

year: *Provided*, That this section shall not apply to counties lying east of the summit of the Cascade range.

SEC. 11. It shall be unlawful to hunt, take or kill in this State any wild goose or brant between the first day of May and the first day of September in any year. Wild geese and brant.

SEC. 12. It shall be lawful within the time herein when any goose, duck or brant may be killed, to hunt or pursue them from any blind or obstruction: *Provided*, That this shall not be construed to include sneak boats. "Blinds" prohibited.

SEC. 13. That any one violating any of the provisions of this act for which a penalty is not hereinbefore provided, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than ten dollars (\$10) nor more than fifty dollars (\$50) or imprisonment in the county jail not less than ten days nor more than thirty days, or by both such fine and imprisonment. Penalty.

SEC. 14. For the purpose of carrying out the provisions of this act the sum of five thousand dollars (\$5000) or so much thereof as may be necessary is hereby appropriated out of the "game protection and propagation fund" of the State. Appropriation.

Passed the House March 8, 1905.

Passed the Senate March 9, 1905.

Approved by the Governor March 13, 1905.

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## CHAPTER 173.

(H. B. No. 237)

### PROVIDING FOR PAYMENT TO LESSEES OF TIDE LANDS FOR IMPROVEMENTS THEREON.

AN ACT providing for the payment to lessees of tide lands belonging to the State by subsequent lessees or purchasers from the State, of all improvements placed upon such tide lands, including the cost of filling in and raising such tide lands above high tide, and all assessments for local improvements levied against the same.

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

SECTION 1. Should any present or future lessee of tide lands of the State of Washington, or any owner or holder Duty of board of state land commissioners.

of such leases, fail to exercise the preference right of purchase from the State, of the tide lands covered by any lease within the time prescribed by any existing law, or any law which may hereafter be enacted, then and in that event, the Board of State Land Commissioners shall appraise and determine the value of all improvements then existing upon such property, including the cost of filling and raising said property above high tide, whether filled in or raised above high tide, by such lessee or owner of such lease, or by virtue of any contract made with the State of Washington, and also including the then value to the land of all existing local improvements, paid for by such lessee or owner of such lease.

Re-lease or  
sale, to other  
parties.

SEC. 2. Should such tide lands be re-let or sold to any person, persons or corporation other than such lessee or owner of such lease, the bid of such subsequent lessee or purchaser shall not be accepted until the payment by such subsequent lessee or purchaser to the owner of such former lease, the appraised and fixed value of such improvements aforesaid, as determined by said Board of State Land Commissioners, or as may be determined upon appeal, and said board is authorized to compel by subpoena the attendance, swear and examine witnesses to such values.

Appeals.

SEC. 3. Should the owner and holder of such lease be dissatisfied with the appraised value of such improvements as fixed or determined by said Board of State Land Commissioners, he or it may appeal to the superior court of the county wherein said property is located, within the time and according to the mode prescribed by law relating to appeals, from the Board of State Land Commissioners to the superior court.

Repeal.

SEC. 4. All laws or parts of laws in conflict herewith are hereby repealed.

Passed the House March 3, 1905.

Passed the Senate March 9, 1905.

Approved by the Governor March 13, 1905.