

cil or other governing body of any city, town or other municipality may prescribe a less sum than five hundred dollars, upon the accumulation of which such call shall be made as to any particular fund: *And provided further*, That if the warrant longest outstanding on any fund shall exceed the sum of five hundred dollars, or shall exceed the sum fixed by the county commissioners or other governing board, then no call need be made for warrants on such fund until the amount due on such warrants shall have accumulated: *And provided further*, That no more than two calls shall be made by any treasurer in any one month: *And provided further*, That it shall be the duty of any such treasurer to pay on demand, in the order of their issue, any warrants when there shall be in the treasury sufficient funds applicable to such payment.

SEC. 2. Any such treasurer who shall knowingly fail to call for or pay any warrant in accordance with the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not less than twenty-five dollars nor more than five hundred dollars, and such conviction shall be sufficient cause for removal from office.

Passed the senate March 7, 1895.

Passed the house March 14, 1895.

Approved March 21, 1895.

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## CHAPTER CLIII.

[H. B. No. 505.]

### APPOINTMENT OF STATE LUMBER AND SHINGLE WEIGHERS.

AN ACT providing for the appointment by the governor of state lumber and shingle weighers.

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

State weighers,  
how ap-  
pointed.

SECTION 1. That it shall be the duty of the governor to appoint state weighers, to weigh all shingles and lumber to be shipped beyond the limits of this state. That there

shall be one weigher appointed for each of the transcontinental railroads running into this state, and that the office of said weighers shall commence when this act goes into effect. That the term of office of said weighers shall be for the period of four years.

SEC. 2. That the governor shall have the power, and it is hereby made his duty, upon receiving a petition in writing from five manufacturers of shingles or lumber, complaining of the wrongful acts of any of said weighers or their deputies, to investigate such charges and in his discretion to remove such weigher and to appoint a successor for such weigher.

Weighers,  
removal of.

SEC. 3. That each weigher and each deputy weigher shall, before entering upon the duties of his office, take and subscribe an oath that he will faithfully discharge the duties of his office to the best of his knowledge and ability. Each weigher shall execute to the State of Washington a bond with two or more sureties, to be approved by the secretary of state, in the sum of three thousand dollars, conditioned that he and his deputies will faithfully perform their duties as lumber and shingle weighers, and if said lumber and shingle weighers or his deputy shall fail to keep the conditions of said bond, then the person aggrieved by his or their wrongful act shall have a right of action against said weigher and the sureties on said bond, and they shall be liable on said bond for any judgment recovered in such action to the amount of the penalty of such bond. The oath and bond shall be filed with the secretary of state.

Weigher and  
deputy, oath  
and bond  
required of.

SEC. 4. That it shall be the duty of each of said railroads to construct scales capable of weighing cars loaded with lumber or shingles shipped from that portion of Washington west of the Cascade mountains at some point on their respective lines and within the limits of this state for the purpose of weighing said lumber and shingles; and that it shall be the duty of each of said railroads doing business east of the Cascade mountains to maintain scales on the east side of the mountains and within the limits of this state for the purpose of weighing lumber and shingles manufactured on each side of said mountains.

Railroads to  
provide scales.

Deputies.

SEC. 5. That each weigher shall have the right to appoint one or more deputy weighers.

Weigher, duty of.

SEC. 6. That all lumber and shingles to be shipped beyond the limits of this state by railroad shall first be weighed by said weigher or his deputy at the place where said scales are located.

Railroads to accept weights.

SEC. 7. If any lumber or shingles shall be shipped beyond the limits of this state by any railroad company before being weighed by said weigher or his deputy, said railroad shall be compelled to accept the weight named in the affidavit (if there be any affidavit) attached to the bill of lading, and in all cases where there is no such affidavit attached, said cars of shingles or lumber shall be weighed by said weigher in every instance; any failure to comply with the above requirements shall be adjudged a misdemeanor, and on conviction thereof shall, for each offense, be fined in any sum not less than five hundred dollars nor more than two thousand dollars.

Penalty for failure to comply.

Weigher's bill to contain, what.

SEC. 8. That upon weighing said shingles or lumber, the weigher or his deputy shall make out a bill, stating therein the names of the consignor and the consignee, the destination of said car of shingles or lumber and the place from which said car was billed, the name of the railroad owning such car and the number of said car, together with the number of shingles or amount of lumber said to be contained in such car, and the total weight of shingles or lumber contained therein. That he shall enter upon the books of his office, to be provided by him and kept for that purpose, a correct copy of said bill, and shall mail or deliver to the consignee two correct copies of said bill, and to the agent of the railroad over which said car is shipped one correct copy of said bill, with the certificates thereto attached, that it is a true and correct bill, which bill so certified shall be presumptive evidence of the facts therein contained.

Books to contain, what.

Fees.

SEC. 9. That each weigher or his deputy shall receive and collect from the railroad by which said lumber or shingles were received, the sum of fifty cents a car for each and every car of lumber or shingles weighed by him.

SEC. 10. When any cars shall have been weighed, as

herein designated, the said weight shall constitute the basis by which the weight of said lumber or shingles shall be determined.

SEC. 11. Whereas, there is at the present time no law on this subject, an emergency is declared to exist, and this act shall take effect from and after its passage and approval by the governor.

Passed the house March 11, 1895.

Passed the senate March 14, 1895.

Approved March 21, 1895.

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## CHAPTER CLIV.

[H. B. No. 420.]

### RELIEF OF ISAAC T. KEENE.

AN ACT for the relief of Isaac T. Keene, and making appropriation therefor.

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

SECTION 1. That there be and is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of two hundred and ninety-four dollars (\$294) for the relief and payment of Isaac T. Keene, of Spokane, State of Washington, for services rendered and money expended by him for expenses as an enumerator, and in the enumeration of the Indians on Colville Indian reservation, commencing March 7, 1891, in pursuance of his appointment by the governor, as provided in chapter 88 of the Session Laws of 1891.

SEC. 2. That the state auditor is hereby authorized and directed to draw his warrant on the state treasurer for the money hereby appropriated in favor of the said Isaac T. Keene.

Passed the house March 12, 1895.

Passed the senate March 14, 1895.

Approved March 21, 1895.