

or more suitable persons, of all the inhabitants of such town or city in which census the full name of each person shall be plainly written, and the names alphabetically arranged and regularly numbered in complete series; which census shall be verified before an officer authorized to administer oaths, and filed with the clerk of the corporation. And if such census shows such city or town to belong to the class named in such petition, the same proceedings shall be had as if such census were a federal or State census. But if such census shows such town or city not entitled to belong to the class named in such petition, no further proceedings shall be had: *Provided further*, That such city or town may be reorganized as a city or town of the class indicated by such census, upon a proper petition filed within six months from the filing of such census with the clerk of the corporation, without other or further census.

Passed the Senate February 7th, 1907.

Passed the House March 13th, 1907.

Approved by the Governor March 19th, 1907.

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## CHAPTER 249.

[H. B. 337.]

### AMENDING ACT ESTABLISHING A RAILROAD COMMISSION.

AN ACT to amend section 23 of an act entitled: "An act to establish a railroad commission for the State of Washington, whereby discrimination and extortion in railroad and express charges may be prevented and reasonable and just freight and passenger service and tariff may be corrected and established; to authorize the commission to make all necessary rules and regulations for its government, and the carrying into effect the provisions of this act; to give to said commission the power to regulate the sale of railroad tickets, and to correct and provide charges for hauling loaded or empty cars, proper trackage, proper train service, sufficient freight and passenger rooms, and just and reasonable joint rates and demurrals charges; to prescribe penalties for the violation of this act, and to provide means and rules for its proper enforcement, and making an appropriation therefor." Approved March 7, 1905.

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

SECTION 1. That section 23 of an act entitled "An Act to establish a railroad commission for the State of Wash-

ington, whereby discrimination and extortion in railroad and express charges may be prevented and reasonable and just freight and passenger service and tariff may be corrected and established; to authorize the commission to make all necessary rules and regulations for its government, and the carrying into effect the provisions of this act; to give to said commission the power to regulate the sale of railroad tickets, and to correct and provide charges for hauling loaded or empty cars, proper trackage, proper train service, sufficient freight and passenger rooms, and just and reasonable joint rates and demurral charges; to prescribe penalties for the violation of this act, and to provide means and rules for its proper enforcement, and making an appropriation therefor," approved March 7, 1905, be and the same is hereby amended so as to read as follows:

Right of  
action not  
released.

Sec. 23. This act shall not have the effect to release or waive any right of action by the State or any person for any right, penalty or forfeiture which may have arisen or may hereafter arise under any law of this State; and all penalties accruing under this act shall be cumulative of each other, and a suit for the recovery of one penalty shall not be a bar to the recovery of any other: *And provided*, That no contract, receipt, rule, or regulation shall exempt any corporation engaged in transporting live stock by railway from liability of a common carrier, or carrier of live stock, which would exist had no contract, receipt, rule, or regulation been made or entered into.

Transporta-  
tion of live  
stock—lia-  
bility of  
carrier.

Passed the House March 1st, 1907.

Passed the Senate March 14th, 1907.

Approved by the Governor March 19th, 1907.