

Failure a misdemeanor on the part of certain officers.

dent, secretary, manager, superintendent, assistant superintendent, stockholder, or other officer or employé of any company or corporation owning or operating any street railway or street car lines, or any receiver of street railways or street car companies, or street railway or street car corporations appointed by any court within this state to operate such car line shall, upon conviction thereof be deemed guilty of a misdemeanor, and subject the offender for such offense to a fine in any amount of not less than \$50, nor more than \$200, or imprisonment in the county jail for a term of thirty (30) days, or both such fine and imprisonment, at the discretion of the court.

Passed the House January 30, 1897.

Passed the Senate February 13, 1897.

Approved by the Governor February 18, 1897.

CHAPTER XVIII.

[S. B. No. 146.]

RELATING TO THE DISCHARGE OF BALLAST IN NAVIGABLE WATERS.

AN ACT to amend section 227 of volume 2, Penal Code, of Hill's Annotated Statutes and Codes of Washington, in relation to the discharge of ballast in navigable waters.

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

SECTION 1. That section 227 of volume 2, Penal Code, of Hill's Annotated Statutes and Codes of Washington, in relation to the discharge of ballast in navigable waters, be and the same is hereby amended to read as follows: Section 227. Every master or mate, or other officer or other person, belonging to or in charge of any vessel, who shall discharge or cause to be discharged the ballast of such vessels into the navigable portions or channels of any of the inlets, bays, harbors or rivers within or bordering on this state, where the water is less than twenty fathoms deep, shall, on conviction thereof, be fined in any sum not less

than seventy-five dollars, nor more than five hundred dollars: *Provided*, That nothing in this section shall be so construed as to prevent any such person from discharging ballast from such vessel on the beach at or above ordinary high tide in all waters where the tide ebbs and flows, and that no ballast shall be discharged on any of the flats included within the boundary of any city or townsite or extension thereof: *And provided further*, That in harbors within or in front of any incorporated city, where the waters are less than twenty fathoms deep, a section of said harbor may be set aside and designated by the city council of said city as a ballast ground, where ballast may be discharged under control of a harbor master to be appointed by the council.

SEC. 2. An emergency exists, and this act shall take effect immediately.

Passed the Senate February 11, 1897.

Passed the House February 13, 1897.

Approved by the Governor February 23, 1897.

CHAPTER XIX.

[S. B. No. 6.]

DEFINING THE CRIME OF RAPE.

AN ACT amending section 28 of the Penal Code of the State of Washington, relating to the crime of rape.

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

SECTION 1. That section 28 of the Penal Code of the State of Washington, relating to the crime of rape, be amended to read as follows: Sec. 28. A person shall be deemed guilty of rape who—

1. Shall, by force and against her will, ravish and carnally know any female of the age of eighteen years or more;