

L A W S

OF THE

TERRITORY OF WASHINGTON,

ENACTED BY THE

LEGISLATIVE ASSEMBLY,

IN THE YEAR 1883.

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*Printed by Authority.*

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OLYMPIA:

C B BAGLEY, PUBLIC PRINTER.

1883.

same force and effect as if made by the auditor of Whatcom county.

SEC. 11. The counties of Whatcom and Skagit shall continue in their relation to the counties of Snohomish, Island and San Juan in the matter of legislative districts until otherwise provided by law.

SEC. 12. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

SEC. 13. This act shall take effect and be in force from and after its passage and approval.

Approved November 28, 1883.

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## AN ACT

### FOR THE PROTECTION OF FISH AND GAME.

SECTION 1. *Be it enacted by the Legislative Assembly of the Territory of Washington:* That every person who shall, within the Territory of Washington, between the first day of January and the 15th day of August, from and after the passage of this act, pursue, hunt, take, kill or destroy any deer or fawn, shall be deemed guilty of a misdemeanor. Every person who, after the passage of this act, shall take, kill or destroy any deer at any time, unless the carcass of such animal is used or preserved by the person slaying it, or is sold for food, is guilty of a misdemeanor. Every person who, after the passage of this act, shall hunt or pursue deer with a dog or dogs, in the counties of Thurston, Cowlitz, Whatcom, Island or Lewis, shall be guilty of a misdemeanor.

SEC. 2. Every person who buys, sells, or has in possession any deer or fawn within the time the taking or killing thereof is prohibited, except such as are tamed or kept for show or curiosity, is guilty of a misdemeanor.

SEC. 3. Every person who shall, within the Territory of Wahsington, between the first day of January and the fifteenth day of August of each year, hunt, pursue, take, kill or destroy any elk, moose, or mountain sheep, shall be guilty of a misdemeanor. Every person who takes, kills, injures or destroys, or pursues with intent to take, kill, injure or destroy any elk, moose or mountain sheep, at any time for the sole purpose of obtaining the skin, hide, hams or cutlets of any such animal, shall be guilty of a misdemeanor.

SEC. 4. Every person who shall, within the Territory of Washington, between the first day of April and the 15th day of August of each year, take, kill, injure or destroy, or have in possession, sell or offer for sale any wild swans, mallard duck, wood duck, widgeon, teal, butter ball, spoonbill, gray, black, sprigtail or canvas back duck shall be guilty of a misdemeanor: *Provided*, That any person may kill on his own premises ducks or deer at any time to protect his growing crops.

SEC. 5. Every person who shall, within the Territory of Washing-

ton, between the first day of January and the 15th day of August of each year, for any purpose take, kill, injure or destroy, or have in possession, sell or offer for sale, any prairie chicken or sage hen shall be guilty of a misdemeanor.

SEC. 6. Every person who shall, within the Territory of Washington, between the first day of January and the first day of August of each year, take, kill, injure or destroy, or have in possession, sell or offer for sale any grouse, pheasant, or partridge, shall be guilty of a misdemeanor.

SEC. 7. Every person who shall, within the Territory of Washington, during the months of November, December, January, February and March of any year, catch, kill, or have in possession, sell or offer for sale, any mountain or brook trout, shall be guilty of a misdemeanor. Every person who shall, within the Territory of Washington, take or attempt to take, or catch, with any seine, net, weir, or other device than hook and line, any mountain, brook or bull trout at any time after the passage of this act, shall be guilty of a misdemeanor.

SEC. 8. Every person who shall, within the Territory of Washington, at any time after the passage of this act, trap, net or ensnare or attempt to trap, net or ensnare any variety of quail, prairie chicken, grouse or pheasant, except for the purpose of propagating the same, or who shall in any county east of the Cascade range of mountains prior to the year eighteen hundred and eighty-seven, kill any variety of quail shall be guilty of a misdemeanor.

SEC. 9. Every person who shall, within the Territory of Washington, at any time after the passage of this act, destroy or remove from the nest of a mallard duck, widgeon, wood duck, teal, butter ball, spoonbill, gray, black, sprigtail or canvas back duck, prairie chicken or sage hen, grouse, pheasant, quail, partridge or other wild fowl any egg or eggs, or willfully destroy the nest of any such fowls or birds, shall be guilty of a misdemeanor.

SEC. 10. Every person who shall, within the Territory of Washington, have any male deer or buck, or any female deer or doe, or spotted fawn, elk, moose, or mountain sheep, swan, mallard duck, wood duck, widgeon, teal, butter ball, spoonbill, gray, black, sprigtail or canvas back duck, prairie chicken, or sage hen, grouse, pheasant, quail, bob white or partridge, mountain or brook trout, at any time when it is unlawful to take or kill the same as provided in this act, shall be guilty of a misdemeanor, and proof of possession of any of the aforesaid animals, fowls, birds or fish, at a time when it is unlawful to take or kill the same in the county where the same is found shall be prima facie evidence in any prosecution for a violation of any provision of this act, that the person or persons in whose possession the same is found, taken, killed or destroyed the same in the county wherein the same is found, during the period when it was unlawful to take, kill or destroy the same.

SEC. 11. Every person who shall, within the Territory of Washington, take, kill, shoot at, maim or destroy any mallard duck, wood duck, widgeon, teal, butter ball, spoonbill, gray, black, sprigtail or canvas back duck, at any time between the hours of 8 P. M., and 5 A. M., shall be guilty of a misdemeanor.

SEC. 12. Every person who shall use any sink box on any lake or river, or other waters in Washington Territory, for the purpose of shooting ducks or geese or other water fowls therefrom, or who shall use any batteries or swivel or pivot gun on boats, canvas, rafts or other device at any time, for the purpose of killing any water fowl within the limits of Washington Territory, shall be guilty of a misdemeanor.

SEC. 13. Every person convicted of the violation of any of the provisions of this act shall be punished by a fine of not less than ten dollars and not more than three hundred dollars, or imprisonment in the county jail of the county where the offense was committed, for not less than five days nor more than three months, or both such imprisonment and fine. One-half of all money collected for fines for violation of the provisions of this act shall be paid to informers, and one-half to the prosecuting attorney in the district in which the case is prosecuted.

SEC. 14. All acts and parts of acts in conflict herewith are hereby repealed.

Approved November 27, 1883.

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## AN ACT

TO PROVIDE FOR THE PRINTING AND DISTRIBUTION OF SCHOOL LAW IN PAMPHLET FORM.

SECTION 1. *Be it enacted by the Legislative Assembly of the Territory of Washington:* That the public printer be, and he is hereby, authorized under the direction of the territorial auditor to print, at the expense of the territory, three thousand copies of the school law, of this territory, in pamphlet form for the use of the several counties in this territory. Appended to such school law, shall also be published such rules and regulations as shall have been adopted for the government of schools and teachers by the board of education.

SEC. 2. Said school laws shall be printed immediately after the adjournment of the present session of the legislative assembly and, as soon as possible thereafter, the territorial auditor shall distribute the same at the expense of the territory among the various counties in proportion to the population and number of school districts in each county.

SEC. 3. Upon the delivery, by the public printer, of said laws to the territorial auditor he shall audit the account for the same and draw a warrant on the territorial treasurer in payment for such amount as shall be found to be due.

SEC. 4. It shall be the duty of the auditor of the several counties to deliver one copy to each school officer upon his application for the same, and distribute the rest among the teachers and citizens of the county.