

CHAPTER 178.

GAME CODE.

[S. B. 81.]

AN ACT relating to and providing for the protection, propagation, restoration, domestication, introduction, purchase, and disposition of wild animals, wild birds and game fish; creating certain offices and defining the powers and duties of certain officers; providing for the licensing of and regulating of hunting, trapping, guiding, game farming, and game fishing; establishing certain game preserves, fixing certain seasons when hunting, trapping and game fishing is prohibited; authorizing the establishment of game and game fish preserves, and the closing, opening and shortening of hunting and fishing seasons; regulating the transportation and possession of wild animals, wild birds and game fish; providing for the condemnation of property for certain purposes; establishing certain funds and regulating expenditures therefrom, providing penalties for violations thereof and repealing certain acts and all acts and parts of acts in conflict therewith.

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

Game code.

SECTION 1. This act shall be known and may be cited as the "Game Code of the State of Washington."

Wild animals classified.

SEC. 2. For the purposes of this act wild animals shall be classified as follows: Game animals, fur-bearing animals and predatory animals.

"Game animal."

The words "game animal," wherever used in this act, shall be held to mean and include the elk, moose, antelope, deer, mountain sheep, mountain goat, caribou, common black or brown bear, gray squirrel, black squirrel, cotton tail rabbit, snowshoe rabbit, and bull-frog.

"Fur-bearing animal."

The words "fur-bearing animal," wherever used in this act, shall be held to mean and include the beaver, otter, muskrat, mink, martin, fisher, sable, fox, skunk, and civet cat.

"Predatory animal."

The words "predatory animal," wherever used in this act, shall be held to mean and include the wild cat, bobcat, lynx, cougar, wolf, wolverine, coyote,

weasel, raccoon, mountain beaver, badger, red squirrel, ground squirrel, rat, jackrabbit, mole and wild housecat.

SEC. 3. For the purposes of this act wild birds shall be classed as follows: Game birds, including migratory game birds and upland game birds, predatory birds, and non-game birds.

Wild birds classified.

The words "migratory game bird," wherever used in this act, shall be held to mean and include the anatidae, or water fowl, commonly known as geese, brant, swan, river and sea ducks; the rallidae, commonly known as rails, gallinules and coots or mudhens; the limicolae, or shore birds, commonly known as woodcock, snipe, jacksnipe or Wilson snipe, plover, black-breasted and golden plover, surf bird, sand-piper, tatler, curlew, avocet, stilt, turnstone, oyster catcher, phalaropes, and greater or lesser yellow legs.

"Migratory game bird."

The words "upland game bird," wherever used in this act, shall be held to mean and include the gallinae, commonly known as wild turkey, sage hen, fool hen, grouse, prairie chicken, pheasant, partridge and quail.

"Upland game bird."

The words "predatory bird," wherever used in this act, shall be held to mean and include the duck hawk, pigeon hawk, western goshawk, cooper hawk, sharpshinned hawk, prairie falcon, magpie, crow, king-fisher, jay, English sparrow, and great horned owl.

"Predatory bird."

The words "non-game bird," wherever used in this act, shall be held to mean and include all wild birds other than game birds and predatory birds as herein before defined.

"Non-game bird."

SEC. 4. The words "game fish," wherever used in this act, shall be held to mean and include any *Salmo clarkii*, commonly known as cut-throat trout. *Salmo irideus*, commonly known as rainbow trout, *Salvelinus fontinalis*, commonly known as eastern

"Game fish."

brook trout, *Oncorhynchus nerka kennerleyi*, commonly known as silver trout, *Cristivomer namaycush*, commonly known as Mackinaw trout, *Micropterus dolomieu*, or *M. salmoides*, commonly known as bass, *Coregonus williamsoni*, commonly known as white fish, *Perca flavescens*, commonly known as perch, *Salmo gairdneri*, commonly known as steelhead when the same are above a point established by the director of fisheries as the mouth of any river or stream, *Pomoxis annularis*, commonly known as crappie, and sunfish, bream, pike and catfish, and salmon taken with hook and line: *Provided*, That *Salme gairdneri*, commonly known as steelhead, shall not be classified as game fish if caught with hook and line at any point within or upon the boundary of any Indian Reservation from a river or stream flowing through or forming the boundary of such Indian Reservation.

Steelhead
excepted:
When.

Terms
defined:
"To hunt."
"Hunting."
"Hunted."

SEC. 5. The words "to hunt" and their derivatives, "hunting," "hunted," etc., wherever used in this act, shall be held to mean and include shooting, killing, catching, capturing, trapping, injuring and crippling wild animals, fowl or birds, and the pursuing, tracking, calling, baiting and decoying of wild animals, fowl or birds with the intent to shoot, kill, catch, capture, trap, injure or cripple the same, and the disturbing or worrying of wild animals, fowl or birds, whether the same result in the shooting, killing, catching, capturing, trapping, injuring or crippling or not, and every attempt to shoot, kill, catch, capture, trap, injure, cripple, pursue, track, call or decoy wild animals, fowl or birds, and every act of assistance to any other person in shooting, killing, catching, capturing, trapping, injuring, crippling, pursuing, tracking, calling or decoying wild animals, fowl or birds.

"To trap."
"Trapping."
"Trapped."

SEC. 6. The words "to trap," and their derivatives, "trapping," "trapped," etc., wherever used

in this act, shall be held to mean and include the killing, catching, capturing, injuring, crippling, baiting or decoying any wild animal, fowl or bird, or game fish by means of any trap, net, snare, dead-fall, or other device, used or capable of being used for the purpose of killing, catching, capturing, injuring, crippling, baiting or decoying the same, and every attempt to kill, catch, capture, injure, cripple, bait or decoy and [any] wild animal, fowl or bird, or game fish by means of any such device, and every act of assistance to any person in killing, catching, capturing, injuring, crippling, baiting or decoying any wild animal, fowl or bird, or game fish by means of any such device.

SEC. 7. The words "to fish" and their derivatives, "fishing," "fished," etc., wherever used in this act, shall be held to mean and include catching, capturing, shooting, killing, trapping, injuring and crippling game fish and salmon taken with hook and line, and the pursuing, baiting and decoying of game fish with intent to catch, capture, shoot, kill, trap, injure or cripple the same, and every attempt to catch, capture, shoot, kill, trap, injure, cripple, pursue, bait or decoy any game fish.

"To fish."
"Fishing."
"Fished."

SEC. 8. The words "open season," wherever used in this act, shall be held to mean the time during which it shall be lawful to hunt, trap or fish for game animals, fur-bearing animals, game birds or game fish. Each period of time prescribed as an open season shall be construed to include the first and last days thereof.

"Open season."

The words "closed season," wherever used in this act, shall be held and construed to mean the time during which it shall be unlawful to hunt, trap or fish for game animals, fur-bearing animals, game birds or game fish.

"Closed season."

SEC. 9. The game animals, fur-bearing animals, game birds and non-game birds in the state of Wash-

Policy of preservation.

Protection and perpetuation declared.

ington and the game fish in the waters of the state of Washington shall be preserved, protected and perpetuated and to that end such game animals, fur-bearing animals, game birds, non-game birds and game fish shall not be hunted, trapped or fished for at such times or places or by such means or in such manner as will impair the supply thereof.

Jurisdiction of director of fisheries and game.

SEC. 10. The director of fisheries and game through and by means of the division of game and game fish shall have jurisdiction to enforce the provisions of this act and all laws relating to game animals, fur-bearing animals, game birds, non-game birds and game fish.

County game commission created.

SEC. 11. A county game commission consisting of three residents of each county in the state is hereby created. The county commissioners may, where practical, recommend a game commissioner from each county commissioner's district.

Appointed by supervisor on recommendation of county commissioners.

The county game commission shall be appointed by the supervisor of game and game fish on the recommendation of the board of county commissioners of each county, but in case the county commissioners fail to recommend such county game commissioners, for appointment upon notice of the supervisor of game and game fish within ten days after written notice so to do, then and in that event the supervisor of game and game fish may appoint such commissioners. Upon the filing with the board of county commissioners of any county of charges of malfeasance, misfeasance or incompetency against any member of the county game commission of such county, signed by five percent of the resident license holders living in said county, the board of county commissioners shall immediately serve upon the member of the county game commission against whom the charges have been filed, a copy of the charges and a notice that the same will be heard by the board of county commissioners at its first regular

Failure to recommend.

Charges of malfeasance, etc., against member of county game commission.

Notice to accused.

meeting after the expiration of ten days from the date of the filing of the charges. If a majority of the board of county commissioners, after hearing the testimony in support of said charges and hearing the accused member of the county game commission in his own defense, shall find that the charges, or any of them, are sustained by the evidence, it shall be the duty of the board of county commissioners to certify to the supervisor of game and game fish a copy of the charge as filed, proof of service of the notice of the hearing upon the charges, and the findings of the board thereon, together with a transcript of the evidence taken at the hearing, all the expenses thereof shall be advanced by the complainants before the hearing, and if the supervisor of game and game fish shall be satisfied that the charges have been sustained by the evidence it shall be his duty to remove the member of the game commission against whom charges were filed from his office, and to appoint his successor in the manner hereinabove provided for the appointment of members of county game commissions.

Hearing by county commissioners.

Charges sustained.

Copy of proceedings certified to supervisor.

Expenses to be advanced by complainants.

Findings affirmed by supervisor.

Accused removed.

Successor.

The game commissioners for each county shall appoint a county game warden and may also employ a sufficient number of deputy county game wardens, special deputy county game wardens and office assistants necessary to carry out the purpose of this act. The salaries and terms of service of the county game wardens, deputy game wardens and office assistants shall be fixed by the game commission of each county which salaries shall not be fixed by said commission in excess of the available funds. Special deputy county game wardens shall receive no salary, but shall have the same authority as other deputy county game wardens.

County game commissioners to appoint game warden and assistants.

Compensation.

Special deputy county game wardens non-salaried.

This section shall be construed as a re-enactment of existing laws and all county game commissions, county game wardens, deputy county game

Re-enactment of existing laws.

Incumbents retain offices.

wardens, special deputy county game wardens and office assistants holding office at the time of taking effect of this act shall continue in office until removed by the supervisor of game and game fish.

Appointment filed with county auditor.

Such appointment shall be in writing and a copy thereof mailed to the county auditor and by him indexed in the miscellaneous records. Each appointee, if he accept the appointment, shall within thirty days qualify by subscribing an oath, which oath shall be filed with the county auditor and indexed as aforesaid.

Oath of appointee filed

State association of county game commissioners and county game wardens constituted.

SEC. 12. The county game commissions and county game wardens shall constitute the state association of county game commissioners and county game wardens, the purpose of which organization is for the protection, propagation and distribution of game animals, fur-bearing animals, game birds and non-game birds, and game fish and the enforcement of the provisions of this act. Such association shall meet at least once each year on dates and at places to be fixed by the association.

Purpose of organization.

Meetings.

Advisory committee elected annually.

At each annual meeting of such association there shall be elected from the membership of the county game commissions of said association an advisory committee of five members, which committee shall serve until the next annual meeting of the association. Said advisory committee shall sit with the supervisor of game and game fish in the apportioning of any moneys which may be appropriated from the state game fund, for the assistance of those counties which the supervisor of game and game fish and said committee, shall deem to be in need of financial assistance for the proper carrying on of the work of said county game commission, and each member of said advisory committee shall have an equal voice with the supervisor of game and game fish in the apportioning of said funds.

To sit with supervisor in apportioning state game fund to counties.

Each member of committee equal voice with supervisor.

The supervisor of game and game fish shall have

authority to call the advisory committee into consultation at any time or place he desires relative to the conduct, management, propagation and distribution of game animals, fur-bearing animals, game birds, non-game birds and game fish.

Authority to call committee into consultation.

The expenses of the game commissioners and game wardens in attending any annual meeting of the said association shall be paid from the game fund of the respective counties.

Expenses of members attending annual association meeting.

The expenses of the members of the advisory committee in attending any meeting of such committee shall be paid from the state game fund.

Expenses of members of advisory committee.

SEC. 13. The county game commissioners shall be paid out of the county game fund of their respective counties their actual necessary traveling expenses when actually engaged in the transaction of their official duties, and there shall be paid from the county game fund of each county the sum of Twenty Dollars (\$20.00) as annual dues to the state association of county game commissioners and game wardens and the county auditor of each county, on or before the first day of June of each year, shall draw his warrant on the county treasurer payable from the county game fund to the secretary-treasurer of said association for such annual dues.

Traveling expenses of county game commissioners.

Annual dues to state association.

SEC. 14. The county game commissions shall enforce within their respective counties all laws relating to the protection, propagation and disposition of all game animals, fur-bearing animals, game birds, non-game birds and game fish.

Duties of county game commissions.

SEC. 15. The supervisor of game and game fish shall have the power and authority to appoint deputy state game wardens and assign them to such places in the state as in his judgment may be necessary. Such deputy state game wardens may be employed for such length of time and at such salaries, together with their necessary traveling expenses, as may be fixed by the supervisor of game and game

Deputy state game wardens appointed by supervisor.

Compensation.

Paid from
state game
fund.

Lectures,
advertising,
etc., to
encourage
respect for
game laws.

County
game com-
missioners,
wardens,
and dep-
uties *ex
officio*.
State
deputy
game
wardens.

County
wardens
and
deputies:
assignment
to duty by
supervisor.

Director of
fisheries
and game:

Regulation
of propaga-
tion, protec-
tion, etc.

fish. Such salaries and traveling expenses shall be paid from the state game fund. The supervisor of game and game fish shall have the power and authority to employ lecturers, advertise and provide for educational features that may in his judgment encourage the respect for the game laws and the conservation and propagation of game.

All county game commissioners, county game wardens and deputy county game wardens shall be *ex-officio* state deputy game wardens, and the county game wardens and deputy county game wardens may be assigned by the supervisor of game and game fish to such places in the state as in his judgment may be necessary and when so assigned shall act under the direction of the supervisor of game and game fish and shall have the same powers in the enforcement of the provisions of this act as state deputy game wardens.

SEC. 16. The director of fisheries and game through and by means of the division of game and game fish, shall have the power and authority to regulate the propagation and preservation of all game animals, fur-bearing animals, game birds, non-game birds, and game fish, and the collection of game fish spawn and the distribution of the same, and the distribution of fry and adult game fish in any of the rivers, lakes and streams of the state and the right to import such spawn, fry and adult fish as may be deemed advisable, and, when so propagated, taken or imported, to distribute the same to the various counties as necessities and adaptabilities may require; and to purchase, sell, lease or exchange real or personal property; and the right at any season of the year to take any specimen or specimens of game animals, fur-bearing animals, wild birds, or game fish, for informative, scientific or research purposes.

The director of fisheries and game, through and

by means of the supervisor of game and game fish, shall have the power to authorize the importation of wild birds, game animals, fur-bearing animals, and game fish, and authority to regulate and license the sale and transportation thereof within the state.

SEC. 17. The supervisor of game and game fish may issue permits for the collection of wild birds, their nests, and eggs, game animals, fur-bearing animals, or game fish, for scientific purposes only, at any place or places in the state designated in such permit and the county game commissions by unanimous vote may issue such permits in their respective counties. Before any such permit is issued the applicant therefor shall file an application in writing stating his name, age and place of residence, which application shall be accompanied by a certificate signed by the president or the curator of the museum of either the University of Washington, or the State College of Washington, certifying that the applicant is a person of good moral character and is possessed of sufficient scientific knowledge to warrant the issuance of such permit, and the applicant shall file a bond running to the state of Washington, with good and sufficient surety, to be approved by the supervisor of game and game fish, or the county game commission, in the penal sum of one thousand dollars (\$1,000.00), and conditioned for the faithful compliance with all the provisions of this section. The supervisor of game and game fish may issue permits without bonds to any accredited representative of any museum or institute of natural history of the United States or of any state or country presenting credentials under the seal of such museum or institute. All permits issued as herein above provided, shall be valid for a period of one year from the first day of April in the year in which they are issued unless sooner revoked. It shall be unlawful for any person having a permit issued

Permits for scientific purposes for collection of birds, eggs, etc.

Application.

Bond.

Exchange
of speci-
mens.

under the provisions of this section to sell or offer for sale any specimens collected, but the holder of any such permit may exchange such specimen with any state university or any museum or institute of natural history of the United States, or any state, or any country, or with any individual holding a similar permit from this state or the authorities of another state.

Forfeiture
of permit
and bond.

Every holder of such permit who shall violate any of the provisions of this section shall forfeit his permit and the bond required for the issuance of the same and shall be prohibited from being issued a similar permit for a period of five years, and every holder of such permit who shall violate any provision of this act shall forfeit his permit and shall be prohibited from being issued a similar permit for a period of one year.

Service of
process.

SEC. 18. The director of fisheries and game, the supervisor of game and game fish, all deputy state game wardens, all county game commissioners, county game wardens and deputy county game wardens shall have power and authority to serve and execute all warrants and process of the law issued by the courts in enforcing the provisions of this act, or any other law of this state, relating to preservation and propagation of game animals, furbearing animals, game birds, non-game birds, game fish and salmon, for the purpose of enforcing this act and any law for the preservation of wild animals and birds and game fish may call to their aid any sheriff, deputy sheriff, constable, police officer or citizen and it shall be the duty of any such officer or person so called upon to render such aid. The director of fisheries and game, the supervisor of game and game fish, all deputy state game wardens, all county game commissioners, county game wardens and deputy county game wardens shall have the power to arrest without a warrant any person

Powers
of police
officers.

or persons found in the act of violating any of the provisions of this act or any law enacted for the purpose of protecting or propagating wild animals or birds, game fish and salmon.

SEC. 19. It shall be the duty of every county game warden, deputy county game warden, special deputy county game warden, sheriff, deputy sheriff, constable, city marshal and police officer within their respective jurisdictions, to enforce all the provisions of this act, and all laws for the protection of game animals, fur-bearing animals, game birds, non-game birds, game fish and salmon, and such sheriffs, deputy sheriffs, constables, city marshal, police officers, United States game warden, and any forest officer appointed by the United States government, and each of them by virtue of their election or appointment are hereby created and constituted *ex officio* game wardens for their respective jurisdictions.

Duties of officers.

Officers constituted *ex officio* game wardens.

SEC. 20. The supervisor of game and game fish, the state deputy game wardens, and any county game commissioner, county game warden, deputy county game warden, special deputy county game warden, sheriff, deputy sheriff, city marshal, constable or police officer, United States game warden or forest officer may without warrant arrest any person found by him violating any of the provisions of this act or any law enacted for the purpose of propagating wild animals, wild birds, game fish and salmon.

Powers of police officers.

SEC. 21. The supervisor of game and game fish, any state deputy game warden, county game commissioner, county game warden, deputy county game warden, sheriff, constable, police officer or United States game warden or forest officer shall have the power to search without warrant any person, conveyance, vehicle, game bag, game basket, game coat or other receptacle for game or game fish and any

Power to search without warrant.

cold storage plant, warehouse, market, tavern, boarding-house, restaurant, club, hotel, eating-house, fur store, tannery or other place where he has reason to believe that game animals, fur-bearing animals, game birds, non-game birds, or game fish or parts thereof are kept for sale, or sold, and to search all packages or boxes, which he has reason to believe contain evidence of violations of this act, and any hindrance or interference with any such officer while engaged in making such search shall be *prima facie* evidence that the person interfering with or hindering such officer is guilty of a violation of this act. Any of the officers above named may at any time seize and take possession of any game fish, game bird, non-game bird, game animal or fur-bearing animal, or any part thereof, which has been unlawfully caught, taken, or killed or which is unlawfully possessed in violation of the provisions of this act.

Seizure of
contraband
game.

SEC. 22. The director of fisheries and game, the supervisor of game and game fish, and each deputy state game warden, county game commissioner, county game warden, and deputy county game warden shall have the power and authority to seize without warrant all game birds, non-game birds, game animals, fur-bearing animals, game fish or parts thereof, taken, killed, transported or possessed contrary to law, and any dog, gun, trap, net, seine, decoy, bait, boat, light, fishing tackle or other device unlawfully used in hunting, fishing or trapping, or held with intent to use unlawfully in hunting, fishing, or trapping, and any court of competent jurisdiction of the county in which the seizure is made shall have the power and jurisdiction in any prosecution for unlawfully hunting, fishing or trapping, in addition to any other penalty provided by law, to confiscate for the use of the county game commission of the county in which the seizure is made, any article so seized and proven to have been unlawfully

Seizure of
contraband
game and
devices.

Contraband
devices.

Confiscation.

used or held with intent to unlawfully use, and in case it shall appear upon the sworn complaint of the officer making the seizure that any such articles so seized were not in the possession of any person and that the owner thereof is unknown the court shall have the power and jurisdiction to confiscate such article so seized upon a hearing duly had after service of summons, describing the articles seized, upon the unknown owner by publication in the manner provided by law for the service of summons by publication in civil action: *Provided*, That all dogs, guns, traps, nets, seines, decoys, baits, boats, lights, fishing tackle, or other device seized under the provisions of this act, unless forfeited, shall be returned, after the completion of the case and the fines, if any assessed, paid.

Return of certain devices on condition.

SEC. 23. The director of fisheries and game, the supervisor of game and game fish, each of the county game commissions may secure by purchase, gift, or exchange with the proper authorities of other countries, states, territories and counties, game birds, wild birds their nests and eggs, game animals, fur-bearing animals, and game fish, fry or spawn for stocking or propagating purposes and may sell or otherwise dispose of game birds, game animals and game fish and salmon spawn so taken. No county game commissioner shall sell or give away any game bird, game animal or game fish, eggs, spawn or fry to any person, firm or corporation outside the state of Washington without the written consent so to do by the supervisor of game and game fish. *Provided* this section shall not apply to those holding a game farmer's license.

Specimens may be obtained or exchanged for propagating, etc.

May not send outside of state.

Holder of game farmer's license excepted.

SEC. 24. The director of fisheries and game, the supervisor of game and game fish, and state deputy game warden, county game commissioner, county game warden, and deputy county game warden is hereby authorized to administer oaths, and may re-

May administer oath.

May require oath.

Penalty for refusing.

Powers and duties of county game commission.

Shorten season.

Fix limit of game bags.

Specimen for scientific or propagation purposes.

County game commission may close or shorten statutory open season.

quire any statement to them or him in applications for licenses, or in any report submitted to them or him in any manner connected with the discharge of their duties to be made under oath. Any person failing or refusing to make any such statement under oath or falsely making an oath shall be guilty of a misdemeanor.

SEC. 25. The county game commissions for their respective counties shall from time to time investigate the habits and supply of the game animals, fur-bearing animals, game birds and game fish, in their respective counties, and shall have the power and authority with the consent and approval of the supervisor of game and game fish, and in the manner in this act provided, to shorten the times when the hunting, trapping or fishing for the several classes of game animals, fur-bearing animals, game birds and game fish is prohibited and to fix the number of game animals, fur-bearing animals, game birds and game fish of various species, respectively, that may be taken in any one day, week or season, and the county game commissions shall have the power to specify and define, in the manner in this act provided, the places and waters in their respective counties in which hunting, trapping and fishing for the several species of game animals, fur-bearing animals, game birds and game fish, respectively, is prohibited, and the county game commissions shall have the right at any season of the year to take any specimen or specimens of game animals, fur-bearing animals, wild birds or game fish for informative, scientific or propagation purposes.

SEC. 26. The full membership of any county game commission with the consent and approval of the supervisor of game and game fish in writing, shall have the power to entirely close, or to shorten to such time as they deem advisable, in their respective counties, the open season fixed by statute

for any of the upland game birds, game animals, fur-bearing animals or game fish, respectively, in their respective counties, and after such season has been closed or shortened as aforesaid, to reopen the same for all or any portion of the time fixed by statute which they may deem advisable, and shall have the authority to fix the daily, weekly or season bag limit on any or all game animals, fur-bearing animals, game birds or game fish in their respective counties. The exercise of power herein granted to close seasons or fix bag limits shall be by resolution signed by the full membership of the commission, and the original and one copy of such resolution shall be filed with the supervisor of game and game fish at least thirty days prior to the date of the opening of the respective seasons as provided by statute, and such resolution shall become effective only when endorsed with the approval of the supervisor of game and game fish and filed in the office of the county auditor, and the season and bag limit fixed thereby shall remain effective until changed or repealed by a like resolution of the game commission with the approval of the supervisor of game and game fish. The exercise of the power, herein granted, to reopen a season closed by resolution, in the same year, shall be by like resolution filed with the supervisor of game and game fish at least three days prior to the proposed date of re-opening. *Provided* that should any county game commission fail or neglect to apply for shortening of seasons or fixing of bag limits within the time designated, the supervisor of game and game fish shall fix the season and bag limits for that year on all game animals, game birds and game fish for that county.

Fix bag limit.

Copy of resolution fixing bag limits or closed season to supervisor.

When effective.

Re-opening of season closed by resolution.

Failure to fix bag limits or shorten season :

Duty of supervisor.

Notice of shortening season.

SEC. 27. The county game commission shall cause to be published a notice of the closing or shortening of any open season or seasons, and the number fixed as the bag limit, in a newspaper published and

Publication. of general circulation in the county affected, not less than two weeks prior to the opening of the season as fixed by statute, which notice shall also be posted in the office of the auditor of such county and of the game commission, and the respective game commissions are hereby authorized to give any other notice thereof as they may deem advisable, and the county game commission, upon the approval of any resolution re-opening, in the same year, of a season closed or shortened by resolution, shall immediately cause to be published in a newspaper published and of general circulation in the county affected, and posted in the office of the county auditor and the county game commission, a notice of such re-opening and shall have power to give such other notices of such re-opening as they shall deem advisable.

Supervisor's powers over seasons.

SEC. 28. Whenever the supervisor of game and game fish shall consider that the preservation, protection and perpetuation of any of the game animals, fur-bearing animals, game birds or game fish shall require it he may close to hunting or trapping any lands, or to fishing any stream, river or lake or portion thereof anywhere in the state, except within the Quinault Indian Reservation for such time as he shall specify in the manner hereinafter provided. And whenever the county game commission of any county, by unanimous vote, shall consider that the preservation, protection and perpetuation of any of the game animals, fur-bearing animals, game birds, or game fish in their county shall require it, they may, upon first obtaining the written approval of the state supervisor of game and game fish, close to hunting or trapping any lands, or to fishing any stream, river or lake or portion thereof anywhere in their respective counties for such time as they may specify in the manner hereinafter provided. They shall enter an order or resolution in the records of their office and post in the office of the county

Quinault Indian Reservation excepted.

County game commission's powers over seasons.

Posting order.

auditor of the county or counties in which the lands, stream; river or lake, or portion thereof, desired to be closed are situated, a notice that on a date set out in said notice, which date shall not be less than thirty (30) days from the date of the order or resolution, the lands, stream, river, or lake, described in said order or resolution and in said notice with reasonable certainty, will be closed to hunting [hunting], trapping or fishing for the respective game animals, fur-bearing animals, game birds or game fish specified in said order or resolution and in said notice for such time as is specified in said order or resolution and in said notice, and shall cause a like notice to be published weekly in some newspaper published and of general circulation in the county or counties where the closed area is situated for not less than three (3) successive issues, and it shall be unlawful for any person to hunt, trap or fish for the game animals, fur-bearing animals, game birds or game fish specified on any such lands, or in any stream, river or lake so closed during the time specified in such order or resolution and notice.

Notice.

Publication.

The supervisor of game and game fish and county game commissions of their respective counties having closed to hunting, trapping or fishing any lands, streams, rivers, lakes or portions thereof as in this section provided when they shall consider that the protection, preservation, and perpetuation of the game animals, fur-bearing animals, game birds or game fish no longer require it, shall have authority, respectively, by like order or resolution and notice, to open such closed area.

Power to open closed area.

SEC. 29. It shall be the duty of each county game commission to file in the office of the county auditor a certified copy of any notice required by this act to be published or posted together with proof of publication or posting by affidavit of the publisher or poster and the county auditor shall

Certified copy of notices to be filed with county auditor.

without charge file or record and index all instruments, notices, proof of publication and affidavits of posting offered by any county game commission.

State game fund established.

SEC. 30. There is hereby established in the state treasury a fund to be known as the state game fund, which shall consist of eighty per cent (80%) of all moneys received in any county from the sale of state licenses, ten per cent (10%) of all moneys received in any county from the sale of county licenses and such sums as the legislature may from time to time appropriate, all of which shall be paid into the state treasury quarterly beginning on the first day of March. Such state game fund shall be used for the payment of the salaries and expenses of the supervisor of game and game fish and his employees, and for propagation, protection, introduction, exhibition, purchase and distribution of game animals, fur-bearing animals, game birds, non-game birds or game fish, and for such other purposes as the legislature may direct. There is hereby established in each county treasury a fund to be

How used.

County game fund.

known as the county game fund, which shall consist of ninety per cent (90%) of all moneys received in any county from the sale of county licenses and twenty per cent (20%) of all moneys received from the sale of state licenses and all moneys received from fines and costs for violations of this act. Such county game fund shall be used for the payment of the salaries and expenses of employees of the county game commission, and for propagation, protection, introduction, exhibition, purchase and distribution of game animals, fur-bearing animals, game birds, non-game birds or game fish.

How used.

Disposition of fines.

SEC. 31. All fines collected and bonds forfeited under any provision of this act shall be paid into the county treasury of the county wherein the conviction or forfeiture was had and placed to the credit of the county game fund: *Provided, however, That*

all fines from arrests made by state paid game wardens shall be deposited one-half into the state game fund and one-half into the county game fund.

All moneys collected by the county game commission shall be paid into the county treasury and credited to the game fund.

Disposition of other moneys.

SEC. 32. All payment from the state game fund or county game fund authorized by this act shall be made by county or state warrants respectively, and all claims against the county game fund shall be audited by the county game commission in their respective counties, and all claims against the state game fund shall be audited by the supervisor of game and game fish.

Payments by warrant. Claims to be audited.

SEC. 33. It shall be the duty of each county game commission to, on or before the first day of February of each year, make a report in writing for the preceding calendar year to the director of fisheries and game, which report shall be made on blanks to be provided by the director of fisheries and game, and shall contain such information as he may deem advisable, and the director of fisheries and game shall biennially, as of April 1st, make a report to the governor which said report shall contain all the information concerning the acts of the county game commissions; also report on such game animals, fur-bearing animals, game birds and non-game birds and game fish as may have been propagated and distributed by him, and all such other acts connected with the enforcement of the game laws as may come to his notice.

Annual report by county game commission to director of fisheries and game.

Biennial report by director to the governor.

SEC. 34. The county game commissions shall have charge of the construction, control and management of all county game farms and game fish hatcheries, trap sites, eyeing stations, rearing ponds, brood ponds, water rights and rights of way for access thereto, including the control of grounds owned or leased for such purposes, and shall have

County game farms, fish hatcheries, etc.:

Control of.

Power to acquire property.

Eminent domain.

Location of game fish hatchery.

County game commission may acquire and dispose of property. Power of eminent domain.

Grant concessions.

Property tax exempt except leaseholds.

Office of county game commission. Supplies, etc.

Official bonds.

the power to purchase, sell, lease or exchange real or personal property and to acquire real property in the name of the commission by gift, lease, purchase, or condemnation in the manner provided by law for the acquisition of properties for public purposes by counties: *Provided*, That no county game commission shall construct any game fish hatchery until the location, water supply and plans therefor shall have been approved by the supervisor of game and game fish.

SEC. 35. The county game commission shall have the power and authority to acquire by gift, purchase, lease or condemnation in the manner provided by law for the condemnation of property for public use by counties, such lands, water supplies and rights of way therefor, as may be deemed necessary for the use of said commission for hatchery sites, eyeing stations, rearing ponds, brood ponds, trap sites and game animal, fur-bearing animal, game bird, non-game bird and game fish sanctuaries, and rights of way to the nearest public highway therefrom, and shall have the right from time to time to sell, convey or lease, or grant concessions upon, any real property, acquired by the commission by gift, purchase, lease or device when not required for use by the commission. All property both real and person [personal] of a county game commission shall be exempt from taxation, except property held under lease.

SEC. 36. Each county game commission shall be provided with a suitably furnished office in the court house of its county at the county seat and shall be furnished with storage and repairs and supplies for its automobiles by the county in the same manner as county officers. The cost of such repairs and supplies to be paid from the county game fund.

SEC. 37. All appointees and employees of the county game commission shall give bond with good

and sufficient surety in amounts to be approved by the commission, conditioned for the faithful discharge of their respective duties and to account for all funds and properties coming into their possession, and shall take and subscribe an oath for the faithful performance of their duties. Said bonds and oaths shall be filed in the office of the county auditor.

Oath of office.

SEC. 38. It shall be unlawful for any person to hunt, trap or fish for game animals, fur-bearing animals, game birds, or game fish during the season when it is lawful to hunt, trap or fish for the same or to act as guide for hire to any person or persons in hunting, trapping or fishing, without having first procured and having in force and in his personal possession and on his person while so hunting, trapping, fishing or guiding [guiding], a license so to do issued to him by a county auditor: *Provided, however,* That nothing in this act shall prevent any woman or minor under the age of sixteen years, who is an actual resident of this state, from fishing at any time when it is otherwise lawful to fish, and nothing in this act shall be construed as requiring any land owner or lease holder of any land to obtain or have a license to hunt or trap predatory animals on the premises owned or leased by him, and nothing in this act shall be construed as requiring any United States game warden, predatory animal hunter or forest ranger or any state deputy game warden, county game commission, county game warden or county deputy game warden to obtain or have a license to hunt or trap predatory animals at any place within the state, at any time.

Licenses:

Issued by county auditor.

Females and minors exempt.

Who may hunt predatory animals without license.

The licenses herein provided for shall be issued by the county auditors of the respective counties, and each county auditor shall have authority upon receipt of the license fees therefor to place "books" of blank forms for applications and licenses for fish-

Licenses issued by county auditors.

Others may be authorized to issue licenses.

Failure to return stub book.

Penalty.

License not required to hunt certain animals east of the Cascades.

Forms of licenses prescribed by supervisor.

Application for license: Information required.

ing and for hunting and fishing with any reputable citizen of his county to be issued to applicants for such licenses and shall have authority on or before the first day of December of each year to redeem from such citizens all unissued licenses. Each and every person, firm or corporation selling said licenses shall return the stub book immediately upon the sale of the last license therein, and in any event prior to the first day of December of each year to the county auditor and failure so to do shall be a misdemeanor: *Provided, further,* That nothing in this act shall be construed to prevent any person from hunting or trapping jackrabbits, ground squirrels or pocket gophers without a license, east of the Cascade Mountains.

SEC. 39. All licenses issued under the provisions of this act shall be upon such forms and of such material as may be designated by the supervisor of game and game fish and the various classes of licenses shall be upon material of such different colors as may be designated by the supervisor of game and game fish, which forms, materials and colors shall be designated by the supervisor of game and game fish and notice of such designation mailed to each county auditor on or before the first day of February in each year. All blank forms of licenses shall be bound or stapled in "books" of convenient quantities and each blank license shall be printed on a single sheet with the "stub" for the blank form of application for the license.

SEC. 40. Every application for any license under the provisions of this act shall be in writing on a blank form to be furnished for that purpose and signed by the applicant, and shall describe the applicant as to sex, citizenship, age, weight, height, complexion, and place of residence, and in case the applicant claims residence in the state of Washington shall state the length of time of such residence,

and every license issued shall contain the description of the licensee as shown by the application, and the licensee shall personally sign the license and the stub before the same is removed from the book of blank forms.

SEC. 41. Any county auditor shall have the power and authority to issue hunting and fishing licenses for any county of the state, and shall transmit the fees to the auditor of the county for which the license is issued at the close of each month's business, together with the record thereof, and the holder of any such county hunting and fishing license shall be entitled to fish from either side of any stream or river when said stream or river shall constitute the boundary between two counties.

Any auditor may issue license for any county.

May hunt or fish from either side of stream between counties.

SEC. 42. Any citizen of the United States, or person who has in good faith declared his intention of becoming a citizen of the United States, and who has been an actual resident of this state for six months, may by paying to a county auditor the sum of seven dollars and fifty cents (\$7.50), obtain a state hunting and fishing license which shall entitle the holder thereof to hunt and fish in any county of the state until the first day of March next, following the date of its issuance, when it would otherwise be lawful to hunt or fish within said county.

State hunting and fishing license.

Fee.

Privileges under.

SEC. 43. Any citizen of the United States, or person who has in good faith declared his intention of becoming a citizen of the United States, and who has been an actual resident of this state for six months may, by paying to a county auditor the sum of one dollar and fifty cents (\$1.50), obtain a hunting and fishing license which shall entitle the holder thereof to hunt game birds and game animals and fish within the county for which such license is issued until the first day of March next following the date of issuance, at any time when it is otherwise lawful to hunt or fish in such county.

Six months' county license.

Fee.

County non-resident license.

SEC. 44. Any citizen of the United States, or person who has in good faith declared his intention of becoming a citizen of the United States, and who is a non-resident of the state of Washington, or who has been a resident of this state for less than six months, may by paying to a county auditor the sum of ten dollars (\$10.00), obtain a hunting and fishing license which shall entitle the holder thereof to hunt game birds and game animals and fish in any county of the state up to and including the first day of March next following the date of its issuance, when it would otherwise be lawful to hunt or fish in said county: *Provided*, That an applicant for such license who is a resident of any of the states bordering on the state of Washington shall secure such license for the same amount that a resident of the state of Washington may secure a similar license in the state of which the applicant is a resident.

Fee.

County :

Resident of bordering state accorded privileges extended by such state to Washingtonian.

Non-resident.

SEC. 45. Any citizen of the United States or person who has in good faith declared his intention of becoming a citizen of the United States, and who is a non-resident of this state, or who has been a resident of this state for less than six months, may, by paying to a county auditor the sum of two dollars and fifty cents (\$2.50), obtain a county fishing license which shall entitle the holder thereof to fish in any lawful manner within the county, for which the license is issued, until the first day of March next following the date of its issuance, whenever it is lawful to fish in such county.

County fishing license.

State fishing license to non-resident.

SEC. 46. Any citizen of the United States, or person who has in good faith declared his intention of becoming a citizen of the United States, and who is a non-resident of the state of Washington, or who has been a resident of this state for less than six months, may by paying to a county auditor the sum of three dollars (\$3.00), obtain a state fishing license which shall entitle the holder thereof to fish in

any county of the state for a period of thirty days from the date of its issuance, when it would otherwise be lawful to fish in said county.

Every license issued under the provisions of this section shall be known and designated as a "tourist fishing license."

"Tourist fishing license."

SEC. 47. Any alien by paying to any county auditor the sum of ten dollars (\$10.00), and exhibiting his permit to carry firearms issued in the manner provided by law, may obtain a state hunting and fishing license which shall entitle the holder thereof to hunt game birds and game animals and fish in any county of the state until the first day of March next following the date of its issuance, when it would otherwise be lawful to hunt or fish in such county.

Alien possessing permit to carry fire arms:

State hunting and fishing license.

SEC. 48. Any alien by paying to a county auditor the sum of five dollars (\$5.00), may obtain a county fishing license which shall entitle the holder thereof to fish in any lawful manner within the county for which the license is issued until the first day of March next following the date of its issuance, whenever it is lawful to fish in such county.

Alien: County fishing license.

SEC. 49. The game commissioners of each county shall fix an open season in the months of January and February of each year for the taking of *Salmo gairdneri*, commonly known as steelhead, in all streams except such as are deemed necessary for the taking of spawn or propagation purposes.

Open season for taking steelhead.

SEC. 50. Any citizen of the United States or person who has in good faith declared his intention of becoming a citizen of the United States and who is a non-resident of the state of Washington or who has been a resident of this state for less than six months may by paying to a county auditor the sum of five dollars (\$5.00), obtain a state hunting license which shall entitle the holder thereof to hunt game birds in any county of the state when it would otherwise be lawful to hunt in said county.

State license to hunt game birds to non-resident.

County
trapping
license.

SEC. 51. Any citizen over the age of sixteen years by paying to the county auditor in the county in which he desires to trap, the sum of five dollars (\$5.00), may obtain a license which shall entitle the holder thereof to trap fur-bearing animals, within the county where such license is issued until the first day of May next, following its issuance. Nothing in this act shall be construed as requiring any land owner or lease holder of any land to obtain or have a license to trap fur-bearing animals on the premises owned or leased by him.

License not
required of
land-owner.

County
guide's
license.

SEC. 52. Any person over sixteen years of age by paying to the county auditor of the county in which he desires to act as professional guide, the sum of ten dollars (\$10.00), may obtain a license to be known as a professional "guide's license" which shall entitle the holder thereof to act as professional guide for hire to any person in hunting, trapping or fishing within the county where such license is issued until the thirty-first day of March next following the date of its issuance.

Law
violation
by licensee:

SEC. 53. Any person licensed under the provisions of this act, found guilty of violating any of the provisions of this act, shall in addition to the penalty imposed by the law relating thereto, forfeit his license and shall not be entitled to be granted a new license until the first day of March next succeeding, and any professional licensed guide, predatory-animal hunter, or trapper found guilty of violating any of the provisions of this act shall, in addition to the penalty imposed by the law relating thereto, forfeit his license and no new license shall be issued to such guide within a period of one year from the date of such forfeiture.

Penalty.

Licenses
non-trans-
ferable.

SEC. 54. Licenses issued under the preceding sections shall not be transferable, and any person hunting, trapping, fishing or acting as professional guide shall upon the demand of the director of fish-

eries and game, the supervisor of game and game fish, any state deputy game warden, county game commissioner, county game warden, deputy county game warden, special deputy county game warden, sheriff, deputy sheriff, constable, or police officer, exhibit his license to such officer, and write his name for the purpose of comparison of signature on such license, and the failure or refusal to exhibit such license, and write such name, upon such demand shall be *prima facie* evidence that such person has no license or is not the person named in the license in his possession.

Refusal to exhibit license or compare signatures :

Presumption.

SEC. 55. It shall be unlawful for any person to fire-hunt for game animals, or to trap, ensnare or set up any trap, swivel, pivot or spring-gun, pitfall or other device for the purpose of trapping, ensnaring, or killing any game animal.

Appliances prohibited.

SEC. 56. It shall be unlawful for any person to hunt or trap any bear, cottontail rabbit, snowshoe rabbit, gray squirrel or black squirrel between the first day of May and the fifteenth day of September of any one year. It shall be unlawful to hunt or trap any bull-frog between the first day of December in any year and the first day of July of the following year.

Closed season bear, cottontail rabbit, snowshoe rabbit, gray squirrel, black squirrel, bull-frog.

SEC. 57. It shall be unlawful for any person to hunt, trap, kill, catch, take, ship, convey, or cause to be shipped or transported by common or private carrier to any person either within or without the state, or to purchase, sell, expose for sale, have in possession with intent to sell, or have in possession or under his control at any time any elk, moose, antelope, mountain sheep, mountain goat, caribou, deer, or fawn, or the meat thereof, or the hides, hoofs, horns or teeth of any elk, moose, antelope, mountain goat, mountain sheep or caribou unless lawfully acquired: *Provided*, That any person having in force a hunting license issued under the pro-

Unlawful to take any time :

Elk, moose, antelope, mountain sheep, mountain goat, caribou, deer.

Open season one buck deer.

Penalty.

visions of this act may kill, catch, take, ship, convey or cause to be conveyed by common or private carrier, and have in his possession for his personal use between the fifteenth day of September and the fifteenth day of November in any year, one buck deer with visible horns, killed, caught or taken in the manner provided by law. Any person violating the provisions of this section shall be guilty of a gross misdemeanor and shall be punished by a fine of not less than \$250.00 and not more than \$1,000.00 or by imprisonment in the county jail for not more than one year or by both such fine and imprisonment, and any person killing, conveying, or having in his possession more than one buck deer with visible horns during the open season in any year, as herein above defined, shall be guilty of a gross misdemeanor and punished by a fine of not less than \$100.00 or more than \$250.00 or by imprisonment in the county jail for not less than thirty or more than ninety days, or both such fine and imprisonment.

Deer tag attached to license.

SEC. 58. It shall be unlawful for any person to hunt any deer unless he shall have in his possession a deer tag numbered to correspond with and attached to his license.

Tag to be attached to deer carcass.

Any person having lawfully killed a deer shall immediately attach and leave attached to the carcass or part thereof the deer tag corresponding to his license; and it shall be unlawful for any person to have in his possession or under his control or have in storage or as a common carrier any such carcass before being dismembered, without having such tag attached, and it shall be unlawful for any person to so mutilate the carcass of any deer that the sex cannot be determined.

Mutilation of carcass.

Taking deer in water or hunting with dogs prohibited.

SEC. 59. It shall be unlawful for any person to shoot or kill in any manner any deer when such deer is in any river or lake, or body of water, and it shall be unlawful for any person to hunt deer with dogs.

SEC. 60. It shall be unlawful for any person to have with him either loose or in leash any dog in any wooded section of any county of the state during the time in each year when it is lawful to hunt deer in such county, without having first obtained and having in force a written permit so to do, issued by the unanimous vote or action of the game commissioners of such county. *Provided*, That nothing in this section shall be construed to prohibit stockmen from having either loose or in leash any dog in any wooded section of any county where such stock are grazing during the time in each year when it is lawful to hunt deer in such county. *And provided*, *further*, That bird dogs or dogs used for hunting upland game birds may be trained or used at any time except during the months of April, May, June and July of each year, during which months it shall be unlawful for any such dogs to run at large. The county game commissioners by unanimous action and with the approval of the supervisor of game and game fish may permit field trials, during closed months, of bird dogs in such portion of their respective counties as in their judgment will not injure the upland game birds thereon.

Dog in wooded section in open season forbidden.

Permit.

Stockmen excepted.

Dogs hunting upland game birds.

Field trials of bird dogs in closed season.

SEC. 61. It shall be unlawful for any person to trap any fur-bearing animal between the first day of April and the fifteenth day of November in any year; *Provided*, That it shall be lawful for the owner or occupant of any real property on which any crop is being grown or any domestic animals or fowl are being kept to trap any fur-bearing animal which is destroying or injuring any such crop, domestic animals, or fowl, or any dike, drain or irrigation ditch.

Closed season fur-bearing animals.

May trap to protect fowls, crops, drains.

SEC. 62. It shall be unlawful for any person to set or use any steel trap of larger size than that commonly known and called a number three trap without posting a notice, printed in English, or a

Steel traps.

Posting warning notice.

To protect
public from.

placard at least six inches by ten inches in size, in plain sight, above said trap stating that a large steel trap is set below, and stretching a wire not less than four feet above the ground and not less than ten feet from such trap around and on all sides thereof.

Beaver.

SEC. 63. It shall be unlawful for any person to in any manner hunt or trap any beaver in this state, except as otherwise provided in this act, or have in his possession alive or dead any beaver or part thereof that has been caught or killed in this state. Nothing in this section, however, shall be construed to prevent any person residing in this state from having in his possession or from buying, selling or handling skins of beaver lawfully caught or killed outside of this state.

Skins of
beaver
killed
outside
of state.

Consignee
of beaver
skins to
notify
supervisor
or county
game com-
mission.

Whenever any beaver skins are shipped or brought into this state it shall be the duty of the consignee or person in whose possession the beaver skins are to forthwith notify the supervisor of game and game fish, or any county game commission, of the place where said skins are stored, and said supervisor of game and game fish, or county game commission, shall inspect said skins and if satisfied that they were not killed in the state of Washington shall, upon the payment of a fee of ten cents (10c) for each skin, stamp said skins with the words "killed outside the state of Washington" together with a facsimile signature of the supervisor of game and game fish. On said skins being so stamped, they may be offered for sale, and all fees so collected shall be paid into the state game fund.

Inspection
fee.

Skins
marked.

May sell.

Upland
birds:

Closed
season.

Migratory
birds:

SEC. 64. It shall be unlawful for any person to hunt or possess any upland game bird between the fifteenth day of November in any year and the first day of September in the following year.

SEC. 65. It shall be unlawful for any person to hunt or possess any migratory game birds west of the summit of the Cascade mountains, between the

sixteenth day of January and the thirtieth day of September in any year, or east of the summit of the Cascade mountains between the first day of January and the fifteenth day of September in any year.

Closed season.

SEC. 66. It shall be unlawful for any person to shoot at any migratory game bird with a rifle, while such bird is in any lake, river or stream or while such bird is upon any island or bar in any river, lake or stream.

Shooting at migratory birds.

SEC. 67. It shall be unlawful for any person to hunt migratory game birds in any of the waters of or within this state, from any motor propelled boat, skiff, canoe, launch, aero-plane, or hydro-plane; or to use in hunting migratory game birds, any battery, swivel or pivot gun, or any other gun other than one to be held in the hand or fired from the shoulder, or to, at any time between sunset and one-half hour before sunrise, fire any gun or build any fire, or flash any light, or burn any powder, or any other inflammable substance on any hunting grounds frequented by migratory game birds, with intent thereby to hunt or disturb the same.

Migratory birds:

Unlawful to hunt from boat or after sunset.

SEC. 68. It shall be unlawful to hunt any migratory game birds upon the Columbia or Snake rivers within this state or within one-fourth mile of the shores throughout the following named counties: Klickitat, Walla Walla, Franklin, Yakima, Kittitas, Douglas, Columbia, Garfield, Benton, Grant and Whitman counties; or to shoot, kill, or take more than twenty (20) ducks, geese, brant, golden plover, jack or Wilson snipe, or greater or lesser yellow legs, in any one week, or have in possession or under control more than thirty (30) ducks, geese or brant at any time, it being the intention hereof to limit bags in any one week to twenty (20) of the above mentioned birds, no matter how many varieties of those birds are included in said bag. And for the

Migratory game birds:

Unlawful to hunt upon Columbia or Snake rivers.

Bag limit for ducks, geese, brant, golden plover, snipe.

purposes of this section, the week shall be deemed to begin at midnight on Saturday night.

Establishing
private
bird pre-
serve:

SEC. 69. Any person, firm or corporation owning or leasing any lands suitable for feeding grounds of migratory game birds shall have the right to establish thereon a private migratory game bird preserve by filing on or before the first day of September in any year with the game commission of the county or counties in which such lands are situated, a notice describing the lands within such preserve by government subdivisions or by metes and bounds, and paying an annual license fee of ten dollars (\$10.00) therefor, and the county game commission of such county or counties shall have no authority to shorten or close the season for hunting migratory game birds next following the filing of such notice or notices, or to fix any open or closed days during said open season, or fix a bag limit, or to set aside the land embraced within the boundaries thereof as a game preserve, or prohibit the feeding within the boundaries of such private game preserves.

License
fee.

Game
commissions
may not
regulate
hunting
thereon.

Non-game
birds:

Unlawful to
hunt or
possess.

SEC. 70. It shall be unlawful for any person to hunt, trap, kill, catch, take or have in his possession, or under his control, at any time, living or dead, or to purchase, offer or expose for sale, sell, transport or ship any non-game bird, or the skin, plumage or body thereof, or to destroy or have in his possession the nest or eggs of any game bird or non-game bird: *Provided*, That the provisions of this section shall not apply to a person holding a permit for the collection of birds and nests and eggs for scientific purposes only, issued by the supervisor of game and game fish or the county game commission as in this act provided, or to any person holding a game bird farmer's license.

Taking for
scientific
purposes
or under
game bird
farmer's
license
permitted.

Size of
gun for
hunting
limited.

SEC. 71. It shall be unlawful for any person to hunt any game animal, fur-bearing animal or game bird with any gun larger than a ten gauge or any

other gun than one to be held in the hand or fired from the shoulder, or to at any time between sunset and one-half hour before sunrise fire or flash any light or burn any powder or other inflammable substance on any waters or land frequented by game animals or game birds with the intent thereby to hunt or disturb the same.

Artificial light prohibited.

SEC. 72. It shall be unlawful for any person to remove from Island or San Juan counties any deer or upland game birds without first having obtained from the county game warden or deputy county game warden a permit for such removal and pay a fee, as follows:

Permit for removal of deer or upland birds from island counties.

For permit to remove 1 deer.....\$10.00
For permit to remove grouse or pheasant..20c each
For permit to remove quail.....05c each

Fees.

SEC. 73. The provisions of this act relating to fish shall be construed to apply exclusively to game fish and the same shall be enforced regardless of any conflicting provisions of any laws relating to food fish.

Act applies to game fish exclusively.

SEC. 74. It shall be unlawful for any person to catch, take, kill, or have in his possession between the first day of January and the thirty-first day of December of the same year more than thirty game fish, or more than twenty pounds of game fish and one game fish in any one day, and it shall be unlawful for any person to catch, take or kill any game fish in any other manner than by angling for them with one line held in the hand or attached to a rod so held, and such line shall at no time have attached to it more than three flies or hooks or one plug which may have attached to it any number of hooks, and it shall be unlawful for any person to fish for game fish in any stream or lake above any natural barrier or waterfall, where salmon do not run, with fresh salmon eggs used as a decoy or bait. It shall be unlawful for any person to take, kill or have in his

Game fish.

Amount of catch.

Hook and line required.

Salmon eggs as decoy or bait.

Size of fish.

possession any game fish or salmon less than six inches in length. Any person catching such game fish shall at once return the same to the water from whence they were taken with as little injury as possible.

Explosives, nets, etc., prohibited.

SEC. 75. It shall be unlawful for any person to lay, set, use or prepare any drug, poison, lime, medicated bait, nets, fish berries, dynamite or other explosives, or any other deleterious substance, or to lay, stretch or place any tip-up, snare or net or trot line or any wire, string, rope or cable of any kind, class or description in any of the waters of this state with intent thereby to catch, take or kill any game fish: *Provided*, That nothing in this section shall prevent the supervisor of game and game fish anywhere in the state, or any county game commission by unanimous vote, within its county, from killing or taking by any means, any of the fish in any waters.

Taking fish near fishways or dams unlawful.

SEC. 76. It shall be unlawful for any person to fish for game fish in any stream within four hundred feet of any fishway or dam or between any game fish trap and the mouth of the stream on which such trap is located, or to have in his possession or under his control any game fish caught, taken or killed within four hundred feet of any fishway or dam or below any game fish trap.

Damaging fish traps or screens prohibited.

SEC. 77. It shall be unlawful for any person to break open, open, unlock, damage, interfere with, injure, or destroy any game fish trap, screens or fish stops, or part thereof, erected under the provision of this act, or to remove or liberate any game fish therefrom, and any person violating any provision of this section shall be guilty of a misdemeanor and shall be punished by imprisonment in the county jail for not less than ten days or more than ninety days.

SEC. 78. It shall be unlawful for any person at any time to spring, pull up, throw away, mutilate or destroy any trap or traps of licensed trappers, game wardens or persons employed by any county game commission, state supervisor of game and game fish or any person authorized by the Federal government to catch fur-bearing or predatory animals.

Damaging or destroying traps.

SEC. 79. It shall be unlawful for any person to plant any game fish, fish fry or spawn in any of the waters of the state without the written consent of the supervisor of game and game fish or the entire membership of the county game commission of the county in which such waters are situated.

Permit required to plant fish.

SEC. 80. It shall be unlawful for any person to obstruct or interfere with the director of fisheries and game, the supervisor of game and game fish, any deputy state game warden, county game commissioner, county game warden or deputy county game warden while engaged in gathering game fish spawn, or to place in any stream or body of water, where any such officer is gathering or about to gather spawn or catch fish for that purpose, any logs or debris or otherwise pollute such stream, river or body of water: *Provided*, That this section shall not be construed to prohibit the use of any such stream, river or body of water for the floating of logs or shingle bolts in the ordinary course of business and any persons violating the provisions of this section shall in addition to any other penalty provided by this act be liable in damages in a civil action instituted in the name of the state for any such obstruction, interference or pollution and may be enjoined from doing any act prohibited by this section.

Obstructing officers gathering fish spawn.

Pollution of streams.

Floating of logs.

Penalty.

Civil damage.

Injunction.

SEC. 81. Nets of any description being used or set in any of the waters of this state above a point established by the director of fisheries as the mouth of any river or stream are hereby declared to be and

Devices declared a public nuisance.

Abatement
without
process.

are a public nuisance, and it shall be the duty of the supervisor of game and game fish, the state deputy game wardens, all county game commissioners, county game wardens, deputy county game wardens, sheriffs, deputy sheriffs, constables and other peace officers without warrant or process, to take, seize, abate, and destroy any and all of the same: *Provided*, That persons fishing may use small landing nets; *And Provided further*, That the state supervisor of game and game fish shall be authorized to issue permits for the taking of non-game fish in any of the rivers or lakes of this state, by means of nets or seines.

Landing
nets.
Nets and
seines to
take non-
game fish.

Pollution
of waters.

SEC. 82. No dyestuffs, coal tar, refuse from a gas house, cheese factory, creamery, condensery or canning factory, sawdust, shavings, tanbark, lime or other deleterious or poisonous substance shall be thrown or allowed to run into any waters, either private or public, in quantities injurious to fish life inhabiting the same, or injurious to the propagation of fish therein.

Evidence
required.

In prosecutions under this article, for the pollution of waters by substances known to be injurious to fish or to fish food, it shall not be necessary to prove that such substances have actually caused the death of any particular fish.

Devices
declared
a public
nuisance.

SEC. 83. All nets, seines, lanterns, snares, devices, contrivances and materials while in use, or had and maintained for the purpose of catching, taking, or killing or attracting, or decoying any game bird, game animal, or game fish, contrary to any of the laws of this state, within this state, or upon or within the boundary thereof, including fish houses, inclosures or other sheltering structures or appliances erected or maintained in any waters, or on the shores of any lake, pond or stream is hereby declared to be a public nuisance. The director of fisheries and game, the supervisor of game and game fish, state

deputy game wardens, all county game commissioners, county game wardens, deputy county game wardens, sheriffs, deputy sheriffs, constables and police officers, shall, without warrant or process, take, seize, abate or destroy any and all of the same while being used, had or maintained for such purpose, and no liability shall be incurred therefor to any person.

Seizure without warrant.

No liability.

SEC. 84. It shall be unlawful for any person to hunt, trap or fish for any upland game birds, game animals, fur-bearing animals or game fish, respectively, during the respective closed seasons therefor as fixed by statute, or in any county during the closed season therefor as fixed by resolution of the county game commissions with the consent and approval of the supervisor of game and game fish and it shall be unlawful for any person to kill, take or catch any species of game birds, game animals, fur-bearing animals or game fish in excess of the number fixed as the bag limit by statute or by resolution of any county game commission with the consent and approval of the supervisor of game and game fish, and shall be unlawful for any person to hunt, trap or fish for any upland game birds, game animals, fur-bearing animals or game fish, respectively, within the boundaries of any game or game fish preserves or closed area established by order of the supervisor of game and game fish or by resolution of any county game commission.

Unlawful to hunt, trap or fish in closed seasons or to exceed bag limit.

SEC. 85. It shall be unlawful for any person at any time to fish for game fish with live minnows as bait in any of the waters lying east of the summit of the Cascade mountains of the state of Washington.

Live minnows prohibited as bait in eastern Washington.

SEC. 86. It shall be unlawful for any person to hunt game animals, or game birds, or fish for game fish, with a jack light or other artificial light of any class, kind or description and to be found after

Artificial lights prohibited.

sunset in any wooded section or other place where deer may reasonably be expected with any torch, lantern, electric, acetylene gas or other artificial light and any rifle, shotgun or other firearm used for hunting shall be *prima facie* evidence of unlawful hunting.

Shooting from vehicle, across highway, etc., prohibited.

SEC. 87. It shall be unlawful for any person to shoot at any game bird or game animal from any aircraft or from, across or along any public highway or any railway, or while in any motor or steam driven or horse drawn vehicle, or both, or vehicle propelled by motor or man power, and in any prosecution for a violation of this section it will not be necessary to prove that the defendant in so shooting actually killed a game bird or game animal.

Proof of killing not essential.

Migratory birds:

SEC. 88. It shall be unlawful for any person to use any sink box, sink boat, sneak boat or any water craft not propelled by hand with side oars not less than five feet in length, and one oar to be used on each side thereof, and the person rowing therein to be in an upright position and visible at all times from the waist up while hunting migratory game birds.

Sneak boats prohibited.

Contraband game and game fish:

SEC. 89. It shall be unlawful for any person, firm or corporation to have in his possession for sale or with intent to sell, or to expose or offer for sale, or sell to any person, or to ship or cause to be shipped, or have in his possession with intent to ship to any person either within or without the state any game birds, non-game birds, game animals, or game fish, or parts thereof, caught, taken or killed in this state, or which have been unlawfully taken or killed outside this state, or unlawfully shipped into this state and it shall be unlawful for any person to buy any such game birds, non-game birds, game animals, or game fish or parts thereof.

Unlawful to possess, offer for sale, or ship.

Bag limits, prairie chickens, grouse, partridges, pheasants.

SEC. 90. No person shall in any one day kill or have in his possession more than five prairie chickens, five sharp-tailed grouse, five ruffed grouse,

five blue grouse, ten hungarian partridges, five chinese or mongolian pheasants or more than ten quail; *Provided*, That any person desiring to have in possession more than one day's bag limit, may do so by having a game warden tag each day the birds killed that day, and any person may have any number of birds so tagged in his possession during the open season, and may ship, place in cold storage or convey the same at his pleasure. Before any game bird, game animal, or game fish is tagged, he shall on the day the same was killed, make an affidavit that the same was lawfully killed by himself and not by another, and that he had not shipped, killed or given away any other game bird, game animal or game fish, during such day, and had violated none of the provisions of the game code in taking the same, and that the same was not being taken for sale or profit, which affidavit shall be sworn to before a person authorized to administer oaths, or a game warden, or his duly authorized deputy, within the county where the same were killed. *Provided further*, That any person may retain after the closed season birds lawfully tagged in the open season. *Provided further*, That the game commissions of the respective counties may authorize express agents to administer the oath above required. *Provided further*, That the wardens and deputies shall charge a fee of ten cents for each bird, animal or fish tagged.

SEC. 91. It shall be unlawful for any person to have in his possession for sale, or to offer for sale, or sell or to barter for, or exchange any game animal, game bird, non-game bird, or game fish or any portions of the meats of said animal or fish. Possession by any person, co-partnership, association or corporation, owning, managing or operating any boarding-house, hotel, restaurant, market or store or their agents or servants, of any game animal, game bird, or game fish, or any of the

Tagging by warden of game to be shipped or stored.

Affidavit.

Contents.

May retain tagged birds when season closes.

Express agents may administer oaths.

Tagging fee.

Sale or exchange prohibited.

Possession by hotel, etc.:

Pre-sumption.

Possession
for own
use.

Tagged dur-
ing open
season
required.

County-
game com-
mission may
remove or
kill game
or fish
injuring
property.

Possession
as evidence
of violation
of statute.

Lawful
possession
during open
season.

Permission
to retain
when sea-
son closes.

meats thereof shall be *prima facie* evidence that said animals, birds, or fish, or the meats of the same were unlawfully taken by the person having possession of the same: *Provided*, That any person may have in his possession, or in cold storage for his own use only, the number and kind of game animals, game birds and game fish permitted to be taken by this act during the time when the same may be lawfully taken, *Provided* the same were taken by the person so having them in his possession or obtained by gift for his own use, and were properly tagged during the open season as herein in this act provided.

SEC. 92. The county game commission is hereby authorized to remove or to kill or cause to be removed or to be killed any game animals, game fish, game bird or bur- [fur-] bearing animal that in their judgment is destroying or injuring property.

SEC. 93. It shall be unlawful for any person to have in his possession or under his control any game bird, game animal or game fish or any part thereof, the killing of which is at any time prohibited, during the time when such killing is prohibited, and the possession of same shall be *prima facie* evidence that it was the property of the state at the time it was caught, taken or killed in this state when the killing was unlawful and that such taking or killing occurred in the closed season: *Provided*, That any person lawfully in the possession of any game bird, game animal, or game fish, or any part thereof, and desiring to retain the same for human consumption or ornamental purposes, after the close of the season when the same was lawfully taken, may do so by furnishing the county game commission of the county wherein he desires to retain the same, a true and correct description thereof, giving the number, kind or kinds, and designating the place where the same is stored with reasonable certainty, and the game commission or county game warden shall have

authority to tag or stamp the same for the purpose of identification without materially damaging the same and to collect therefor a fee of ten cents (\$.10) for each bird, animal or fish or part thereof so tagged or stamped.

Tagging Fee.

SEC. 94. It shall be unlawful for any person to have in his possession any game animal, fur-bearing animal, game bird, non-game bird or game fish at any time when it is unlawful to take or kill the same and such possession shall be *prima facie* evidence that the same was unlawfully taken or killed by the person having possession of same within the county where the same may be found: *Provided*, It shall be lawful for any owner of any game bird, non-game bird, game fish, game animal or fur-bearing animal who has propagated the same or purchased the same from persons who have propagated them, to sell or dispose of the same by gift for propagation only and to ship the same at any season of the year.

Possession as evidence of violation.

For propagation may possess and ship any season.

SEC. 95. It shall be lawful for any person, firm or corporation to have in possession at any time the skin, hide, head or dead body of any game or fur-bearing animal, or game or non-game bird, or game fish, or any part thereof, lawfully taken outside the boundaries of the state of Washington or lawfully taken within the state for purposes of tanning, manufacturing, mounting or ornamental purposes with the right to dispose of same in the usual course of trade: *Provided*, Always that the same have been, within three days after their receipt, reported in writing to the supervisor of game and game fish or the game commission of the county wherein the same is to be kept or used as herein specified. The supervisor of game and game fish or the county game commission shall cause the same to be tagged or marked for identification and shall be authorized to charge and collect for tagging and marking the sum of twenty-five cents (\$.25) for each tag, and in addition

Game imported or taken within state lawfully:

Retention for mounting, etc.

Report to supervisor or commission.

To be tagged.

Fees.

thereto the usual mileage fee charged by sheriffs in the county where the services are to be performed.

Restricting
or obstruct-
ing offi-
cers.

SEC. 96. It shall be unlawful for any person to resist or obstruct the supervisor of game and game fish, any state deputy game warden, county game commissioner, county game warden or deputy county game warden, or other peace officer, in the discharge of his duty while enforcing the provisions of this act.

Unlawful
posting
of land.

SEC. 97. It shall be unlawful for any person or his agent or employee to wilfully post any notice or warning or to wilfully warn, drive or attempt to drive any person off of or prevent their hunting or fishing on any land not owned or lawfully occupied by him or his principal unless such land be a lawfully established game or game fish preserve.

Mutilation
of trespass
and other
notices.

SEC. 98. It shall be unlawful for any person to destroy, tear down, shoot at, deface or erase any printed matter placed or posted by or under the direction of any county game commission, or any trespass or hunting notices posted on enclosed land by owner or lawful tenant.

Inspection
of hotels,
etc., for
contraband
game and
game fish.

SEC. 99. The director of fisheries and game, the supervisor of game and game fish, any state deputy game warden, any county game commissioner, county game warden or deputy game warden may, at his discretion, and without warrant, from time to time, inspect hotels, restaurants, cold storage houses or plants and ice houses commonly used in storing meats, game or fish for private parties, including all buildings used for a like purpose, for the purpose of determining whether game or game fish are kept therein in violation of the laws of this state. Any person in possession or control, or in charge of any hotel, restaurant, storage plant or building referred to, or any part thereof, who refuses or fails to permit the director of fisheries and game, the supervisor of game and game fish, any state deputy game

Inspection
denied.

warden, any county game commissioner, county game warden or deputy game warden to enter any such building, or any part thereof, or any receptacle therein, for the purpose of making such inspection, is guilty of a gross misdemeanor. Penalty.

SEC. 100. Any game bird, non-game bird, game animal, fur-bearing animal, game fish, or any part thereof, caught, killed, shipped or had in possession or under control, contrary to any of the laws of this state, is hereby declared to be contraband. The director of fisheries and game, the supervisor of game and game fish, any deputy state game warden, county game commissioner, county game warden, deputy game warden, sheriff, deputy sheriff, constable and police officer, shall seize and take possession of any and all game birds, non-game birds, game animals, fur-bearing animals, or game fish, or any parts thereof, which have been caught, taken or had in possession or under control or shipped contrary to any of the laws of this state. Any court having jurisdiction shall, upon complaint showing probable cause for believing that any game bird, non-game bird, game animal, fur-bearing animal, game fish, or any part thereof, caught, taken, killed or had in possession, or under control by any person, or shipped or transported contrary to the laws of the state, is concealed or illegally kept in any building, car or receptacle, issue a search warrant and cause a search to be made in any such place for any game birds, non-game birds, game animals, fur-bearing animals, game fish, or any part thereof, and may cause any building, inclosure or car to be entered and any apartment, chest, box, locker, create [crate], basket, package, or any other receptacle, whatsoever kind or description, to be broken, opened and the contents thereof examined. All such officers taking or seizing any such game birds, non-game birds, game animals, fur-bearing animals, game fish, or any part Game and game fish: when contraband.

Officers may seize.

Search warrant.

Report.

thereof, shall at once report all the facts attending the same to the county game commission.

Owner of dam to provide fishways.

SEC. 101. It shall be the duty of any person erecting, managing, controlling or owning any dam or other obstruction across any river, creek or stream, within the state or forming the boundary line of this state, to construct and maintain in good condition and repair in connection with such dam or other obstruction, durable fishways, in such shape and size that the free passage of all game fish inhabiting such waters will not be obstructed. In case any person erecting, managing, controlling or owning any such dam or other obstruction shall fail to comply with the provisions of this section within ten days after notice in writing served upon such person by any county game commissioner, county game warden or deputy county game warden, the county game commission may construct or repair such fishways and the cost thereof may be recovered from the owner or any person managing or controlling such dam or construction in a civil action brought in the name of the state. All moneys so recovered shall be credited to the county game fund.

Construction or repair of fishway at owner's expense.

Supervision of fishway.

All fishways heretofore or hereafter erected in any dam or obstruction across any stream shall be at all times under the supervision of the county game commission of the county in which, or on the boundary of which, such fishway exists.

Salmon hatcheries.

SEC. 102. It shall be lawful at all times for the director of fisheries and game, the supervisor of game and game fish, and his assistants and the county game commissions and wardens to take game fish by means of hook and line or nets, or otherwise, at any place within one mile of any fish hatchery operated for the propagation of salmon and it shall be lawful for the superintendents and assistants of salmon hatcheries operated by the United States Bureau of Fisheries to take game fish by means of

Taking game fish within one mile of hatchery.

Devices to be used.

hook and line or nets, or otherwise, at any place within one mile of any such hatchery operated by the United States Bureau of Fisheries.

SEC. 103. Every person other than a regularly salaried game warden or peace officer, entering a complaint that any of the provisions of this act have been violated, and not being a participant in such violation, shall, in case a conviction thereon is secured, be entitled to one-half the fine imposed and collected by the court in such action: *Provided*, That such reward to the informer shall not exceed the sum of twenty-five dollars (\$25.00).

Rewards to informers.

SEC. 104. The superior courts of the respective counties shall, upon the petition of the county game commission, fix the time, manner, and notice of sale of such property as may be abandoned, forfeited or confiscated, and described in the petition, and the proceeds of any such sale shall be placed to the credit of the county game fund.

Sale of confiscated property.

Proceeds to county game fund.

SEC. 105. In any prosecution under the provisions of this act a participant in the violation thereof shall testify as a witness against any other person violating the same, without incriminating himself in so doing. The evidence so given shall not be used in any criminal proceedings against such witness, and any participant in the violation of any provision of this act, who shall voluntarily inform upon and testify against his coparticipant shall be immune from prosecution [prosecution] for such information.

Immunity to participant informing and testifying.

SEC. 106. For the purpose of encouraging game farming and the domestication and propagation of wild animals, game fish and game birds, a game farmer's license, which shall authorize the licensee to engage in the business of purchasing, breeding and selling game animals, fur-bearing animals, and game fish, as defined by this act, game birds or non-game birds, shall be issued, subject to the provisions of this act by the supervisor of game and game fish

Game farmer's license for propagating game animals, birds and fish.

to any responsible resident person duly applying therefor, such license to expire on March 31st following the date of its issuance. The fee for such license shall be twenty dollars (\$20.00). After such license has been issued, it shall be valid as long as said licensee pays the supervisor of game and game fish, for the benefit of the game fund, an annual fee of ten dollars (\$10.00), unless otherwise determined under the provisions of this act: *Provided, however,* That this section shall not be construed to require the granting of licenses to free public parks or to persons domesticating such animals or birds for pleasure and not for profit, but such persons shall before domesticating any such animals or birds secure a permit so to do from [from] the county game commission of the county where he resides.

Fees.

Free public parks.

Permit to domesticate.

Game farmer may transport or sell.

Carcasses, plumage, etc., may be shipped or sold if tagged.

When tags or seals may be removed.

SEC. 107. Any holder of a game farmer's license may possess, transport or sell any such wild animals, game fish or game birds so brought into this state or raised in captivity within this state as hereinafter set forth. The flesh, horns, skins or carcasses of any such animals, game fish and the carcasses or plumage of any such game birds may be possessed or transported at any time, or may be sold at any time when it is lawful to kill wild animals or birds of the same species, but only if tagged as directed by the supervisor of game and game fish with an indestructible tag or seal to be supplied by the supervisor of game and game fish to the licensee upon payment of the actual cost thereof. When such game is used for food, such tags or seals shall remain attached to the carcass or parts thereof as aforesaid until the same has been consumed. In other cases, such tags or seals shall remain attached to such game or parts thereof until received by the purchaser thereof.

SEC. 108. Any person who is the holder of a game farmer's license may bring within the state

and have the custody of, for the purpose of domestication, propagation or selling, as in this act provided, any game animals, game fish, fur-bearing animals, game birds or non-game birds. Any such game animals, game fish, fur-bearing animals, game birds or non-game birds brought within the state or reared in captivity within the state may be sold or transported for propagation purposes or for food or other purposes if tagged as herein provided.

Authority to import for domestication, propagation and sale.

SEC. 109. After first having obtained a permit from the supervisor of game and game fish or county game commission, it shall be lawful for any holder of a game farmer's license to obtain any number of wild animals, game fish or birds from the state game farms or from city park boards from another state or county, or from another licensee as herein provided.

Sources from which acquired.

SEC. 110. After obtaining a game farmer's license or a permit the holder may purchase, sell, give away or dispose of the eggs of any of the game birds, game fish or salmon lawfully in his possession, for propagation purposes only, and after said game animals or game birds, game fish or salmon have been taken or secured under the provisions of this act they may, with the consent of the supervisor of game and game fish or a county game commission be transferred from one license to another.

Disposal of eggs of game birds, game fish or salmon.

Transfer between licensees.

SEC. 111. Every holder of a game farmer's license or permit shall make quarterly reports on the first day of July, October, January and April, to the supervisor of game and game fish on blanks to be furnished by the supervisor of game and game fish. Such report shall give a correct statement of the total number of such wild animals, game fish, or birds owned, killed, transported or sold during said period under the provisions of this act, the names of the persons to whom the same were transported or sold, the names of the persons by whom the same

Quarterly reports.

Supervisor to supply forms.

were tagged and sealed, the increase of all classes of game, and such other data as the supervisor of game and game fish may deem necessary for the proper protection of the public. Each such report shall be verified by the affidavit of the licensee.

Verification.

SEC. 112. Any common carrier may at any time transport any such carcass or part thereof shipped by a holder of a game farmer's license if tagged or sealed as aforesaid, but to every such package containing such tagged or sealed carcass or parts thereof, shall be affixed an additional tag or label upon which shall be plainly printed or written the name of the licensee, the name of the consignee, the name of the person by whom the same was tagged or sealed, and the number of carcasses or parts thereof contained therein.

Transportation by common carrier.

SEC. 113. The keeper of a hotel, restaurant, boarding [boarding]-house or club, or any retail dealer in meats, may sell any carcass or parts thereof, purchased of the holder of a game farmer's license, and tagged and sealed as in the preceding section provided, during any time when it is lawful to kill wild animals or birds of the same species.

Sale by meat dealers, hotels and others when purchased from game farmer.

SEC. 114. The supervisor of game and game fish, any state deputy game warden; county game commissioner, county game warden or deputy county game warden, may at any time enter upon any game farm for the purpose of inspection thereof, or for the purpose of enforcing this act.

Inspection of game farm.

SEC. 115. It shall be unlawful for any person to hunt any game animal or game bird at any season of the year in that part of Pierce County, Washington, bounded by the waters of Puget Sound and Commencement Bay, and a line beginning where the line between townships 19 and 20 north intersects the easterly shore of Puget Sound, and running thence east to the corner common to sections 3 and 4, township 19 north, range 3 east and sections 33 and

Game preserve in Pierce county.

34, township 20 north, range 3 east; thence due north to the shore of Commencement Bay, or upon the waters of Steilacoom Lake, Gravelly Lake, American Lake, Sequelitchew Lake or the islands therein, or within one mile of the shores of any of said lakes, or upon any part of sections 1, 2, 11, 12, 13, 14, 22, 23, 24, 25, 26, 27 and 28, township 19 north range 2 east sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, and 30, township 19 north, range 3 east, and section 34 and the south half of section 27, township 20 north, range 3 east; *Provided*, That this section shall not apply to persons holding permits giving the right to take birds, and nests or eggs for scientific purposes, as provided in this act.

SEC. 116. It shall be unlawful for any person to hunt any game animals or game birds at any season of the year upon the waters of Lake Washington or upon any island therein, or within the following described boundaries, to-wit:

Lake
Washington
game pre-
serve.

All that portion of King County described as follows: Beginning at the northwest corner of King County, and running thence east along the boundary line between Snohomish and King Counties to the northeast corner of township twenty-six (26) north, range four (4) east W.M., thence south along the township line to the quarter section corner on the east line of section twenty-five (25) of township twenty-six (26) north, range four (4) east W.M.; thence east to the quarter section corner common to sections twenty-seven (27) and twenty-eight (28) in township twenty-six (26) north, range five (5) east, W.M.; thence south along section lines to the southeast corner of section twenty-one (21) of township twenty-three (23) north, range five (5) east W.M.; thence west along section lines to an intersection with state road no. 5, being the paved road commonly known as the east side valley road, thence northerly along the center of said state road no. 5

to its intersection with the paved county road from Earlington to Renton Junction, said intersection being approximately one hundred twenty feet (120') south of the center of section nineteen (19), township twenty-three (23), north range five (5) east; thence westerly along the center line of said paved county road from Earlington to Renton Junction to its intersection with the paved county road, commonly known as the west side valley road; thence continuing west to the west bank of the White River; thence southerly along said west bank of White River to the southeast corner of lot one (1) in section twenty-five (25), township twenty-three (23) north, range four (4) east W.M.; thence west along government subdivision lines to the Old Military Road in section twenty-six (26), township twenty-three (23) north, range four (4) east W.M.; thence southerly along said Old Military Road to a point one quarter of a mile north of the line between townships twenty-two (22) and twenty-three (23) north, range four (4), east W.M.; thence west along government subdivision lines to the northwest corner of the southeast quarter of southeast quarter ($SE\frac{1}{4}SE\frac{1}{4}$) of section thirty-three (33) township twenty-three (23) north, range four (4) east W.M., thence south along government subdivision lines to the south line of section four (4), township twenty-two (22) north, range four (4) east W.M.; thence west along section lines to the center of Puget Sound; thence north along the center line of Puget Sound to the place of beginning.

Publication
of game
laws.

SEC. 117. No person, firm or corporation shall publish the game laws of the state, or any portion thereof, or the open seasons or bag limits fixed by the various game commissions, until the same shall have been approved by the supervisor of game and game fish.

SEC. 118. Any person violating any of the

provisions of this act for which no specific penalty is provided, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than ten dollars (\$10.00), together with the cost of prosecution, or by imprisonment for not exceeding ninety days in the county jail, or both, at the discretion of the court, for each offense. The killing or taking of every single bird, animal or fish, protected by the laws of this state, shall constitute a separate offense, and it shall be the duty of the court before whom any person is found guilty of more than one such separate offense to impose at least the minimum punishment for each such offense. All fines collected under the provisions of this act and the fisheries code of Washington when the arrest was made by a game warden or his deputy, shall be turned over to the treasurer of the county in which such action is brought and by him placed in the county game fund.

Penalty.

Each bird, fish or animal taken a separate offense.

Duty of court.

Disposition of fines.

SEC. 119. All acts and parts of acts incorporated in the following schedule, and all acts and parts of acts in conflict with the provisions of this act are hereby repealed: *Provided*, That all proceedings and actions begun and pending in any court under and by virtue of any act hereby repealed and all prosecutions for violations of any act hereby repealed shall not be abated by reason of such repeal but shall be continued and prosecuted until final determination as though this repealing act had not been passed: *Provided, further*, That all game and game fish preserves heretofore established and all closed seasons and bag limits heretofore fixed under the authority of any act hereby repealed shall remain in force until changed as in this act provided.

Conflicting acts repealed.

Saving clause.

SCHEDULE.

Chapter 15 of the laws of 1891; Chapter 95 of the laws of 1891; Chapter 121 of the laws of 1895;

Schedule of acts repealed.

§§5857-5858 ; Chapter 52 of the laws of 1897; Chapter 134 of the
 5860-5865 ; laws of 1901; Chapter 47 of the laws of 1903;
 5867-5918 ; Chapter 71 of the laws of 1903; Chapter 134 of the
 5922-5990, Rem. Stats. ; Chapter 134 of the
 §§ 2585-1 to laws of 1903; Chapter 54 of the laws of 1905;
 2585-19 ; Chapter 131 of the laws of 1905; Chapter 172 of
 2586 to 2639 ; Chapter 172 of the laws of 1907;
 2640 ; Chapter 222 of the laws of 1907;
 2640-1 to Chapter 232 of the laws of 1907; Chapter 54 of
 2640-11 ; the laws of 1909; Chapter 149 of the laws of 1909;
 2641-4 to Chapter 182 of the laws of 1909; Chapter 197 of the
 2641-37 ; laws of 1909; Chapter 12 of the extraordinary
 2641-39 to session of 1909; Chapter 50 of the laws of 1911;
 2641-51 ; Chapter 84 of the laws of 1911; Chapter 90 of the
 2641-53 to laws of 1911; Chapter 33 of the laws of 1913;
 2641-61 ; Chapter 120 of the laws of 1913; Chapter 122 of the
 2641-63 to laws of 1913; Chapter 151 of the laws of 1915;
 2641-67 ; Chapter 91 of the laws of 1917; Chapter 164 of the
 9131-98 to laws of 1917; Chapter 72 of the laws of 1919;
 9131-100, Chapter 37 of the laws of 1921; Chapter 89 of the
 Pierce's laws of 1923; and Chapter 117 of the laws of 1923.
 Code.

Emergency.

SEC. 120. This act is necessary for the support of the state government and its existing public institutions and shall take effect immediately.

Passed the Senate January 6, 1926.

Passed the House December 30, 1925.

Approved by the Governor January 16, 1926.