

CHAPTER VII.

[S. B. No. 1.]

SALARIES OF JUSTICES OF THE PEACE AND CONSTABLES.

AN ACT fixing the salaries of justices of the peace and constables, in incorporated cities and towns having more than five thousand inhabitants, providing for the payment thereof, and providing for clerks, office-quarters, books, blanks and stationery for said officers, and declaring an emergency.

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

Classification of salaries.

SECTION 1. The justices of the peace in incorporated cities and towns of the first class shall receive an annual salary of two thousand dollars; justices of the peace in incorporated cities and towns of the second class shall receive an annual salary of eighteen hundred dollars; and justices of the peace in incorporated cities and towns of the third class having more than five thousand inhabitants, as shown by the last state or federal census, shall receive an annual salary of twelve hundred dollars.

Salaries of constables.

SEC. 2. The constables in incorporated cities and towns of the first class shall receive an annual salary of twelve hundred dollars; constables in incorporated cities and towns of the second class shall receive an annual salary of ten hundred dollars; constables in incorporated cities and towns of the third class having more than five thousand inhabitants, as shown by the last state or federal census, shall receive an annual salary of eight hundred dollars.

Fees.

SEC. 3. The justices of the peace and constables shall charge and collect for the use of their respective counties, and pay into the county treasury on the first Monday in each month, and on going out of office, all the fees now or hereafter allowed by law paid or chargeable in all cases, except such fees as are a charge against the county or state, and also on the first Monday in each month, and on going out of office, the said justices of the peace shall pay into the county treasury all moneys they shall have received on account of fines collected for violations of any state law.

Fee book.

SEC. 4. Each of the said justices of the peace and constables shall keep a fee book, open to public inspection during office hours, in which must be entered at once and in detail all fines and fees or compensation of whatever

nature, kind or description, collected or chargeable. On the first Monday of each and every month the said justices of the peace and constables must add up each column in their fee books to the first of each month and set down the totals, and on the expiration of the term of said officer they must deliver to the county auditor all fee books kept by them.

SEC. 5. All fees and compensation collected from any source, and all fines collected for violations of any state law, shall be paid to the county treasurer on the first Monday of the following month, and the said justices and constable at the same time shall deliver to such treasurer a statement and copy of the fee book for the month last past, showing by items the sources from which such fees and fines were derived, and shall append thereto an affidavit that they have received no other money for fees or fines, not before paid over to such treasurer. The treasurer shall file and preserve in his office said statements and affidavits, and shall issue to said justices and constables one original and one duplicate receipt therefor, and the said justices and constables shall preserve one in their offices and file the duplicate with the county auditor, whereupon the auditor shall charge the treasurer with the amount shown by the receipt.

Payment of fees into treasury.

Duties of treasurer and auditor.

SEC. 6. All fees by this act directed to be paid into the county treasury, when received shall be put into the salary fund of the county treasury.

SEC. 7. The salaries of the justices of the peace and constables, provided for in this act, shall be paid monthly out of the county treasury, and from the same funds out of which other salaried county officers are paid, and it shall be the duty of the county auditor, on the first Monday of each and every month, to draw his warrant upon the county treasurer in favor of each of said justices and constables for the amount of salary due him, under the provisions of this act for the preceding month: *Provided*, That the auditor shall not draw his warrant for the salary of any such officer for any month until the latter first shall have filed his duplicate receipt with the auditor, properly signed by the treasurer, showing that he has made the statement and settlement for that month as required by this act.

Payment of salaries.

SEC. 8. The board of county commissioners shall allow each justice in cities of the first class, and may allow each justice in cities of the second class, one clerk, at such salary as they may designate; said clerk to be paid in the same manner and at the same time as the said justices. The board of county commissioners may furnish for the use of each of the justices provided for in this act a suitable office room; and also, they shall furnish to each of the said justices and constables all necessary books, blanks and stationery for conducting the public business of his office; said office room, books, blanks and stationery to be paid for on the warrant of the auditor out of the general fund of the county.

Office rooms.

Expenses of constables.

SEC. 9. In addition to the salary provided to be paid to the constables named in this act, the county commissioners shall pay the actual traveling expenses of said constables while on official duties, to be audited by the board of county commissioners.

Fees, how paid.

SEC. 10. Said justices and constables shall not in any case, except for the state or county and other cases provided by law, perform any official services unless the fees prescribed for such services are paid in advance, and on such payment the said justices and constables must perform the services required, and shall give receipts for all fees collected, whenever requested. For every failure or refusal to perform official duty when the fees are tendered, said justices and constables shall be liable on their official bonds.

SEC. 11. All fees earned by the said justices and constables, under the provisions of law in this state, prior to and up to the date when this act becomes a law, shall be retained by the said officers in lieu of all salary and compensation for their services to that date.

SEC. 12. All laws or parts of laws in conflict with this act are hereby repealed.

Emergency.

SEC. 13. Whereas, the constitution provides that justices of the peace and constables in incorporated cities or towns having more than five thousand inhabitants shall receive a fixed salary in lieu of fees, and no provision having been made therefor, and their [there] being an immediate necessity for such provision, therefore an emergency is de-

clared to exist, and this act shall take effect and be in force from and after its approval by the governor.

Approved February 7, 1891.

CHAPTER VIII.

[H. B. No. 62.]

GRANTING ADDITIONAL POWERS TO CITIES OF THE THIRD CLASS.

AN ACT granting certain additional powers and authority to cities of the third class, relating to assessments, levy and collection of taxes.

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

SECTION 1. That all cities of the third class, as provided for under an act of the legislature, approved March 27, 1890, entitled "An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency," which shall have neglected or failed to assess or levy a general tax for municipal purposes for the year 1890, provided in section 126 of said act, shall have power and authority, by and through the city council of such cities, within six months from and after the passage and approval of this act, in which by ordinance to assess and levy such tax for municipal purposes for said year of 1890, and all said cities shall have power within said six months to provide by ordinance the time when such taxes so levied and assessed shall become due and payable; and the said taxes for said year shall become a lien upon the property so assessed, from and after the date of the passage and approval of the ordinance by which the same are levied.

To remedy neglect or failure.

Tax lien.

SEC. 2. Said cities shall also have the power to provide by ordinance for the collection of said taxes so assessed and levied, and for the enforcement of the liens of said taxes in any manner not inconsistent with the laws of this state in like cases.

Method of collection.