

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

Repeal. 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and all other laws or parts of laws inconsistent with or in conflict with the provisions of this act, are hereby repealed.

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

Passed the Senate February 24, 1903.

Passed the House March 10, 1903.

Approved by the Governor March 16, 1903.

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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:*

Possession unlawful.

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:

Game birds defined.

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 limicolae, commonly known as shore birds, plovers, surf

birds, snipe, sand-pipers, tatlors and curlews; the gallinae, commonly known as grouse, prairie chickens, pheasants, partridges and quail.

SEC. 2. No person shall, within the State of Washing-  
ton, 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 hun-  
dred 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 un-  
der 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 there-  
of to collect birds, their nests or eggs, for strictly scientific  
purposes only. In order to obtain such certificate the ap-  
plicant 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 dol-  
lar, 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 dol-  
lars, 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

Destruction  
of nests  
and eggs.

Violations—  
penalties.

Exception as  
to scientific  
purposes.

Certificates—  
for scientific  
purposes—  
how obtained.

Bond and  
forfeiture of.

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 provided therefor in section 3 of this act.

Term of certificates.

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.

Exception as to birds destroying fruit or grain.

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.

Repeal.

SEC. 8. All acts or parts of acts heretofore passed inconsistent 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.

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## 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:*

Drainage, plumbing and ventilation.

SECTION 1. All buildings or rooms occupied as biscuit, bread or cake bakeries shall be drained or plumbed in a manner 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 basement, not now used as a bakery, shall hereafter be used and occupied as a bakery and a cellar or basement heretofore oc-

Prohibited in cellars or basements.