

CHAPTER 115.

[H. B. No. 244.]

RELATING TO THE CONSTRUCTION OF ARMORIES IN CERTAIN CITIES AND MAKING AN APPROPRIATION TO ASSIST THEREIN.

AN ACT relating to the construction of armories for the use of the National Guard of Washington, appropriating money from the military fund to assist therein, authorizing certain counties and cities of the first class to furnish sites and participate in such construction, empowering them to incur indebtedness and to issue bonds therefor, and imposing penalties and providing a punishment for its violation.

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

SECTION 1. That for the purpose of assisting in the construction of an armory for the use of such organizations of the National Guard of Washington as may be stationed there, the sum of \$30,000 is hereby appropriated from the military fund for the construction of an armory in the city of Seattle: *Provided*, That a suitable site for such armory be furnished without cost to the State of Washington therefor, and that such site and all buildings, improvements and structures thereon shall forever belong to the State of Washington.

Appropriation for Seattle.

SEC. 2. That for the purpose of assisting in the construction of an armory for the use of such organizations of the National Guard of Washington as may be stationed there, the sum of \$20,000 is hereby appropriated from the military fund for the construction of an armory in the city of Tacoma: *Provided*, That a suitable site for such armory be furnished without cost to the State of Washington therefor, and that such site and all buildings, improvements and structures thereon shall forever belong to the State of Washington.

Appropriation for Tacoma.

SEC. 3. That for the purpose of assisting in the construction of an armory for the use of such organizations of the National Guard of Washington as may be stationed there, the sum of \$20,000 is hereby appropriated from the military fund for the construction of an armory in the city of Spokane: *Provided*, That a suitable site for such armory be furnished without cost to the State of Washingt-

Appropriation for Spokane.

ton therefor, and that such site and all buildings, improvements and structures thereon shall forever belong to the State of Washington.

SEC. 4. That the counties of King, Pierce and Spokane, each of them by and through its board of county commissioners, and the cities of Seattle, Tacoma and Spokane, each of them by and through its council, are hereby severally authorized and empowered to contract indebtedness for the purposes of purchasing such armory sites and assisting in the construction of such armories, and to issue negotiable bonds therefor whenever the board of county commissioners of the respective county, or the council of the respective city shall deem it advisable, to an amount which together with the existing indebtedness of such county or city, shall not exceed one and one-half per centum of the taxable property of such county or city, to be ascertained by the last assessment for county or city purposes.

May increase limit of indebtedness by three-fifths vote in county.

SEC. 5. That each and every county and city mentioned in Section 4 of this act may contract indebtedness for the purposes herein specified and issue bonds therefor in excess of the amount named in said section 4 of this act, but not exceeding in amount, together with the existing indebtedness five per centum of the taxable property, to be ascertained as provided in said section 4, whenever three-fifths of the voters of such county or city voting on said question assent thereto at an election to be held for that purpose, consistent with the general election laws, which election may be either a general or special election.

Bonds—denominations and rates of interest.

SEC. 6. Said bonds shall be in denominations of not less than one hundred (100) nor more than one thousand (1000) dollars. They shall bear the date of issue, shall be made payable to the bearer in not more than twenty years from the date of issue, and bear interest at a rate not exceeding six (6) per cent. per annum, payable annually, with coupons attached, for each interest payment. The bonds and each coupon in the case of a county shall be signed by the chairman of the board of county commissioners, and attested by the clerk of said board, and the seal of such board shall be affixed to each bond, but not to the coupon. In the case of a city, the bonds and each coupon shall be signed by the mayor and attested by the clerk under the seal of the city. Said bonds shall be printed, engraved or lithographed

Bonds by whom signed and how issued

on good bond paper, and each bond shall state on its face that it is issued in accordance and in strict compliance with an act of the Legislature of the State of Washington entitled "An act relating to the construction of armories for the use of the National Guard of Washington, appropriating money from the military fund to assist therein, authorizing certain counties and cities of the first class to furnish sites and participate in such construction, empowering them to incur indebtedness and to issue bonds therefor, and imposing penalties and providing punishment for its violation," approved on the---day of---19--- (inserting the date of the approval of this act). Said bonds shall be payable in any city containing a bank of the United States.

SEC. 7. Bonds issued by counties in accordance with this act shall be sold by the county commissioners at not less than their par value, and the proceeds shall be applied only for the purposes for which said bonds were issued. Bonds issued by cities in accordance with this act shall be sold in such manner as the corporate authorities shall deem for the best interest of the city. Treasuries of counties and cities issuing bonds in accordance with this act shall register the same in the manner provided by law for bonds issued for county and municipal purposes.

SEC. 8. Ten years before said bonds shall become due, there shall be levied by each county and city issuing the same, a tax sufficient to liquidate the said bonds at maturity. Such tax shall be collected and kept as a separate fund for the sole purpose of liquidating the said bonds in accordance with the next following section.

SEC. 9. It shall be the duty of the treasurer of any county or city issuing bonds under the provisions of this act, whenever he has upon hand two thousand dollars of the special fund for the payment of said bonds, to advertise in the newspaper doing the county or city business for the presentation to him for payment of as many of the bonds, issued under the provisions of this act, as he may be able to pay with the funds in his hands, to be paid in numerical order of said bonds, beginning with bond No. 1, until all of said bonds are paid: *Provided*, That thirty days after the first publication of said notice of the treasurer calling in any of said bonds by their numbers, said

Bonds—where
payable.

Bonds, how
sold.

Registration
of bonds.

Tax levy to
cover bonds.

Payment of
bonds by
County
Treasurer.

Interest to
cease—when.

bonds shall cease to bear interest, which shall be stated in the notice.

Indorsement
of coupons by
Treasurer;
considered
same as
warrants.

SEC. 10. The coupons herein before mentioned for the payment of interest on said bonds shall be considered for all purposes as warrants drawn upon the special fund provided in section 8 of this act, and when presented to the treasurer of the county or city issuing such bonds, and no funds are in the treasury to pay said coupons, it shall be the duty of the treasurer to indorse said coupons as presented for payment, in the same manner as warrants are indorsed, and thereafter said coupons shall bear interest at the same rate as warrants so presented and unpaid.

Armory
Commissions,
of whom
comprised.

SEC. 11. That for the purpose of erecting and completing the armories provided for in this act, there are hereby created three boards, to be known as the Seattle Armory Commission, the Tacoma Armory Commission, and the Spokane Armory Commission, respectively, each of these boards shall consist of five members comprised as follows: The adjutant general, the chairman of the board of county commissioners of the respective county, the president of the council of the respective city, the city engineer, and the ranking officer of the active list of the National Guard of Washington stationed at the respective city. The adjutant general shall be chairman of the three boards, and each shall elect a secretary from among its members. The members of these boards shall act as such until the completion of the armory under their charge and the acceptance thereof by the State, and shall give bond with at least two sureties to the State of Washington, in the sum of five thousand dollars, conditioned for the faithful performance of the duties imposed by this act, to be approved by the Governor and filed with the Secretary of State, said sureties qualifying in double the penal obligation of said bond. In each a majority shall constitute a quorum.

Chairman
and secre-
tary.

Shall give
bond with
sureties—
where filed.

Quorum.

Members not
to be inter-
ested in
contracts.

SEC. 12. It shall be unlawful for any of the members of the said boards to be connected, either directly or indirectly, in any manner whatsoever, with any contract or part thereof for the erection of said armories, or for any work connected therewith, or for the furnishing of any supplies or material therefor, or to receive any benefit therefrom, either by way of commission, rebate, bonus, division of profits or otherwise; and any one of said members who shall violate

this provision of this act shall be guilty of a felony, and upon conviction thereof shall be subject to a fine not to exceed \$1,000, and imprisonment in the penitentiary not to exceed five years, and shall forfeit his right to and be removed from his place on the board by the court in which he shall have been convicted. It shall be unlawful for any of said boards to employ any person in the supervision or superintendence of the building of said armories, or in any work connected therewith, who may or shall become in any manner connected, directly or indirectly, with any contract for the erection of said armories, or for the furnishing of any supplies or material therefor; and the said boards are hereby charged with the rigid enforcement of this provision of this act.

SEC. 13. It shall be the duty of each of said boards to locate its armory upon the most slighty and suitable site which shall become available therefor within its respective city; to secure the submission of plans and designs appropriate to an armory to cost not more than the amount specified in this act and such additional sum as may be donated by the county or city, to select the most desirable site, plan and design, and to obtain proper architectural designs, plans and specifications and details, in conformity with such plan and design; to secure the erection and completion of such armory building, conforming faithfully to such plan and design.

SEC. 14. No construction or material exceeding \$500 in amount shall be furnished except pursuant to bids advertised for in one daily newspaper for a period of ten days in each of the cities of Seattle, Tacoma and Spokane. The bid of the lowest and best responsible bidder shall be accepted, saving that the boards shall have the right to reject any and all bids. The performance of every contract shall be secured by a surety company bond to the State of Washington, in a sum not less than one quarter of the contract price, said bond to be conditioned for the faithful performance of said contract and to be approved by the respective commissions. Each bid shall be accompanied by a certified check in the sum of \$1,000, payable to the chairman of the respective commission, which shall be forfeited to the State for the use of the military fund upon failure of the party, for a period of ten days after any contract is awarded him

Site of
armories.

Bids for ma-
terial and
construction.

Certified
check to ac-
company bid.

Right to
annul con-
tracts re-
served.

Quality of
material.

Compensa-
tion and
duties of
architect.

Bond of
architect.

Disburse-
ments—how
made.

to enter into a proper contract and furnish satisfactory bonds as required by law. All contracts shall reserve the right of the board for good cause shown to annul the contract, without allowance for damages, and allowing only expenses incurred and labor performed, not exceeding the contract price of the proportion that the work done or material furnished thereunder bears to the total amount contracted for. Such a per centum not less than twenty per centum, as the board shall deem proper, shall be reserved from payment on monthly estimates of work done, until such work shall have been completed, inspected and accepted. All material contracted for shall be of the best quality and to the satisfaction of the board, and the directions, plans and specifications of the work executed and carried out by skilled and reputable architects, contractors, artists, mechanics and laborers, likewise to the satisfaction of the board.

SEC. 15. The architect chosen by each of these boards shall receive such compensation for his plan and design as the board shall deem reasonable. He shall be supervising architect of said building, and for all contracts for construction or material therefor. He shall see that all material furnished and work done shall be of the best quality, and all contracts with said board are faithfully performed by the parties so contracting with said board. He shall perform all other duties devolving upon him as such architect, and the supervising architect of said building, and may be removed at the pleasure of said board. Neither said architect nor any of his subordinates or assistants shall be in any way connected with any work done or material furnished for said building, or any contract therefor, or shall have any interest therein, directly or indirectly. He shall furnish a surety company bond to the State of Washington in the sum of \$10,000, conditioned for the faithful performance by said architect, his assistants and subordinates, of his or their duties as herein prescribed.

SEC. 16. All disbursements on account of the construction of any of the armories provided for in this act shall be made pursuant to certificates issued by the board having charge. All claims, bills and demands for labor performed, work done or material furnished shall be presented to the board in duplicate, and shall be passed upon by said

board after a careful examination of every item named. If ^{Auditing of} bills. found correct they shall audit the same, preserving one duplicate and transmitting the other as audited and allowed to the State Auditor, and shall issue a certificate to the effect that the services have been rendered or material furnished, and the person therein named is entitled to a warrant on the treasury for the amount therein named. Upon a presentation of said certificate and a duplicate of the vouchers therefor as audited and approved by the board as herein provided, to the State Auditor, he shall draw his warrant on the State Treasury upon the fund appropriated for the particular armory in the construction of which the claim was incurred, for the amount stated, and to the order of the person named in said certificate: *Provided*, That no certificate shall be issued in excess of the amount remaining to the credit of that particular fund. All certificates issued shall be recorded in a book for that purpose.

SEC. 17. In order to carry out the provisions of this act ^{Creation of} armory funds. there are hereby created three funds, to be known as the Seattle armory fund, the Tacoma armory fund, and the Spokane armory fund, respectively, under which names the amounts appropriated in sections 1, 2 and 3 of this act shall be carried respectively. Whenever any county, city or individual shall donate money to assist in the construction of any one of these armories, the same shall be paid into the State Treasury to the credit of the particular fund for the armory in question, and shall be available in like manner as the money appropriated by the State, for the expenses incurred in the construction of that particular armory.

SEC. 18. The attorney general shall be the legal adviser ^{Attorney General legal} adviser. of the boards herein constituted.

SEC. 19. That the armories herein provided for the National Guard of Washington shall not be used for any purpose whatever other than the legitimate uses of the commands occupying them, and no commander of any regiment, battalion or company shall allow the armory or armories of his command to be let for other than a proper military purpose, unless by the approval of the commander-in-chief or intermediate commanders. Use of armories.

SEC. 20. The commander-in-chief is hereby authorized ^{Rules and regulations.} to make such rules and regulations as he may deem expedient to govern these armories, but such rules and regulations

shall conform to this act. When promulgated they shall have the same force and effect as this act.

Passed the House March 10, 1903.

Passed the Senate March 12, 1903.

Approved by the Governor March 16, 1903.

CHAPTER 116.

[H. B. No. 71.]

AMENDING ACT RELATIVE TO BUILDING, LOAN AND SAVINGS ASSOCIATIONS.

AN ACT to amend Sections 1, 4, 6, 25, 31 and 39 of an act entitled "An act relating to building, loan and savings associations doing a general business," received by the governor March 28, 1890, and became a law without approval, being Sections 4395, 4398, 4399 [4419], 4425, 4433 of Ballinger's Annotated Codes and Statutes of Washington, and Sections 7128, 7131, 7133, 7152, 7158, 7166 of Pierce's Washington Code, and repealing Section 34 of said act, known as Section 4428 of Ballinger's Annotated Codes and Statutes of Washington, and Section 7161 of Pierce's Washington Code.

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

SECTION 1. That sections 1, 4, 6, 25, 31 and 39 of an act entitled "An act relating to building, loan and savings associations, doing a general business," received by the Governor March 28, 1890, and which became a law without approval, being sections 4395, 4398, 4399, 4419, 4425 and 4433 of Ballinger's Annotated Codes and Statutes of Washington and sections 7128, 7131, 7133, 7152, 7158 and 7166 of Pierce's Washington Code, be amended to read as follows:

Sec. 1. That section 1 of the above described act be amended to read as follows: Section 1. Whenever any number of persons not less than ten desire to be incorporated as a building and loan association, for the purpose of accumulating the savings and funds of its members and lending its shareholders or others the funds so accumulated, they shall make and execute a written declaration to that effect in the form now provided by statute for the execution of deeds of

Amendment.

Manner of incorporation.