

otherwise, any ticket presented by such elector at such election, or attempt to find out the names thereon, or suffer the same to be done by any other person, before such ticket is deposited in the ballot box, such judge, inspector, or clerk shall be guilty of a gross misdemeanor.

[Amending  
§ 4962.  
Rem.-Bal.]

Marking  
tickets.

Section 4963. If any person shall use menace, force, threat or corrupt means at or previous to any election held pursuant to the laws of the state towards any elector to hinder or deter such elector from voting at said election, or shall directly or indirectly offer any bribe or reward of any kind to induce any elector to vote for or against any person, or proposition, or shall authorize any person so to do, such person shall be guilty of a felony.

[Amending  
§ 4963.  
Rem.-Bal.]

Threatening  
or bribing  
elector.

Section 4967. Every person charged with the performance of any duty under the provisions of any law of this state relating to elections, or to any September primary or any other primary election held pursuant to law or the provisions of any charter or ordinance of any town or city of this state, who wilfully neglects or refuses to perform such duty, or who, in the performance of such duty, or in his official capacity, knowingly or fraudulently violates any of the provisions of law relating to such duty, shall be guilty of a felony.

[Amending  
§ 4967.  
Rem.-Bal.]

Misfeasance  
or mal-  
feasance of  
officer.

Passed by the Senate February 10, 1911.

Passed by the House March 9, 1911.

Approved by the Governor March 14, 1911.

## CHAPTER 90.

[S. S. B. 94.]

### RELATING TO PROTECTION AND SALE OF BIRDS AND FISHES.

AN ACT relating to the protection, propagation and sale of certain animals, birds and fishes, providing for searches therefor, fixing penalties for the violation thereof and amending section 1 of chapter 12 of the Laws of the Extraordinary Session of 1909.

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

SECTION 1. That section 1, chapter 12, of the Laws of the Extraordinary Session 1909, be amended to read as

[Amending  
§ 5360,  
Rem.-Bal.  
See, also,  
§§5334-5335.]

When  
permitted.

[Amending  
§ 5354,  
Rem.-Bal.  
See, also,  
§ 5360,  
Rem.-Bal.—  
killing deer  
in water.]

Misdemeanor.

[See §5326,  
Rem.-Bal.]

Official  
power.

Prima facie  
evidence.

follows: Section 1. Every person who shall, within the State of Washington at any time between the first day of November and the first day of September of the following year, hunt, pursue, take, kill, injure, destroy or possess any deer, mountain goat, mountain sheep or caribou, shall be guilty of a gross misdemeanor, and upon conviction thereof shall be punished as hereinafter provided. Every person who shall, within the State of Washington, during the season when it is lawful to kill same, take or kill more than two deer, or shall kill any female deer or spotted fawn, shall be guilty of a gross misdemeanor, and, upon conviction thereof, shall be punished as hereinafter provided. Every person who shall at any time shoot or kill in any manner a deer when such deer is in any river or lake, or body of salt water, or shall hunt or chase deer with dogs, shall be deemed guilty of a gross misdemeanor, and upon conviction thereof shall be punished as hereinafter provided.

SEC. 2. Any game wardens, any sheriff, deputy sheriff, constable or police officer, shall have power to search without warrant any person and examine any conveyance, vehicle, game bag, game basket, game coat or other receptacle for game or game fish, and all cold storage rooms, warehouses, markets, taverns, boarding houses, restaurants, clubs, eating houses, saloons and other places where game or game fish may be kept or sold, and to search and examine all packages or boxes, which he has reason to believe contain evidence of the infraction of the laws of this state, for the protection of wild fowl, trout or other game fish, game, game birds and song birds, and if upon diligent inquiry he can discover evidence sufficient in his judgment to secure the conviction of the alleged offenders or shall have cause to believe that sufficient evidence exists to justify the same he shall at once institute proceedings to punish the alleged offenders, and hindrance or interference with such search and examination shall be *prima facie* evidence of the violation of the laws by the party or parties who hinder or interfere with such search or examination. Any of the persons above mentioned may at any time seize and take

possession of any and all game, wild fowl, game fish, game birds, song birds, or trout which has been caught, taken or killed at any time, in any manner, or for any purpose, or had in possession or under control or which have been shipped, contrary to the laws of this state. The search and seizure provided for in this act may be made without warrants.

Search  
without  
warrants.

SEC. 3. It shall be unlawful for any person at any time to sell or offer for sale any of the song birds, game birds or game animals protected by the laws of the State of Washington.

[See §5345  
and §5365,  
Rem.-Bal.]

SEC. 4. Whenever any lake or stream shall have been stocked or planted with game fish under the laws of the State of Washington the county commissioners shall give notice thereof by publication for three successive weeks in a newspaper published at the county seat of the county in which such lake or stream is situated, it shall be unlawful for any person to take or fish for, or take fish of any species whatever, in the waters of the lake or stream so stocked or planted, for two years after the first publication of such notice.

Notice of  
stocked  
streams  
or lakes.

SEC. 5. Whenever any imported species of game birds shall have been liberated in any county of this state by the county commissioners, such commissioners shall give notice thereof by publication for three successive weeks in a newspaper published at the county seat of such county, and thereafter it shall be unlawful to hunt, take, kill, or molest any such imported birds within such county for three years after the date of the first publication of such notice.

Three weeks  
publication.

SEC. 6. Any person violating any of the provisions of this act shall be guilty of a misdemeanor.

Misdemeanor.  
[For penalty,  
see §2253,  
Rem.-Bal.]

SEC. 7. All laws and parts of laws in conflict with this act are hereby repealed.

Repeal.

Passed by the Senate February 23, 1911.

Passed by the House March 6, 1911.

Approved by the Governor March 14, 1911.