

a misdemeanor and, upon conviction thereof, be fined not less than twenty or more than one hundred dollars: *Provided*, That in the case of a district officer such fine shall be paid to the county treasurer and by him placed to the credit of the school district in which said officer resides, and in case of other officers such fine shall be paid to the county treasurer and by him placed to the credit of the general school fund of the county.

SEC. 11. All fines except as otherwise provided in section two, under the provision of this act, shall inure and be applied to the support of the public schools in the district where such offense was committed. Fines.

SEC. 12. No officer performing any duty under any of the provisions of this act, or under the provisions of any rules that may be passed in pursuance hereof, shall in any wise become liable for any costs that may accrue in the performance of any duty. Liability for costs.

Passed the House February 14, 1905.

Passed the Senate March 8, 1905.

Approved by the Governor March 11, 1905.

## CHAPTER 163.

(H. B. No. 201)

### RELATIVE TO THE PROTECTION OF CLAMS.

AN ACT relating to the protection of clams; providing penalties for its violation and declaring an emergency.

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

SECTION 1. It shall not be lawful for any person or persons, firm or corporation, or any person whatsoever, to take, or dig clams from the sands on the ocean beach of the Pacific Ocean, in the State of Washington, or to have in their possession after the same have been taken, for the purpose of canning or for the purpose of sale, between the first day of May and the thirty-first day of August of each year. May 1st to  
September 1st

SEC. 2. Any person violating the provisions of this act shall be guilty of a misdemeanor and subject to a fine of

Penalty.

not less than ten (\$10) dollars nor more than five hundred (\$500) dollars for the first offense and double said amount for each conviction thereafter: *Provided*, It is not the intent of this act to prohibit the digging of said claims for one's own use but to prohibit the digging for sale and canning purposes during the months hereinbefore set out.

Emergency.

SEC. 3. An emergency exists and this act shall take effect immediately.

Passed the House February 21, 1905.

Passed the Senate March 8, 1905.

Approved by the Governor March 11, 1905.

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## CHAPTER 164.

(S. B. No. 246)

### TO PRESERVE FORESTS AND PREVENT AND SUPPRESS FOREST FIRES.

AN ACT to provide for the preservation of the forests of this State, for the prevention, control and suppression of forest fires, to create a State Board of Forest Commissioners, providing for a State Fire Warden and Forester, Deputy Fire Wardens, Forest Rangers, defining their duties and powers, making an appropriation therefor, and providing punishments for the violation thereof, and repealing an act entitled, "An act to protect from fire forests and other property within the State of Washington, and creating Forest Fire Wardens, Deputies, Patrolmen, and defining the duties and providing penalties and declaring an emergency," approved March 16, 1903.

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

SECTION I. There is hereby created a board to be known as the state board of forest commissioners, consisting of the state land commissioner whose term of office shall be co-extensive with his term as state land commissioner, and four electors of the State of Washington to be appointed by the governor, whose term of office shall be four years from the date of appointment: *Provided, however*, That two of the first appointees under the terms of this act shall hold office for only two years, and thereupon the governor shall appoint the successors of such two-year appointees for the

Board of  
forest com-  
missioners.

Term of  
office.