

SEC. 3. Whereas, there is now five hundred dollars (\$500.00) in the hands of certain officers, for the disposal of which no provision is made by law, therefore an emergency exists, and this act shall take effect and be in force upon its passage and approval.

Approved March 3, 1891.

## CHAPTER LXXI.

[H. B. No. 190.]

### PROTECTION OF FOOD FISHES.

AN ACT to amend sections one, seven and twelve of an act entitled "An act to protect salmon and other food fishes in the State of Washington, and upon all waters upon which this state has jurisdiction and concurrent jurisdiction," approved February 11, 1890, and declaring an emergency to exist.

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

SECTION 1. Section one of "An act to protect salmon and other food fishes in the State of Washington, and upon all waters upon which this state has jurisdiction and concurrent jurisdiction" is amended to read as follows: Sec.

Salmon in the  
Columbia river.

1. It shall not be lawful to take or fish for salmon in the Columbia river or its tributaries, by any means whatever, in any year hereafter, between the first day of March and the tenth day of April, or between the tenth day of August

Rivers and bays  
of the state.

and the tenth day of September, or in any of the rivers and bays of the state, or the Columbia river, during the weekly close time, that is to say, between the hours of six o'clock P. M. on each and every Saturday and six o'clock in the afternoon of the following Sunday; and any such person or persons fishing for or catching salmon in violation of this section, or catching salmon by leaving or having any fishing gear in the water in a condition to take fish, or purchasing salmon so unlawfully caught, or having in his or their possession any such salmon, shall be deemed guilty of a misdemeanor, and upon conviction thereof be fined in

a sum not less than fifty dollars nor more than two hundred and fifty dollars; and it shall be unlawful for any person or persons to receive or have in his possession, or to offer for sale or transportation, or to transport, during the close season in the spring, namely from March first to April tenth and from August tenth to September tenth, any of the following varieties or kinds of fresh fish: Chinook salmon, silver salmon, steel-head or blue-black, and any person or persons violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and be fined in a sum not less than sixty dollars nor more than two hundred and fifty dollars.

SEC. 2. Section seven of said [of said] act shall be amended to read as follows: Sec. 7. It shall not be lawful to cast or pass, or allow to be cast or passed, into any waters of this state into which salmon or trout are wont to be, any lime, gas, coculus indicus or any other substance deleterious to fish, or to explode, or cause to be exploded, any powder, hercules powder, dynamite, nitro glycerine or any other explosive substance, for the purpose of catching, killing or destroying salmon or other food fish, and any person or persons violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof be fined in a sum not less than fifty dollars nor more than two hundred and fifty dollars.

SEC. 3. Section 12 of said act shall be amended to read as follows: Sec. 12. Any person or persons owning, operating or using any pound net or trap shall cause to be painted in a conspicuous place on said pound net or trap, while the same is in use, a number designated by the fish commissioner of this state, said number consisting of a black figure or figures not less than six inches in height painted on a white ground; and shall also conspicuously show at night time, between sunset and sunrise, a bright white light; and any person or persons violating the provisions of this section shall be deemed guilty of a misdemeanor, and shall be fined in any sum not exceeding two hundred and fifty dollars.

SEC. 4. All acts or parts of acts in conflict with this act are hereby repealed.

Close season de-  
fined.  
Emergency.

SEC. 5. The close season for salmon commencing on the first of March, an emergency is declared to exist, and this act shall take effect from and after its approval by the governor.

Approved March 3, 1891.

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## CHAPTER LXXII.

[S. B. No. 51.]

### MARKS AND BRANDS.

AN ACT to amend section 2551 of chapter CXCVIII of the Code of Washington relating to marks and brands.

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

SECTION 1. That section 2551 of chapter CXCVIII of the code of Washington relating to marks and brands be amended to read as follows: Sec. 2551. Every owner adopting a brand or mark shall record with the county auditor his mark, brand and counter brand, dewlaps or wattles, by delivering to such auditor his brand and counter brand, burnt upon a piece of leather, and a description of his mark, dewlaps or wattles; and the auditor shall enter in a book kept by him for that purpose a description of said mark, dewlaps or wattles and brands, together with the owner's name and time of recording, also describing the part or place on the animal where such mark, dewlap, wattle or brand is designed to be used, and any person other than the owner thereof using or imitating, or causing to be used or imitated, any such recorded mark, dewlap, wattle, brand or counter brand within the county where the same is recorded shall be deemed guilty of a misdemeanor and punished as provided in section 2554 of this chapter. The auditor, when any mark, dewlap, wattle or brand is presented for record, shall satisfy himself that they are different from any other recorded in his office, and he shall be

Record of.

Unlawful using  
of mark or  
brand of an-  
other.

Penalty.