

SEC. 2. An emergency exists, and this act shall take effect immediately.

Passed the House January 28, 1897.

Passed the Senate February 16, 1897.

Approved by the Governor February 26, 1897.

CHAPTER XXVI.

[H. B. No. 97.]

TO PREVENT DISEASE AMONG SHEEP.

AN ACT in relation to and to prevent the introduction or spread of disease among sheep, and repealing "An act in relation to and to prevent the introduction or spread of disease among sheep," approved February 2, 1888, and declaring an emergency.

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

SECTION 1. That it shall be the duty of the commissioners of each county, upon the presentation to them at any regular meeting of a petition signed by three or more owners of sheep, residing in said county, to appoint some suitable person being a qualified elector of said county, as sheep inspector of said county for two years from the date of his appointment and until his successor is appointed and qualified as herein provided: *Provided*, That the county commissioners may at any time remove such sheep inspector from office and declare the said office vacant upon sufficient evidence being presented to them that such sheep inspector is unnecessary or has neglected to perform any of the duties imposed on him by this act, or is incompetent.

Appointment
and removal
of inspector.

SEC. 2. Such person so appointed shall, before entering upon the discharge of the duties of his office, take and subscribe an oath of office and enter into a bond, with two or more sureties, approved by the county commissioners in the penal sum of \$1,000, conditioned for the faithful performance of the duties of his office.

Oath and bond
of inspector.

Deputy
inspectors.

SEC. 3. Such inspector shall have the power to appoint not more than two deputies, for whose acts he shall, in all cases, be responsible, and by whom he may perform any act or duty required of him by this act; and each inspector shall be provided by the county with a seal of office, which shall be inscribed in substance as follows: "Sheep inspector of county, Washington." And each official certificate or report of such inspector shall be authenticated by such seal.

Inspection
and certificate
of health.

SEC. 4. No person, company or corporation shall bring or cause to be brought into this state any sheep or band of sheep without first, and within three months prior thereto, obtaining from a sheep inspector, duly appointed and qualified under this act, a certificate under the official seal of such inspector, to the effect that the said sheep, or band of sheep, have been personally inspected by such inspector, and that all such sheep are sound and healthy and free from scab or scabies, or other infectious or contagious disease, and no person, company or corporation shall move, or cause to be moved, any sheep or band of sheep from one county in this state to another county without first, and within six months prior thereto, obtaining such certificate, as is above mentioned. It shall be the duty of any sheep inspector, upon the request of any person, to visit and inspect any band of sheep within his county, or within five miles of the line of the state, unless he has inspected such band of sheep within three months prior thereto, and if, at the time of such inspection, such sheep are healthy and free from scab or scabies, and all infectious and contagious diseases, he shall issue to the owner or person in charge thereof a certificate to that effect; and if not healthy and free from scab and all contagious and infectious diseases, he shall revoke any certificate which may have been issued by him, and the person holding such certificate shall forthwith, on demand, deliver the same to such inspector.

Quarantine.

SEC. 5. Whenever the county commissioners of any county have reason to believe that any disease mentioned in this act has become epidemic in certain localities in any other state or territory, or that conditions exist that render sheep likely to convey disease, they must thereupon,

by order duly entered in their journal, designate such localities and prohibit the importation from them of any sheep into their county, except under such restrictions as are hereinafter provided.

SEC. 6. Upon the entry of such order of the county commissioners of any county, the owners or persons in charge of any sheep which are intended to be brought into the said county from localities in any other state or territory against which sheep quarantine has been declared, as provided in the next preceding section, must forthwith notify the sheep inspector of said county of such intention, and such owner or person in charge shall not allow any sheep to be brought into the county until such sheep have been quarantined and inspected by the sheep inspector, as provided in the next succeeding section: *Provided*, That this section shall not apply to sheep being transported upon the railroad through the State of Washington to points beyond the limits of said state, and which are not allowed to graze upon the public range of said state while being so transported.

Sheep from quarantined parts to be inspected.

Except those in course of transportation.

SEC. 7. Upon receiving notice of the intention of the owner or person in charge of any sheep, as provided in the last preceding section, to bring such sheep into any county of this state, from any quarantined district, the sheep inspector of such county shall forthwith proceed to examine and inspect such sheep before they are brought into this state, and shall cause such sheep to be kept within certain limits designated by him, for a term of sixty days, and shall cause the owner or person in charge of such sheep to dip such sheep, or otherwise treat such sheep, for the disease prevalent in the quarantined district; if at the expiration of said time the said sheep inspector shall find that said sheep are free from any contagious or infectious disease, he shall issue a certificate to the owner or person in charge of such sheep permitting them to be brought into this state.

Manner of inspection.

SEC. 8. It is unlawful for any person to bring into this state any sheep infected with the scab or any other contagious or infectious disease.

SEC. 9. Any person, company or corporation owning or

Owner shall
confine in-
fected sheep.

having charge of any sheep infected with scab or any infectious or contagious disease, shall keep the same, and all sheep with which such have been in contact, secure from contact with other sheep, and shall not drive or permit the same to go upon any public road or highway, or any inclosed land not owned by such company, person or corporation: *Provided*, That such sheep may be moved or driven upon such places and highways by first obtaining the written permission of the sheep inspector of the county wherein such sheep may be, which permission shall state the time within which they are to be moved, the place to and from which, and the route to be traveled.

SEC. 10. It shall be, and is hereby made, the duty of each sheep inspector appointed under this act to examine, visit and inspect every band of sheep within his county during the months of April and May of each year.

Inspector's
order to con-
fine and treat
diseased
sheep.

SEC. 11. Whenever, upon inspection of any band or herd of sheep kept or herded in any county of the State of Washington, the sheep inspector shall find such sheep, or any portion of them, affected with scab or any infectious or contagious diseases, he shall forthwith notify the owner or person in charge of such diseased sheep, in writing, to put such diseased sheep, and the band or herd in which they have been kept, into an inclosure, or by other sufficient means keep them from contact with other sheep, and to proceed immediately to treat them for the cure of such disease in some manner or by some means approved by an inspector; and any person, company or corporation who shall neglect for ten (10) days to put such sheep into an inclosure, or by other sufficient means secure them from contact with other sheep, or shall refuse or neglect for ten (10) days after such notice to proceed to treat such sheep for the cure of such diseases in some manner or by some means approved by an inspector, shall be guilty of a misdemeanor, and for each day of such neglect or refusal to treat such sheep after ten (10) days from each notice, such person or corporation shall be guilty of a separate misdemeanor, and in addition to the punishment provided in this act the inspector shall, in case of a refusal or neglect to secure such diseased sheep from contact with other sheep,

Penalty.

Additional
penalty.

immediately upon notice being given as hereinbefore provided, or in case of a refusal or neglect of ten (10) days after notice to treat such sheep for the cure of such diseases, seize such sheep, and by inclosure or other sufficient means secure them from contact with other sheep, and proceed without unnecessary delay to treat them for the cure of such disease; and the expense of such seizure, keeping and treatment, together with the fees of the inspector while engaged therein, shall be a charge on the sheep so seized, and the inspector shall hold the sheep until the same is paid, and if not paid within ten (10) days after such treatment is completed he shall collect the same, together with the costs and expenses of collection, by advertising and selling such sheep, or as many thereof as may be necessary, in the manner provided by law for the sale of personal property upon execution: *Provided*, No person, company or corporation shall be required to dip a band of sheep between the first day of December and the first day of May.

SEC. 12. No owner of any toll bridge or ferry boat, or person in charge thereof, shall permit any sheep to cross such bridge, or go upon such ferry boat, unless the person in charge of such sheep shall first exhibit to the person in charge of such bridge or boat a valid certificate issued by an inspector appointed under this act, to the effect that such sheep are free from scab and all other contagious and infectious diseases.

Owner of toll bridge or ferry boat to require certificate of health.

SEC. 13. Every certificate issued under this act to the owner of sheep continuously kept within this state shall be null and void after one year from the date thereof, and every certificate issued to the owner of any band or herd of sheep which are not continuously kept in this state, shall be null and void after six months from the date thereof.

Life of certificate.

SEC. 14. Each inspector shall be paid three (3) dollars per day for each day when necessarily engaged in the discharge of the duties of his office, and five cents per mile for each mile necessarily traveled by him for such purpose, and his bills for such service shall be audited and paid by the county commissioners of the county for which he is appointed.

Pay of inspectors.

Civil action
for damages
—lien.

SEC. 15. Any person, company or corporation violating any provision of this act, or who shall fail to comply with, or who disregards any order or direction made by any sheep inspector under the provision of this act, shall be liable in a civil action for all damages sustained by any other person, company or corporation in consequence of such violation. Such damages shall be a lien on the sheep, which may be sold to satisfy such lien as provided by law.

Penalty for
any violation.

SEC. 16. Any person who fails to comply with, or disregards any order or direction made by any sheep inspector under the provisions of this act, or who violates any of the provisions of this act, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than fifty (50) dollars or more than five hundred (500) dollars.

Repeals.

SEC. 17. That the act entitled "An act in relation to, and to prevent the introduction or spread of disease among sheep," approved February 2, 1888, and all other acts and parts of acts in conflict with this act are hereby repealed.

SEC. 18. An emergency exists, and this act shall take effect immediately.

Passed the House February 2, 1897.

Passed the Senate February 15, 1897.

Approved by the Governor February 26, 1897.

CHAPTER XXVII.

[H. B. No. 262.]

RELATING TO TIDE LANDS.

AN ACT providing for the cancellation of applications, contracts or deeds heretofore received or made for certain portions of the tide lands in the harbors of cities of the first class, prescribing the conditions under which the same may hereafter be disposed of, and declaring an emergency.

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

SECTION 1. That, whereas, the board of state land commissioners has heretofore received and considered applica-