

Roads Fund for an amount in excess of the amount remaining in such fund at the time of the issuance of the warrant.

Emergency.

SEC. 4. An emergency exists and this act shall take effect immediately.

Passed by the Senate July 2, 1909.

Passed by the House August 19, 1909.

Approved by the Governor August 23, 1909.

CHAPTER 12.

[Senate Bill No. 10.]

RELATING TO GAME.

AN ACT for the protection of game animals and game birds of the State of Washington, defining violations thereof, providing punishment for the same and repealing all other laws in conflict herewith.

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

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

SEC. 2. Every person who shall, within the State of Washington, hunt, pursue, take, kill, injure, destroy or possess any grouse, ruffed grouse, Hungarian partridge,

Deer, mountain goat, etc.
Season from
Sept. 30 to
Nov. 30.

Grouse,
season, Oct.
1 to Jan. 1.

prairie chicken, sage hen, Chinese, English, golden, Mongolian, silver, black-neck or Japanese pheasant, or any specie of quail or any specie of imported upland game bird, between the first day of January and the first day of October of any year, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished as hereinafter provided: *Provided*, That it shall be unlawful for any person to pursue, take or kill in the state any Hungarian partridge prior to the first day of October, 1913: *And provided further*, That in all counties of the State of Washington lying east of the western boundary of the counties of Okanogan, Chelan, Kittitas, Yakima and Klickitat, it shall be unlawful to hunt, pursue, take, kill, injure, destroy or possess any of the game birds mentioned in this section between the fifteenth day of October and the first day of September of the following year, but it shall be lawful to kill same in said counties, when not otherwise specially provided, during the month of September and the first fifteen days of October: *Also provided*, That in the counties of Asotin, Clallam, Clarke, Columbia, Garfield, Douglas, Grant, Lincoln, Whitman, Spokane, Yakima, Kittitas, Ferry, Stevens, Okanogan, Adams, Chelan, Benton, Klickitat, Franklin, Walla Walla, Skagit, Whatcom, Snohomish and Kitsap, it shall be unlawful for any person to pursue, take or kill any partridge or any variety of quail, Chinese ring-neck, golden or English pheasant, before the first day of October, 1912: *And provided further*, That it shall be lawful to kill quail in Snohomish county between the first of October and the first of January: *And provided further*, That in the counties of Okanogan, Stevens, Douglas and Ferry it shall be lawful to kill grouse between the 15th day of August and the first day of January of the following year.

Eastern
Washington,
Sept. 1 to
Oct. 15.

Certain birds
exempt until
1912, in cer-
tain counties.

Quail in
Snohomish
county.

Grouse in
certain
counties, open
season from
Aug. 15 to
Jan. 1.

SEC. 3. Every person who shall, during the season when it is lawful to hunt the same, kill more than five prairie chickens, grouse, partridge, Hungarian partridge, native pheasants, Chinese, English, golden, Mongolian, silver, black-neck or Japanese pheasants, or more than ten quail of any kind in one day, shall be guilty of a mis-

Five birds,
limit.

demeanor, and upon conviction thereof shall be punished as hereinafter provided: *Provided*, That no person shall in any one day kill more than five of the game birds mentioned in this section, it being the intention hereof to limit bags of one day to five birds, no matter how many varieties of these protected upland birds are included in the bag: *Provided further*, That ten quail may be killed in one day during the season when it is lawful to hunt the same, but the limit of the upland game birds, if quail are included in the same, for one day, shall never exceed ten upland birds, and the limit of the bag for one week shall never exceed thirty upland birds: *Provided further*, That in all counties of the State of Washington lying east of the western boundary of Okanogan, Chelan, Kittitas, Yakima, and Klickitat, it shall be unlawful to hunt, pursue, kill, injure, destroy or possess any prairie chickens from and after the passage of this act and before the first day of September, 1912: *Provided, however*, That this last mentioned proviso regarding prairie chickens shall not apply to the counties of Okanogan, Chelan, Garfield, Lincoln, Walla Walla, Adams, Douglas, Columbia, Grant, Stevens and Ferry.

Ten quail,
limit.

Prairie
chicken ex-
empt in cer-
tain counties
until 1912.

Water fowl,
season, Oct. 1
to Feb. 1.

Certain
counties,
Sept. 15 to
Jan. 1.

Ocean beach,
season,
March, April
and May.

SEC. 4. Every person who shall hunt, pursue, take, kill, injure, destroy or possess any swan, goose, brant, mallard duck, canvas-back duck, widgeon, wood-duck, spoon-bill, gray or black duck, sprig-tail, teal or other game duck, whether named or mentioned herein, or any snipe, curlew, plover, rail, surf or shore game bird, between the first day of February and the first day of October of the same year, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as provided hereinafter: *Provided*, That in the counties of Okanogan, Ferry, Stevens, Douglas, Grant, Lincoln, Spokane, Adams and Whitman it shall be lawful to kill swan, goose, brant, or any specie of game duck and curlew, plover, rail or any specie of snipe or shore game birds, between the 15th day of September and the first day of January only: *Provided further*, That it shall be lawful to kill snipe, plover, rail and shore birds, geese and brant during the months of March,

April and May along the ocean beach, and five miles inland thereof, in Pacific, Chehalis, Clallam, Jefferson and San Juan counties.

SEC. 5. Every person who shall, within the State of Washington, during the season when it is lawful to hunt the same, kill more than twenty snipe, ducks, geese or brants in one day, or fifty in any one week, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as hereinafter provided; it being the intention hereof to limit bags for one day to twenty and the limit of bags for one week to fifty of the above mentioned birds, no matter how many varieties of those birds are included in the said bag.

Bag limit of water fowl.

SEC. 6. Every person, company, club, partnership, firm or corporation, boarding-house keeper, hotel keeper, restaurant keeper, market keeper, or cold storage plant, their owners, proprietors, officers, managers, agents or servants, who shall offer for sale or for market or barter for, or exchange, or keep in their possession at any time of the year, any deer, moose, caribou, antelope, mountain sheep or mountain goat, species of any kind of the various kinds of quail or the various kinds of Chinese, English or Mongolian pheasants, grouse, native pheasants, ptarmigan, partridge, Hungarian partridge, prairie chickens, sage hens, or any kind of wild duck, goose, swan, brant, rail, plover or game shore birds, or any portion of the meat of said animals or birds, shall be guilty of a misdemeanor. Possession by the above named persons or corporations of any of the animals or game birds mentioned or named herein, or any of the meat of the same, shall be presumptive evidence that said animals, birds, or the meat of the same was unlawfully taken by the person having possession of the same, and upon conviction thereof shall be punished as hereinafter provided: *Provided*, That any person may have in his possession, or in cold storage, for his own use only, the number and kinds of animals and birds permitted to be taken by this act, during the time the same may be taken, provided the same were taken by the person so having them in his possession, or obtained by gift for his

Unlawful possession.

Hides may
be sold.

use only, or otherwise taken as provided in the previous section of this act: *Provided further*, That nothing in this act shall be construed to prevent the sale of hides or horns of deer, moose, elk, caribou, mountain sheep or mountain goat species, killed at or within the times when it is lawful to kill the same and which have been killed in a lawful manner.

Offenses.

SEC. 7. The killing of any bird or single animal protected by the laws of the state shall constitute an offense, and each bird or animal so killed shall constitute a separate offense.

Revocation
of license.

SEC. 8. That the holder of a hunter's license issued in any county, or by the State of Washington, who shall be convicted of violating any of the game laws shall have his license revoked for the balance of the year.

Rewards.

SEC. 9. Every person other than a regular salaried game warden or peace officer entering a complaint that any of the provisions of this act are violated and a conviction is secured thereon, shall be entitled to one-half of the fine imposed and collected by the court in such action: *Provided*, That said reward to the informer shall never exceed the sum of twenty-five dollars.

Penalty.

SEC. 10. Every person violating any of the provisions of this act shall be deemed guilty of a misdemeanor.

[Vetoed.]

*SEC. 11. That all acts or parts of acts inconsistent with or in conflict with the provisions of this act are hereby repealed: *Provided, however*, That this repeal shall in no way affect the provisions of chapter 54 of the Session Laws of 1909, relating to protecting game on Lake Washington, which act shall remain in full force and effect.

Passed by the Senate July 1, 1909.

Passed by the House August 20, 1909.

Approved by the Governor August 23, 1909.

*Sec. 11 of this act vetoed by the Governor Aug. 23, 1909.