

For taking affidavits and acknowledgments, each...	.25
For attending with clerk of county commissioners at the opening of polls, per diem.....	3.00
For taking depositions, each folio.....	.10
For issuing warrant in criminal cases.....	.50
For taking recognizance of bail, including justifica- tion75
For committing to jail.....	.50
Passed the House February 26th, 1907.	
Passed the Senate March 1st, 1907.	
Approved by the Governor March 11th, 1907.	

CHAPTER 122.

[H. B. 293.]

RELATIVE TO THE NATIONAL GUARD OF WASHINGTON.

AN ACT relating to the enrollment of the militia, the organization, maintenance and discipline of the National Guard of the state of Washington, providing for the public defense, amending sections 31, 42, 45, 87, 89 and 176 of chapter CVIII of the Session Laws of 1895, repealing section 16 of chapter 155 of the Session Laws of 1903, and declaring an emergency.

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

SECTION 1. That section 31 of chapter CVIII of the Session Laws of 1895, be amended to read as follows:

Sec. 31. The hospital and ambulance corps shall be organized and maintained to conform to regulations now or hereafter to be prescribed for like organizations in the regular army of the United States.

Hospital
corps.

SEC. 2. That section 42 of chapter CVIII of the Session Laws of 1895, be amended to read as follows: Sec. 42.

The military officers of the State shall be chosen as follows: The Adjutant General shall be appointed by the Commander-in-Chief with the advice and consent of the Senate. No person shall be eligible as Adjutant General who has not served as an officer for at least three years in the aggregate in either the National Guard of this State

Adjutant
General—
appoint-
ment and
qualifica-
tions.

or the regular army of the United States, and who is not at the time of his appointment a field, line or regimental staff officer not below the rank of captain in the National Guard of this State: *Provided*, That any Adjutant General may be reappointed from time to time at the expiration of his term in the discretion of the Commander-in-Chief. Any vacancy in said office from any cause may be filled by the Commander-in-Chief in accordance with the preceding provisions, subject to confirmation or rejection by the Senate at the next meeting of the Legislature thereafter. Whenever in this act, service in the volunteer or regular army of the United States or the National Guard of this or any other State is named as a qualification for any commissioned office, service with the First Washington Volunteer Infantry until muster-out of that organization shall be considered to equal three years service in the National Guard of this State. Whenever a vacancy occurs in a commissioned office in any regiment in the National Guard of Washington, above the grade of second lieutenant, the senior officer of the grade next below shall be ordered before an examining board for promotion to such vacancy, and, upon passing proper and satisfactory examination therefor, shall be appointed and commissioned to fill such vacancy: *Provided*, That whenever a vacancy shall occur in a commissioned office of a company, troop or battery, the senior officer next in line in such company, troop or battery shall be ordered before an examining board for examination for promotion to such vacancy, and, upon passing proper and satisfactory examination therefor, shall be appointed and commissioned to fill such vacancy. Vacancies in the grade of second lieutenant of regimental staff shall be filled by appointment and commission from such regimental non-commissioned staff upon proper and satisfactory examination therefor. Vacancies in the office of a second lieutenant of a company shall be filled in the following manner: All the sergeants of the company shall be eligible for appointment and the examining board shall order them to appear before it for a competitive examination for the office: *Provided*, That any sergeant of said

Vacancies
in commis-
sioned
offices—
how filled.

company who may have been appointed a non-commissioned staff officer shall also be eligible for examination and appointment to fill a vacancy in the company of which he was originally a sergeant. The sergeant whom the board considers to be the best qualified for the position after the examination shall be appointed to fill the vacancy. This examination shall be both practical and written. The warrant of any sergeant competing in said examination shall not be affected by his failure to secure promotion. No commissioned officer shall be recommended for promotion who fails to make a record of at least seventy-five per cent on examination, and where said failure has occurred, the officer failing shall be recommended for honorable discharge by the examining board, and the officer next in rank shall be ordered before a board for examination for promotion. No person shall be eligible as captain of a company unless he shall have served at least one year as an officer, and three years in the aggregate in the National Guard of this State, or some other State of the Union, or in the volunteer or regular army of the United States, or is a graduate of a military college requiring at least three years of military service. Service in two or more of these branches may be added together to secure this qualification. For the purpose of this act, the word company, or companies, shall apply to and include cavalry, infantry and artillery forces. Company commanders shall give bond in the sum of \$2,000.00, in form to be prescribed by the Adjutant General, conditioned for the faithful discharge of the duties of their respective offices and the proper care and preservation of the State funds and property in their charge. The Commander-in-Chief shall appoint his staff, and with the exception of the Adjutant General, they shall hold office at his pleasure and their commissions shall expire with the term of the Governor appointing them. The Adjutant General shall be appointed as hereinbefore provided, and shall hold office for four years, and until his successor is appointed and qualified. In the absence of specific orders of the Commander-in-Chief to the contrary, the Adjutant General shall perform all departmental duties

Bond of
company
command-
ers.

Appoint-
ment
of staff
officers.

Duties of
Adjutant
General.

designated for members of the Governor's staff. No person shall be appointed a member of the Governor's staff except as judge advocate or military secretary, unless he shall have served three years in the National Guard of this or some other State, or in the army of the United States.

Term of
officers.

Retirement.

SEC. 3. That section 45 of chapter CVIII of the Session Laws of 1895, be amended to read as follows: Sec. 45. The terms of all officers, not otherwise provided for, shall be continuous: *Provided*, Whenever an officer shall reach the age of sixty-four years, he shall be withdrawn from active service and command for age and placed upon the roll of retired officers with the rank held by him at the time of such retirement.

Allowance
to com-
panies.

SEC. 4. That section 87 of chapter CVIII of the Session Laws of 1895, be amended to read as follows: Sec. 87. There must be audited and allowed by the board of military auditors, to be paid quarterly out of the special military fund to the commanding officer of each infantry, cavalry, artillery and signal corps company, performing the duty required by law, for armory rent and other incidental expenses, the sum of sixty dollars per month, or so much thereof as may be necessary, and to each band twenty-five dollars per month, or so much thereof as may be necessary: *Provided*, That in cities where are located armories owned by the State, such allowances shall be paid to the officer or officers selected by the Commander-in-Chief to have charge of such armories, under such regulations for the government of the same as may be hereafter adopted. The officers to whom such allowances are paid shall render to the Adjutant General quarterly reports showing expenditures for preceding quarter before said allowance is paid.

State to
pay trans-
portation,
etc.

SEC. 5. That section 89 of chapter CVIII of the Session Laws of 1895, be amended to read as follows: Sec. 89. There shall be provided by the State transportation for all officers, and transportation and subsistence for all enlisted men, who shall be ordered out for encampment and field duty, or stated parades, or assembled for duty in case of riot, tumult or breach of the peace, war, insurrection,

invasion or imminent danger thereof, and in addition thereto officers and men upon such duty shall receive pay from the State according to the following schedule: To all commissioned officers, the same pay and allowances as for commissioned officers of the regular army of corresponding grade, branch and term of service. Chief musicians, each \$5 per day. Regimental and battalion non-commissioned staff officers, hospital stewards, first class sergeants of the signal corps, first sergeants, company quartermaster sergeants, musicians who are members of enlisted bands, and company cooks, each \$3 per day; sergeants of infantry, cavalry and artillery, second class sergeants of the signal corps, each \$2 per day; corporals of infantry, cavalry and artillery, acting hospital stewards and first class privates of the signal corps, each \$1.75 per day; musicians and privates of infantry, cavalry, artillery, hospital corps and signal corps, each \$1.50 per day. For each re-enlistment after serving a full term of three years there shall be added ten per cent and service for a full term of enlistment with the regular or volunteer army of the United States, or with the First Washington Volunteer infantry, shall be considered equivalent to a full term of enlistment in the National Guard, and recruits proving such service shall be allowed ten per cent additional on their pay: *Provided*, That this schedule of pay shall apply only to the first thirty days of any particular tour of duty, and after the thirtieth day of such tour, officers and men alike shall receive the pay allowed officers and men in the regular army of corresponding grade and term of service. Necessary transportation, quartermaster's stores and subsistence for troops when ordered on duty shall be contracted for by proper officers and paid for as other military bills. Enlisted men mounted and equipped shall be allowed \$1.50 per day, or as much thereof as may be necessary for each horse actually used by them. Commissioned officers will provide their own subsistence and horses. Extra duty pay to men detailed as clerks and on similar duty may be allowed by the commanding officer of troops on duty, but in no case shall such pay

Pay and allowances.

and extra duty pay exceed \$3 per day, and such extra pay shall not be allowed after thirty days of continuous service. Stated parades shall be February 22nd, May 30th and the 4th of July.

Repeal. SEC. 6. That section 16 of chapter 155 of the Session Laws of 1903 is hereby repealed.

Tax levy. SEC. 7. That section 176 of chapter CVIII of the Session Laws of 1895, be amended to read as follows: Sec. 176. For the purpose of raising revenue for the National Guard there is hereby levied, and the proper officers shall collect, a tax of not to exceed one-fifth of one mill, or so much thereof as may be necessary, upon all the property of the State subject to taxation, for the present fiscal year and for each fiscal year hereafter.

Emergency. SEC. 8. An emergency exists, and this act shall take effect immediately.

Passed the House February 14th, 1907.

Passed the Senate March 1st, 1907.

Approved by the Governor March 11th, 1907.

CHAPTER 123.

[H. B. 291.]

DEDICATION TO THE CITY OF TACOMA CERTAIN STATE LANDS FOR STREET, PARK AND BOULEVARD PURPOSES.

AN ACT dedicating to the City of Tacoma all the right, title and interest of the State of Washington in and to certain lands in the city of Tacoma, lying within section 36, township 21 north, range 2 east, W. M., for street, park and boulevard purposes.

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

Description of lands granted. SECTION 1. That the following described lands, as shown in the amended map of second school land addition to the city of Tacoma, to-wit: Blocks 15, 30, 45, 60, 75, 90, 105, 120, 135, 150, 165, 180, 195, 210, 225, 240, 255, 254, 253, 252, 251, 250, 249, 248, 247, 246, 245, 244, 243, 242, 241, 272, 271, 270, 269, 268, 267, 266, 265, 264, 263, 262, 261, 260, 259, 258, 257 and 256, being