹ Pierce, until their pack is definitely known: *Provided however,* That every person, firm or corporation engaged in canning salmon on the Columbia river within the State of Washington shall pay for such license of the spring portion of the pack put up prior to August twenty-sixth, twice the sum indicated above for the respective canneries.

SEC. 3. That section seven of said act (being section 5279 of Pierce's Washington Code) be amended to read as follows: Section 7 (5279). Every person, firm or corporation engaged in the business of buying and selling, packing and preserving or otherwise dealing in salmon, other than canners thereof, shall pay as a license the sum of ninety cents ^{90 cents} per ton net weight of said fish bought and sold, packed or _{per ton net.} preserved or otherwise dealt in: *Provided,* No person engaged in the business aforesaid shall pay less than two dollars and fifty cents per annum. It shall be the duty of each person, firm or corporation affected by the provision of this section to render to the fish commissioner of the State of Washington, on or before the tenth day of each month, on blanks to be furnished by the fish commissioner, a detailed statement showing net amount of fresh fish bought and sold, packed and preserved or otherwise dealt in during the preceding month, and each person shall pay to the said commissioner the amount due under the provisions therefore, on or before the tenth of each month, and a failure or neglect to do so shall constitute a misdemeanor, and upon conviction thereof the offender may be punished as hereinafter provided.

SEC. 4. That section one of an act to amend section eight 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 the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws, and declaring an emergency," approved March 16, 1903, be amended to read as follows: Section 1. That section eight of an act entitled "An act providing for the protection and

Detailed re-
port to fish
commissioner.

propagation of the food fishes in the waters of the State of Washington, regulating the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws and declaring an emergency," approved March 13, 1899, and amended by an act approved March 1, 1901, be amended

Closed season for salmon in Puget Sound. to read as follows: Section 8. And it shall be unlawful

to take or fish for salmon in any of the tributaries of Puget Sound during the month of April, and it shall further be unlawful to take or fish for salmon, except with hook and line, in any of the tributaries of Puget Sound above tide water; and it shall further be unlawful to take or fish for salmon except with hook or line in any of the waters of Puget Sound or its tributaries between the hours of six

Sunday fishing prohibited except with hook and line. o'clock P. M., Saturday, and six o'clock A. M., Monday of each calendar week in each year. During the weekly closed season herein provided, the tunnel and front part of the pot of all fish traps shall be raised to high water mark, to permit salmon and other fish to swim freely and without hindrance in any direction. And it shall be unlawful to

Closed season in Gray's Harbor. take or fish for salmon in the waters of Grays Harbor or its tributaries from the fifteenth day of March to the fifteenth day of April, and from the fifteenth day of November to the fifteenth day of December in each year. And also it

shall hereafter be unlawful to take or fish for salmon in any of the following named tributaries of Grays Harbor from the fifteenth day of August to the fifteenth day of November in each year above the points hereinafter described, to-wit: It shall be unlawful to take or fish for salmon in the Chehalis river above a point one-half mile below the mouth of the Wynoochee river; it shall be unlawful to take or fish for salmon above a point one-half mile above the mouth of the Humptulips river; it shall be unlawful to take or fish for salmon above a point one-half mile above the mouth of the Elk river; it shall be unlawful to take or fish for salmon above a point one-half mile above the mouth of the Johns river. The fish commissioner is hereby empowered to indicate the points above which fishing may not be done as

Prohibited points—how indicated. provided hereinbefore, by driving piles at the points in said streams above designated, which shall mark the points above which said fishing shall not be done. It shall be unlawful to take or fish for salmon in the waters of Willapa

Closed season, Willapa Harbor. Harbor or its tributaries from the fifteenth day of March to the fifteenth day of April, and from the twenty-fifth day of

November to the twenty-fifth day of December in each year. And, also it shall be unlawful to take or fish for salmon in any of the following tributaries of Willapa Harbor above tide water in said rivers: North river, Willapa river and Nasel river. Nothing in this act shall be construed to prevent "Angling" not prohibited in any waters. of the above named rivers. It shall be unlawful to take or fish for salmon in the Columbia river or its tributaries, or within three miles outside of the mouth of said Columbia river, by any means whatever in any year, between twelve M. the fifteenth day of March, twelve M. the fifteenth day of April, or between twelve M. the twenty-fifth day of August and twelve M. the tenth day of September, except Snake river, and it shall be unlawful to take or fish for salmon in said Snake river or any of its tributaries by any means whatever, in any year, between twelve M. the first day of March and twelve M. the fifteenth day of April, or between twelve M. the first day of August and twelve M. the first day of September. And it shall be unlawful to take or fish for salmon, by any means whatever, except with hook and line, commonly termed angling, in the Kalama river, Wind river, Little White Salmon river, Wenatchee river, Methow river, Little Spokane river and Colville river, and in the Columbia river within one mile of the mouth of the above named rivers. It shall be unlawful at any time to take any fish with a net, trap or other device than hook and line in Chambers creek, in Pierce county, or within two hundred and fifty yards of the mouth of said creek and the mouth of said creek shall be construed to mean the junction where the fresh and salt waters meet at low tide.

SEC. 5. That section five of an act providing for the protection and propagation of the food fishes in the waters of the State of Washington, regulating the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws, and declaring an emergency, approved March 13, 1899 (same being section 5277 of Pierce's Washington Code) be and the same is hereby repealed.

SEC. 6. Any person violating any of the provisions of this act, whether or not such violation is otherwise specifically declared to be a misdemeanor, either by neglecting to observe the requirements of this act, or violating any of the provisions thereof, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof for each and

Section 5277
repealed.

Penalty for
violations.

every offense, be subject to a fine of not less than fifty dollars nor more than one thousand dollars, 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.

Emergency. SEC. 7. An emergency is declared to exist and this act shall take effect immediately.

Passed the House February 28, 1905.

Passed the Senate March 7, 1905.

Approved by the Governor March 13, 1905.

CHAPTER 171.

(H. B. No. 72)

AMENDING BALLINGER'S CODE RELATING TO REGISTRATION OF VOTERS.

AN ACT relating to the registration of voters, and amending sections 1450, 1451; 1455, 1460 and 1461 of Ballinger's Annotated Codes and Statutes of Washington.

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

**Section 1450
Ballinger.**

**Opening of
poll books.**

SECTION 1. That Section 1450 of Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows: Section 1450. It shall be the duty of the mayor or chief executive officer of each city or town immediately upon the taking effect of this act, to procure and open for the registration of voters duplicate poll books for each ward or voting precinct of such city or town, and on the first Monday of January of each year to procure and open like books of registration for each of said wards and voting precincts; and for all precincts having a voting population of two hundred and fifty (250) or more, outside of any city or town, the board of county commissioners for the county in which any such precinct exists shall, in like manner, procure and open duplicate poll books for the registration of voters in such precinct or precincts, and shall designate a legal voter in each of said precincts, who shall be the officer of registration in such precinct, whose duties shall be the same as those devolving upon the city or town