

his receipt therefor. The other of said duplicate poll books shall remain in the custody of the said clerk or officer of registration.

SEC. 5. That Section 1461 of Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows: Section 1461. At every election one of the judges of election shall, as each person registered votes, enter on the said poll book in the check line opposite the name of such person the word "voted," said poll book to be returned to the city or town clerk or officer of registration after said election, and by him preserved.

SEC. 6. An emergency is hereby declared to exist and this act shall take effect immediately.

Passed the House February 16, 1905.

Passed the Senate March 9, 1905.

Approved by the Governor March 11, 1905.

CHAPTER 172.

(H. B. No. 396)

PROVIDING FOR THE APPOINTMENT OF A CHIEF DEPUTY GAME WARDEN, AND OF COUNTY GAME WARDENS.

AN ACT providing for the office and appointment of Chief Deputy Game Warden and County Game Wardens, providing for their salaries and relating to game and to the time and manner of killing and disposing of the same and providing a penalty for violation thereof, making an appropriation.

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

SECTION 1. The state game warden shall appoint one chief deputy state game warden, who shall hold his office during the pleasure of the state game warden, and shall receive a salary of fifteen hundred dollars (\$1500) per year, to be paid in monthly installments, by the state treasurer on warrant drawn by the state auditor, and shall be allowed his actual expenses of travel in the performance of his duty, not to exceed the sum of seven hundred and fifty dollars (\$750) in any one year; and no payment of salary or traveling expenses shall be made by the state auditor to said

deputy state game warden, except upon certificate of the state game warden, that the vouchers of the deputy state game warden are correct, that the services have been faithfully rendered and the money for traveling expenses actually expended. The duties of the chief deputy game warden shall be to enforce all the provisions of law in reference to the protection of game and to prosecute all violations of law in reference thereto, to direct and supervise all acts of county and special deputy game wardens, and to use all lawful ways and means to protect game and to encourage and secure the propagation thereof.

County wardens—how appointed—salary, etc.

SEC. 2. The county commissioners of the respective counties of the State of Washington are hereby empowered and authorized to and shall, upon application in writing of one hundred resident freeholders and taxpayers of said county, appoint a suitable person, who shall be a resident and qualified elector of said county, as game warden of such county, who shall be vested with all the authority of a sheriff to perform the duties prescribed by the laws of the State of Washington for the protection of game animals, game birds, song birds and game fish. Such game warden, so appointed, shall receive a salary of not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) per month to be paid monthly out of the game protection fund of such county.

County wardens ex-officio State game wardens.

SEC. 3. All county game wardens shall be *ex-officio* deputy state game wardens, and shall have the same powers in the enforcement of the game laws of the State as the chief deputy state game warden, and shall be under the direction and supervision of the chief deputy state game warden. County game wardens shall have power to appoint special game wardens for his county, such special game warden shall receive no salary but shall have same authority as other game wardens; county game wardens before entering upon their duties shall take and file with the county auditor of his county the oath of office as prescribed for other county officers, and shall be held responsible for neglect, or non-performance of his duties, and the county commissioners of any county may remove the county game warden at any time for neglect or non-performance of duty.

Non-residents permitted to remove game from State.

SEC. 4. Every non-resident or non-resident alien who shall have procured a license to hunt in this State, shall be entitled to take from the State all game animals killed by

him, not to exceed the number of each of said game animals as is allowed by law to be killed in any one year, and game birds killed by him not to exceed the number allowed by law to be killed by any person in any one day; but before any person shall be entitled to take any such game out of this State he shall make an affidavit before a notary public or other officer having a seal, stating that the game to be so removed from the State was killed by him in a lawful manner, and that the said game is not being exported for the purpose of sale. Such affidavit shall describe said animals or birds and shall be attached to said animals or birds while in transit from the State.

SEC. 5. That every person who shall at any time pursue, take, kill or injure any deer, or shall knowingly permit any dog or dogs owned by him or under his control to chase, injure or destroy any of said animals, on any of the islands, in the State of Washington, shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than twenty-five dollars (\$25) or more than one hundred dollars.

Hunting deer with dogs, on islands, unlawful.

SEC. 6. Any person who shall, within the State of Washington, at any time offer for sale or for market, or sell or barter for, or exchange, any deer, moose, elk, caribou, mountain sheep or mountain goat species, or any of the various kinds of quail, Chinese or Mongolian pheasants, grouse, native pheasant, ptarmigan, prairie chicken, partridge, sage hen, or any wild duck, goose, swan, brant, sand hill crane, rail or plover, or any other game bird shall be guilty of a misdemeanor and upon conviction thereof shall be punished as hereinafter provided: *Provided*, That during the month of November, in any year, wild ducks, geese and brant may be sold to the number permitted by law to be killed in any one day: *Provided further*, That nothing in this act or section shall be construed to prevent the sale of the hides of deer, moose, elk, caribou, mountain sheep or mountain goat species killed at or within the times when it is lawful to kill the same, and which have been killed in a lawful manner.

Unlawful to sell game animals or birds.

Exception as to ducks, in November.

SEC. 7. That after the passage of this act and until October 1, 1915, it shall be unlawful to hunt, pursue, capture or kill any of the elk (*cervus alces*, or *cervus canadensis*) within the State of Washington. After 1915 it shall be unlawful to hunt, pursue, capture or kill any of the elk

Unlawful to kill elk until 1915.

(*cervus alces*, or *cervus canadensis*) within the State of Washington between the first day of November of any year and the fifteenth day of September of the following year. No person shall within the State of Washington during the season when it is lawful to kill the same, kill more than one of the male elk (*cervus alces* or *cervus canadensis*). Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), or be imprisoned in the county jail not less than thirty days nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

Penalty.

Unlawful to hunt water fowl in certain counties.

SEC. 8. It shall be unlawful to hunt, pursue, catch or kill any of the geese, brant or other water fowl upon the Columbia or Snake rivers within this State, or within one half mile of its shore throughout the following named counties: Klickitat, Walla Walla, Franklin, Yakima, Kittitas, Douglas, Columbia, Garfield and Whitman counties.

Unlawful to trap game or song birds, or game animals.

SEC. 9. Every person who shall, within this State, at any time, trap, net or ensnare, or attempt to trap, net or ensnare any quail or bob white, prairie chicken, grouse, pheasant, partridge, sage hen, ptarmigan or wild pigeon, geese, duck, brant or other water fowl, or any of the song birds, or any deer, moose, elk, caribou, antelope, mountain sheep or any other game bird or game animal or any protected game bird or song bird or game animal under the laws of the State of Washington or have in his possession any live quail, or bob white, prairie chicken, grouse, pheasant, wild pigeon, partridge, sage hen or ptarmigan, geese, duck, brant or other water fowl, or any deer, moose, elk, caribou, antelope, mountain sheep or any other game bird or game animal or any protected game bird or game animal under the laws of the State of Washington except for the purpose of propagation, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as provided by law.

Imported pheasants.

SEC. 10. It shall be lawful to hunt and kill any of the male birds of the oriental, golden, silver, ring necked, copper bronze, Chinese or Mongolian pheasants between the fifteenth day of October and the first day of January in any

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.

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.}