

domestic animals, but to all living creatures, not less than ten minutes each week, as provided in this act, in the common schools of such district, it shall be the duty of such county superintendent to at once investigate the matter of such complaints, and if found to be true, he shall immediately notify the county treasurer of the county in which such school district is located, and after the receipt of such notice it shall be the duty of the county treasurer to refuse to pay any warrant drawn upon him by the board of directors of such district subsequent to the date of such notice, and until he shall be notified to do so by such county superintendent. Whenever it shall be made to appear to the said county superintendent, and he shall be satisfied that the board of directors of such district are complying with the provisions of said section of this act, and are causing physiology and hygiene and kindness to be taught in the public schools of such district, as hereinbefore provided, he shall notify said county treasurer, and said treasurer shall thereupon honor the warrants of said board of directors.

Passed the house January 31, 1895.

Passed the senate February 6, 1895.

Approved February 13, 1895.

CHAPTER VI.

[S. B. No. 88.]

TO PROVIDE FOR TAKING TESTIMONY BY LEGISLATIVE COMMITTEES.

AN ACT providing for the taking of testimony in certain legislative proceedings, and declaring an emergency.

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

SECTION 1. Every chairman or presiding member of any committee of either the senate or house of representatives, or any joint committee of the senate or house of representatives, which, by the terms of its appointment, shall be Attendance
of witnesses
compulsory.

authorized to send for persons and papers, shall have power, under the direction of such committee, to issue compulsory process for the attendance of any witness within the state whom the committee may wish to examine.

Chairman to administer oaths.

SEC. 2. The chairman or presiding member of any committee of either the senate, house of representatives, or any joint committee thereof, shall be authorized to administer oaths to all witnesses coming before such committee for examination; and all witnesses who shall testify in any proceeding provided for in this act, shall be under oath or affirmation.

Commission to examine absent witnesses.

SEC. 3. Every such chairman or presiding member shall also have power, under the direction of the committee, to issue a commission for the examination of any witness who shall be without the jurisdiction of the state, or if within the state, shall be unable to attend, or who shall, for any reasons, be excused by the committee from attendance.

SEC. 4. Whenever such committee shall obtain authority for that purpose, from the senate or house, or legislature, by which it may be appointed, it may issue such commission to be executed during the recess of the legislature.

SEC. 5. Every such commission shall be directed to such magistrate or other person, as the committee may designate, and interrogatories framed by the committee shall be annexed thereto.

Commissioner to subscribe to oath.

SEC. 6. The person to whom such commission shall be directed, if he reside within the state and accept the trust, shall, before entering upon the execution of his duties, take the oath of office prescribed in the constitution. Such commissioner shall have power to issue process to compel the attendance of witnesses, whom he shall be required to examine, and shall have power to administer oaths to such witnesses.

Private examinations.

SEC. 7. Unless otherwise directed by the committee, it shall in all cases be the duty of the commissioner to examine, in private, every witness attending before him, and not to make public the particulars of such examination, when so made in private, until the same shall be made

public by order of the house or legislature appointing the committee.

SEC. 8. Every witness so attending shall be examined ^{Witnesses sworn.} on oath or affirmation, and his testimony shall be reduced to writing by the commissioner, or by some disinterested person in his presence and under the direction of said commissioner, and signed by the witness.

SEC. 9. When a commission shall have been duly ^{Depositions annexed.} executed, the commissioner shall annex thereto the depositions of the witnesses, duly certified by him, and shall, without delay, transmit the same by mail, inclosed and under seal, or deliver the same, to the chairman of the committee by which the commission shall have been issued, or to such person as by the committee directed.

SEC. 10. A person executing any such commission shall ^{Fees.} be paid, out of the state treasury, the same fees that are allowed by law for the taking of depositions on commissions issued out of the superior courts of this state; and any witness attending before either house of the legislature, or any committee or joint committee thereof, or before any such commissioner, shall be so paid two (2) dollars per day for each day in attendance, and five (5) cents a mile for the distance necessarily traveled in attending as such witness.

SEC. 11. A person who, being duly summoned to attend as a witness before either house of the legislature, or any committee or joint committee thereof, or commissioner authorized to summon witnesses, refuses or neglects, without lawful excuse, to attend pursuant to such summons, shall be punished as for contempt, as hereinafter provided.

SEC. 12. A person who, being present before either ^{Persons refusing to respond, in contempt.} house of the legislature, or any committee or joint committee thereof, or commissioner authorized to summon witnesses, wilfully refuses to be sworn or affirmed, or to answer any material and proper question, or to produce, upon reasonable notice, any material and proper books, papers or documents in his possession or under his control, shall be punished as for contempt, as hereinafter provided.

SEC. 13. Any person being in contempt, as hereinbefore provided, shall be punished by fine in any sum not less than fifty (50) dollars and not exceeding one thousand ^{Punishment of persons in contempt.}

(1,000) dollars, or by imprisonment in the county jail in the county where such examination is being had, for any period of time not extending beyond the legislative session then being held, or by both such fine and imprisonment, as the legislative body which authorized such examination may order. And in case the contempt arises in a joint proceeding of both houses, or before a joint committee thereof, the senate shall prescribe the penalty.

Conditional punishment for contempt.

SEC. 14. If any fine is imposed against any person for contempt, as hereinbefore provided, he shall stand committed to the county jail of the county in which the offense was committed until such fine is paid. The presiding officer of the house, fixing the fine, shall issue a warrant to the sheriff of the county where the offense was committed, commanding him to imprison such person in the county jail until such fine is paid, or until he has been imprisoned in such jail one (1) day for every three (3) dollars of such fine.

Process, how served.

SEC. 15. All process provided for in this act may be served in the same manner as is provided by law for the service of process in the superior court; and it shall be the duty of any officer to whom any process may be delivered or issued, to serve the same as directed: *Provided*, That in the service of process a copy thereof shall be delivered to the witness.

Record of proceedings kept.

SEC. 16. Every such committee shall keep a record of its proceedings under the provisions of this act, which record shall be signed by the chairman or presiding officer of the committee, and the same returned to the legislative body by which the committee was appointed, as a part of the report of such committee.

SEC. 17. Whereas, there is no statute now providing for the taking of testimony before legislative committees in this state, and public necessity requires the enactment of such a law, an emergency is hereby declared to exist, and this act shall take effect immediately upon its passage and approval by the governor.

Passed the senate February 5, 1895.

Passed the house February 13, 1895.

Approved February 20, 1895.