

SEC. 3. Nothing in this act shall apply to gathering oysters by the hand, using no implement or tool for gathering purposes.

SEC. 4. Any person violating any provision of this act shall, on conviction thereof, be fined in any sum not less than one hundred dollars (\$100), nor more than four hundred dollars (\$400), and, at the discretion of the court, shall also be imprisoned in the county jail not less than two months (2), nor more than six months (6); one-half of the aforesaid fine to be paid by the state to the informer.

SEC. 5. Whereas, there is no law governing the subject as provided in the foregoing sections of this act, an emergency is declared to exist, and this act shall be in force and take effect immediately.

Passed the house February 4, 1895.

Passed the senate February 27, 1895.

Approved March 7, 1895.

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## CHAPTER XXXI.

[H. B. No. 170.]

### RELATING TO NATURAL OYSTER BEDS.

AN ACT relating to beds of natural oysters, and declaring an emergency.

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

SECTION 1. It shall be unlawful to gather oysters or to remove them from any natural oyster bed or natural oyster bed reserve in any of the rivers, bays or waters of the State of Washington at any time from the fifteenth day of June to the thirty-first day of October, inclusive, of each year except under the supervision of the fish commissioner of the State of Washington, or of the United States, for purposes of propagation, experimental or other scientific purposes: *Provided*, That nothing in this section shall be construed to interfere with the provisions of section 2594

Legal period  
for gathering.

of volume 1 of Hill's Code of Washington, the same being section 1198 of the Code of 1881.

Penalty for violation.

SEC. 2. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof be fined in any sum not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100), or be imprisoned in the county jail for a period of not less than ten days nor more than sixty days, or to be both fined and imprisoned, at the discretion of the court.

SEC. 3. The season for gathering oysters for planting purposes being near at hand, an emergency is, therefore, declared, and this act shall be in force and effect upon its passage and approval by the governor.

Passed the house February 7, 1895.

Passed the senate February 27, 1895.

Approved March 7, 1895.

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## CHAPTER XXXII.

[H. B. No. 113.]

### RELATING TO POWERS OF MUNICIPAL CORPORATIONS.

AN ACT to amend section 154 of an act entitled "An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency," approved March 27, 1890, the same being section 673 of volume 1 of Hill's Annotated Statutes and Codes of Washington, and declaring an emergency.

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

SECTION 1. That section 154 of the said act, the same being section 673 of volume 1 of Hill's Annotated Statutes and Codes of Washington, be and the same hereby is amended so as to read as follows:

Sec. 154. The council of said town shall have power—

1. To pass ordinances not in conflict with the constitution and laws of this state, or of the United States.