

Limit of
price.

said county, as provided in section 1 of this act: *Provided*, That the county commissioners shall not be compelled in any event to accept any bid for a greater price than one dollar per square, nonpareil, for first insertion, straight matter, and fifty cents per square for each subsequent insertion: *And provided further*, That the county auditor, when calling for bids shall state how the matter shall be set, in what kind of type, solid or leaded.

Passed the House March 4th, 1907.

Passed the Senate March 13th, 1907.

Approved by the Governor March 16th, 1907.

CHAPTER 230.

[H. B. 339]

PROHIBITING LIVE STOCK FROM RUNNING AT LARGE.

AN ACT to prohibit all live stock from running at large in any county and portion of the county in the state of Washington in which three-fourths of the lands therein are under fence, except in certain cases, providing a penalty for the enforcement of the act, and repealing chapter 91 of the Session Laws of 1905.

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

Unlawful
for stock
to run at
large, when.

SECTION 1. It shall be unlawful for any kind or character of live stock to run at large in any county in this State in which three-fourths of the lands, outside of the incorporated cities and towns are under fence, or any portion of such county three-fourths of which portion is under fence, when such portion is separated from the balance of said county by any natural barrier such as a river, range of hills or other sufficient barrier: *Provided*, That where more than one-fourth of any district is used for grazing of cattle or horses on the public domain or on unfenced lands, such district shall be excluded from the operation of this act, notwithstanding the fact that said county may come within its provisions, and the county commissioners shall designate

Lands ex-
cluded.

such townships or parts of townships which shall be excluded from the provisions of this act.

SEC. 2. It shall be the duty of the board of county commissioners of the respective counties of this State when ten or more freeholders shall make application for the enforcement of this act to at once determine whether or not three-fourths of the lands, outside of the incorporated cities and towns, in such county is under fence, or whether three-fourths of any portion of any county separated from the balance of said county by natural barrier, is under fence.

County commissioners to determine per centum of lands under fence.

SEC. 3. That the board of county commissioners in arriving at the per centum of lands in such county or portion of county under fence, shall be governed by the records in the office of the county assessor of such county showing the amount of lands under fence.

Determination—how made.

SEC. 4. It shall be the duty of the county assessor of each county in this State; at the time of making the assessment in each year to make a list of the lands in his county, outside of the incorporated cities and towns, under fence, and file a certified copy of such list each year at the conclusion of the assessment, with the board of county commissioners, showing the aggregate number of acres of land under fence and not under fence.

Assessor to list lands under fence.

SEC. 5. It shall be the duty of the board of county commissioners, on receipt of a certified copy of such list of the lands, outside of the incorporated cities and towns, under fence and not under fence, from the county assessor, to at once determine whether or not a sufficient per centum of the lands in such county or portion of county as provided herein, is under fence, to bring said county or portion of said county within the provisions of this act, and if it is found that three-fourths of the lands of said county or portion of said county, outside of the incorporated cities and towns, is under fence, it shall be the duty of the board of county commissioners to make such entry in the records of their office and publish notice thereof for at least four successive weeks in the official paper in such county, setting forth the fact that three-fourths of the lands in such

Publication of notice.

county or portion of county, outside of the incorporated cities and towns, is under fence, and that live stock found running at large in such county or portion of county on and after thirty days from the first publication of said notice shall be treated as estrays, and estrays in any county in which at least three-fourths of the area, outside of the cities and towns therein, shall be under enclosure or fence may be taken up at any time in the year.

Penalty.

SEC. 6. Any owner who permits his live stock to run at large contrary to the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than ten (\$10.00) dollars nor more than one hundred dollars for each offense, and it shall be the duty of the prosecuting attorney in such county, when it has been determined by the board of county commissioners under the provisions of this act that three-fourths of the lands in such county or portion of county is under fence, on complaint of any freeholder or resident of such county to forthwith prosecute the owner of such stock found running at large for such misdemeanor.

"Fence" defined.

SEC. 7. The term "Fence" in this act shall be construed to mean any fence or barrier which shall be adequate to prevent the ingress or egress of live stock upon or from lands affected by the provisions of this act.

Repeal.

SEC. 8. That chapter 91 of Session Laws of 1905 be and the same is hereby repealed.

Passed the House March 8th, 1907.

Passed the Senate March 14th, 1907.

Approved by the Governor March 16th, 1907.