

## CHAPTER 47.

[S. B. 196.]

## RELATING TO TOWNSHIP ORGANIZATIONS.

AN ACT relating to township organization and amending an act entitled "An act to provide for township organization, and prescribing the duties and fixing the compensation of township officers, and providing for the assessment, levy and collection of town taxes, approved March 23, 1895," by amending sections 11, 17, 18, 48, 79, 80, 81, 82, 93 and 115 and adding sections 117, 118, 119 and 120 to said act, repealing all laws in conflict therewith and declaring an emergency.

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

[Am'd. § 11,  
ch. 175, p.  
476, L. '95.]

SECTION 1. That section 11 of said act be and the same is hereby amended to read as follows: Sec. 11. Each town is a body corporate, and has capacity—

Powers of  
township.

First. To sue and be sued.

Second. To purchase, or receive by gift or otherwise, and hold lands within its own limits and for the use of its inhabitants, subject to the power of the legislature.

Third. To make contracts, purchase, and hold such personal property as may be necessary for the exercise of its corporate or administrative powers, and convey and dispose of the same.

Fourth. To make such orders for the disposition, regulation or use of its corporate property as may be deemed conducive to the interest of its own inhabitants.

[Am'd. § 17,  
ch. 175, p.  
477, L. '95.]

SEC. 2. That section 17 of said act be and the same is hereby amended to read as follows: Section 17. There shall be elected at the annual town meeting in each town, three supervisors (one of whom shall be designated on the ballot as chairman), one town clerk, one treasurer, one assessor, one justice of the peace, one constable, and one overseer of highways for each road district in said town, but each overseer shall be elected by the electors of the respective road districts present at said annual town meeting and must be a resident elector of said road district; but justices of the peace and constables shall be elected only once in two years except to fill vacancies.

SEC. 3. That section 18 of said act be and the same is hereby amended to read as follows: [Am'd. § 18, ch. 175, p. 478, L. '95.]

Sec. 18. The electors of each town have power, at their annual town meeting—

First. To determine the number of pound-masters, and the location of pounds. Powers of annual meeting.

Second. To select such town officers as are required to be chosen.

Third. To direct the institution or defense of actions in all controversies where such town is interested.

Fourth. To direct such sums to be raised in such town for prosecuting or defending such actions as they may deem necessary.

Fifth. To make all rules and regulations for ascertaining the sufficiency of fences in such town, and for impounding animals.

Sixth. To determine the time and manner in which cattle, horses, hogs, mules, asses, and sheep are permitted to go at large.

Seventh. To impose such penalties on persons offending against any rules or regulation established by said town, except such as relate to the keeping and maintaining of fences, as they think proper, not exceeding ten dollars for each offense, unless herein otherwise provided.

Eighth. To apply such penalties, when collected, in such manner as they deem most conducive to the interests of the town.

Ninth. To vote to raise such sums of money for the repairs and construction of roads and bridges as they deem necessary, and to determine the amount thereof to be assessed by the supervisors as labor tax and the amount thereof to be assessed and collected as other town taxes; also to vote such sums of money for other necessary town charges as they deem expedient: *Provided*, That they may, at their annual town meeting, direct such an amount of the poll and road tax of the town to be expended on the highways in an adjoining town as they deem conducive to the interests of the town, which labor and tax shall be expended under the direction of the supervisors of the Taxes.

town furnishing the same: *Provided further*, That where more than one entire congressional township is included within an organized town the poll and road tax raised within the limits of each of such congressional townships shall be expended within such congressional township, unless raised to be expended outside of such organized town in an adjoining town.

Regulate  
sale of  
liquors.

Tenth. To determine whether license shall be granted for the sale of spirituous, malt or intoxicating liquor in said town; and unless a majority of the electors present and voting at the annual town meeting shall vote by ballot in favor of granting license in their town for the year then next ensuing, no such license shall be granted to sell liquor in said town for that year. Before the question of granting license to sell liquor is voted on the notice given by the town clerk of the time and place of holding town meeting shall state that the question of voting for or against license to sell liquor will be voted on at the town meeting, and within one week after the annual town meeting a certificate of such vote in said town in favor of license, signed by the moderator and by the judges and the clerk of the town meeting, shall be filed in the office of the county auditor. Any license to sell intoxicating liquor in any town in this state shall expire ten days after the annual town meeting held next after such license is granted: *Provided, however*, That if at the expiration of said ten days after the annual town meeting, a portion of the period for which any license shall have been issued remains unexpired, the holder thereof shall be entitled to a refund in such part of the whole amount paid for such license, as the unexpired portion bears to the entire period for which such license was issued. Every license granted contrary to the provisions of this section shall be void.

[Am'd. § 48,  
ch. 175, p.  
486, L. '95.]

Supervisors.

SEC. 4. That section 48 of said act be and the same is hereby amended to read as follows: Sec. 48. The supervisors shall have charge of such affairs of the town as are not by law committed to other town officers; and they shall have power to draw orders on the town treasurer for the

disbursement of such sums as may be necessary for the purpose of defraying the incidental expenses of the town, and for all moneys raised by the town to be disbursed for any other purpose. They shall have charge of all highways and bridges in their respective townships, and the care and supervision thereof; and shall have power to divide their respective townships into road districts and to appoint one resident elector of each road district as overseer thereof for the first year of township organization; to establish new highways and bridges and to vacate or alter all highways and bridges wholly within the township: *Provided*, Nothing in this act contained shall be construed as prohibiting any county from or denying to any county the power to build, repair, alter and maintain, at the county's expense, such highways and bridges as the county generally is interested in or such as may be of so large cost that a single township could not undertake the construction of, or such as are located in sparsely settled townships as are unable to construct the same.

SEC. 5. That section 79 of the said act be and the same is hereby amended to read as follows: Sec. 79. Each township assessor elected or appointed under this act shall take an oath and give a bond as now required of county assessors, the amount of said bond to be fixed, and the said bond to be approved, by the board of supervisors; and each township assessor shall, in his town, perform the same duties and exercise the same rights as are now performed and exercised by county assessors in their respective counties under the laws of this state, and shall be subject to the same penalties as county assessors now are.

[Am'd. § 79,  
ch. 175, p.  
495, L. '95.]

Assessor.

SEC. 6. That section 80 of said act be and the same is hereby amended to read as follows: Sec. 80. The county assessor shall annually provide the necessary assessment books and blanks at the expense of the county, for and to correspond with each assessment district. He shall make out in the real property assessment book complete lists of all lands or lots subject to taxation, showing the names of the owners, if to him known, and, if unknown, so stated

[Am'd. § 80,  
ch. 175, p.  
495, L. '95.]

County  
assessor to  
provide  
books.

opposite each tract or lot, the number of acres and the lots or parts of lots or blocks included in each description of property. The list of real property becoming subject to assessment and taxation every odd numbered year may be appended to the personal property assessment book. The assessment books and blanks shall be delivered to the county assessor on or before the second Saturday of March in each year, and the town assessors shall meet on that day at the office of the county assessor for the purpose of receiving such books and blanks, and for conference with the said county assessor in reference to the performance of their duties and that all township assessors shall perform their duties under the supervision of the county assessor.

[Am'd. § 81,  
ch. 175, p.  
496, L. '95.]

SEC. 7. That section 81 of said act be and the same is hereby amended to read as follows: Sec. 81. The board of supervisors of each town shall meet on the second Monday in May at the office of the town clerk for the purpose of reviewing the assessment of property in such town, and they shall immediately proceed to examine, ascertain and see that all taxable property in their town or district has been properly placed upon the list and duly valued by the assessor; and in case any property, real or personal, shall have been omitted by inadvertence or otherwise, it shall be the duty of said board to place the same upon the list, with the true value thereof, and proceed to correct the assessment, so that each tract or lot of real property and each article, parcel or class of personal property shall be entered on the assessment list at the true and full value thereof; but the assessment of the property of any person shall not be raised until such person shall have been duly notified of the intention of the board so to do. And on the application of any person considering himself aggrieved they shall review the assessment and correct the same as shall appear to them just. Any two of said officers are authorized to act at such meeting, and they may adjourn from day to day until they shall finish the hearing of all cases presented. All complaints and grievances of individuals, residents of the town or district, in reference

Supervisors  
to pass upon  
assessments.

to the assessment of any property, shall be heard and decided by the town board: *Provided*, That the complaints of non-residents in reference to the assessment of any property, real or personal, and of others in reference to any assessment made after the meeting of the town board of review, shall be heard and determined by the county board of equalization: *Provided further*, That any person considering himself aggrieved by a decision of the town board of review may present the matter to the county board of equalization for determination.

Non-residents.

SEC. 8. That section 82 of said act be and the same is hereby amended to read as follows: Sec. 82. The assessor shall cause at least ten days' previous notice of the time and place of the meeting of the town board of review by posting notices in at least three public places in his town or district, but the failure to give such notice or hold such meeting shall not vitiate such assessment, except as to the excess of valuation of tax thereon shown to be unjustly made or levied. It shall be the duty of the assessor to attend the meeting of the town board of review with his assessment books and papers, and note all changes and additions made by the board, and correct his work accordingly, and not later than ten days after the meeting of the board of review said assessor shall return the assessment books of his town, duly verified, along with all the assessment papers in his hands, to the county assessor not later than the fifth day of June.

[Am'd. § 82.  
ch. 175, p.  
496, L. '95.]

Notice of  
review of  
assessment.

SEC. 9. That section 93 of said act be and the same is hereby amended to read as follows: Fees of town officers. Sec. 93. The following town officers are entitled to compensation, at the following rates for each day necessarily devoted by them to the service of the town, in the duties of their respective offices: The town assessors shall receive for their services two dollars per day, while engaged in their respective duties as such assessors. Each road overseer shall receive for his services two dollars per day, while engaged in his duties as such road overseer. The town clerks and supervisors shall receive for their services one

[Am'd. § 93.  
ch. 175, p.  
501, L. '95.]

Pay of  
assessors.

Supervisors  
and clerks.

dollar per day when attending to business in their town, and one dollar and fifty cents when attending to business out of town; no town supervisor shall receive more than twenty dollars, for compensation, in any one year: *Provided*, That the town clerks shall be paid fees for the following, and not a per diem: For filing any paper required by law to be filed in his office, ten cents each; for posting up notices required by law, twenty-five cents each; for recording any order or any instrument of writing authorized by law, five cents for each one hundred words; for copying any record or instrument on file in his office, and certifying the same, five cents for each one hundred words, to be paid for by the person applying for the same: *Provided further*, That at any town meeting, before the electors commence balloting for officers, they may by resolution reduce or increase the compensation of officers, but no such increase shall exceed one hundred per cent.

Fees of clerk.

[Am'd. § 115,  
ch. 175, p.  
507. L. '95.]

SEC. 10. That section 115 of said act be and the same is hereby amended to read as follows: Sec. 115. In this act the words town and township are used with the same meaning, and are used to designate a township organized under this act, unless the contrary appears from the context; and whenever the word oath is used, it shall be understood to mean oath or affirmation.

Construction.

[Added § to  
ch. 175.]

SEC. 11. That section 117 is hereby added to said act to read as follows: Sec. 117. Whenever any real estate belonging to the town is sold, the conveyances thereof shall be executed by the chairman of the town board in his official capacity and attested by the clerk; and such conveyance, duly witnessed and acknowledged, shall convey to the grantee therein named all of the right, title and estate which the town then has in the real estate conveyed.

Conveyances  
of real estate.

[Added § to  
ch. 175.]

SEC. 12. That section 118 is hereby added to said act to read as follows: Sec. 118. That no act that shall hereafter become a law shall be construed as in any manner altering, amending or repealing any of the provisions of this act unless such act expressly so provides.

Future acts.

SEC. 13. That section 119 is hereby added to said act to read as follows: Sec. 119. All acts or parts of acts in conflict with the provisions of this act are hereby repealed. Repeals.

SEC. 14. That section 120 is hereby added to said act to read as follows: Sec. 120. An emergency exists and this act shall take effect immediately. Emergency.

Passed by the Senate February 19, 1909.

Passed by the House February 24, 1909.

Approved March 3, 1909.

## CHAPTER 48.

[S. B. 151.]

### APPROPRIATION FOR DEFICIENCIES IN MANAGEMENT OF STATE FAIR.

AN ACT providing for the payment of certain deficiencies in maintenance of the State Fair of Washington, and appropriating money therefor.

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

SECTION 1. That the sum of ten thousand six hundred ninety-nine dollars (\$10,699.00) be, and the same is hereby appropriated for the purpose of paying for buildings and improvements necessary for the caring for of exhibits for the years 1907 and 1908 and for the maintenance of the state fair of Washington from September 1, 1908, to April 1, 1909. Deficiency  
appropriation  
\$10,699.

Passed by the Senate February 15, 1909.

Passed by the House March 1, 1909.

Approved March 3, 1909.