

CHAPTER VIII.—COMMISSIONS.

FISH COMMISSION.

AN ACT for the appointment of a Fish Commission, and defining its duties, and declaring an emergency to exist.

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

SECTION 1. That there shall be appointed by the governor, by and with the advice and consent of the senate, one competent person who shall be denominated the fish commissioner, whose term of office shall continue four years Term of office. from and after the first Monday in March after his appointment, and until his successor be appointed and qualified.

SEC. 2. Before entering upon his duties, said fish commissioner shall file with the secretary of state a bond with Bond. five or more sufficient sureties, and in the sum of five thousand dollars, conditional that he will discharge his duties under this act faithfully.

SEC. 3. Said commissioner may appoint three deputies, Deputies. to be known as deputy fish commissioners; they shall hold their office respectively during the pleasure of the fish commissioner, who may summarily remove any one of their number whenever, in his judgment, he shall deem such a change for any cause advisable.

SEC. 4. It shall be the duty of the fish commissioner to Duty of. give his entire time and attention to the fishing interests of the State of Washington, and by and with the help of his deputies see that all laws for the propagation, protection and preservation of food fishes and oysters in the public waters of the State of Washington, whether entirely or partially within the state boundaries, are enforced, and if necessary, to select and purchase suitable land, build,

Hatcheries. operate and manage thereon fish hatcheries for the purpose of supplying said waters with young fish; to employ necessary and competent men to successfully carry on said hatcheries. It shall also be the duty of the fish commissioner to examine into all complaints made to him by councilmen of cities or county commissioners regarding dog fish and decayed fish, which are injurious to the fishing industries or dangerous to the health of the inhabitants, and if necessary, abate said nuisance.

Annual report. SEC. 5. That said fish commissioner shall, annually, on December 1st, report to the governor of this state a full account of his actions under this act; also of the operations and results of the laws pertaining to the fish and oyster industries, the methods of taking fish, the number of young fish hatched, and where distributed, amount of expenses incurred, and make suggestions as to the needs of further legislation, if any, and full statistics of the fishing and oyster business.

Salary. SEC. 6. The fish commissioner shall receive an annual salary of two thousand dollars, to be paid in quarterly installments by the state treasurer, and he shall be allowed his actual expenses of travel in the performance of his duty, not to exceed one thousand dollars in any one year. The deputies shall receive five dollars each per day for time actually employed, not exceeding fifty days each per annum, and shall be allowed for their actual expenses of travel in the performance of their duty, not to exceed three hundred dollars each per annum; and no payment of salary or traveling expenses shall be made by the state treasurer to any deputy fish commissioner except upon the certificate of the fish commissioner that he has performed his duty in all respects to the satisfaction of such fish commissioner.

Salary and compensation of deputies.

SEC. 7. Each deputy fish commissioner shall give bonds for the sum of one thousand dollars, conditioned for the faithful performance of their duties, respectively, such bonds to be subject to the approval of the fish commissioner. The fish commissioner shall issue to his deputies such general and special orders and instructions in the execution of their duties under the law as he shall deem

Orders to deputies.

necessary; and he may, in his discretion, assign any or all of them to duty in districts to be prescribed by him, but such assignment shall not relieve any deputy from the performance of duty in any other part of the state when his services may be needed.

SEC. 8. The fish commissioner shall have authority to apply to the attorney general for his official opinion upon any question touching the construction and interpretation of the statutes, and the duties of the fish commission under the statutes for the protection of fish and oysters, wherein he shall need legal advice; and the attorney general may, in his discretion, furnish from his office such official legal assistance as he may deem useful in the conduct of any suit brought by the fish commissioner, in pursuance of the provisions of the laws for [the] protection of fish and oysters.

Duties of attorney general.

SEC. 9. That there be and hereby is appropriated out of the general fund of the state, the sum of five thousand dollars for the maintenance of the commission herein created.

SEC. 10. That all expenses incurred under the provisions of this bill [act] shall be audited by the state auditor, upon bills being presented, properly certified by the fish commissioner, and the said auditor shall, from time to time, draw warrants upon the state treasurer for the amount.

Auditing expenses.

SEC. 11. The fish industry urging immediate action in these respects, an emergency exists; therefore, this act shall take effect from and after its approval by the governor.

Approved February 20, 1890.

CODE COMMISSIONER.

AN ACT to appoint a commissioner to compile, rearrange and annotate the laws of Washington, and to provide for the publication and distribution thereof, and for payment therefor.

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

SECTION 1. William Lair Hill is hereby appointed a commissioner to compile, rearrange and fully annotate the laws of Washington contained in the code of Washington Territory for 1881, and the laws passed at the various sessions of the legislature since, including those to be passed at the present session, and the session of 1891, and also making such use of the work prepared by the late territorial code commissioners as he may see fit:

SEC. 2. Said commissioner shall rearrange and fully annotate the general laws aforesaid, and shall prepare and suggest such amendments and repeals as in his judgment may be necessary to conform the laws to the constitution, and facilitate their administration thereunder; and shall prepare and suggest such additional laws as in his judgment may be required to form a complete and harmonious body of statute laws for the state, and shall arrange the whole in the method of a remedial code, a penal code, and an orderly arrangement of the miscellaneous statutes.

Method of arrangement.

SEC. 3. On or about the first day of January, 1891, said commissioner shall furnish to the governor of this state, for the use of the legislators and other state officers, one hundred and fifty copies of the laws so compiled and arranged, and of the amendments, repealing statutes, and additional statutes, printed in two royal octavo volumes, indexed and bound in paper.

Copies for the governor.

SEC. 4. Said commissioner shall prepare a bill providing for the enactment of such laws, amendments and repeal of laws as he shall suggest under section two of this act, and shall deliver said bill to the governor of the state on or before January 1, 1891.

SEC. 5. As soon as possible after adjournment of the legislature in 1891, and within ninety days, said commissioner shall publish in two royal octavo volumes the general statutes then in force, incorporating the general laws passed at said session, and shall deliver to the secretary of state one thousand copies of the same, printed and bound in the best style of law book publishing.

Publication of
statutes.

SEC. 6. On the certificate of said commissioner that he has completed the editorial work of the remedial code and the penal code, the auditor of this state is hereby directed to draw his warrant in favor of said commissioner for the sum of four thousand dollars, payable out of any moneys in the treasury not otherwise appropriated; on the certificate of said commissioner that the entire editorial work except that of incorporating the general laws passed by the legislature of 1891, is completed, the auditor of this state is hereby directed to draw his warrant in favor of said commissioner for the sum of four thousand dollars, payable out of any moneys in the treasury not otherwise appropriated; on the certificate of the governor that one hundred and fifty copies of the work have been delivered to him in accordance with section three of this act, the auditor of this state is hereby directed to draw his warrant in favor of said commissioner for the sum of four thousand dollars, payable out of any moneys in the treasury not otherwise appropriated; on the certificate of the secretary of state that one thousand copies of the completed work have been delivered to him in accordance with section five of this act, the auditor of this state is hereby directed to draw his warrant in favor of said commissioner for the sum of four thousand dollars, payable out of any moneys in the treasury not otherwise appropriated.

Payment for
services.

SEC. 7. The amounts of money provided to be paid to said commissioner in section six of this act shall be in full compensation for the editorial work provided for in this act, and for publishing said work, and for the copies furnished to the governor and secretary of state.

SEC. 8. On receipt of the one thousand copies of the laws as hereinbefore provided, the secretary of state shall

Secretary of
state must dis-
tribute laws.

deliver to each of the officers of the executive department of this state, one copy; to each of the judges of the supreme court of this state, one copy; and to the state librarian, for use in the library and for exchange with the librarians of other states and territories, one hundred copies; and he shall forward by mail post-paid to the librarian of congress, two copies; to each of the justices of the supreme court of the United States, one copy; to the libraries of the department of justice, and of the interior of the United States, one copy each; to each of the judges of the superior court of this state, one copy; to each county clerk, auditor, sheriff, treasurer, district attorney, superintendent of schools, and justices of the peace of this state, one copy; and to the library of the State University, one copy. Before sending such volumes to the said county officers and justices of the peace, the secretary shall indelibly mark each of such volumes with the name of the county and the office for which it is intended, and said volumes must be by the officer so receiving them turned over to his successor in office. The secretary shall retain for such further distribution as may be provided by law, two hundred and fifty copies, and the remaining copies he is hereby empowered to sell at the price of ten dollars per set.

Each copy
marked.

SEC. 9. Said commissioner shall furnish to the state and the public such additional copies of the completed volumes herein provided for as may be required, at a price not exceeding ten dollars per set.

Approved February 18, 1890.

HARBOR LINE COMMISSIONERS.

AN ACT to create a board of harbor line commissioners, prescribing their duties and compensation.

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

SECTION 1. There is hereby created a board of harbor line commissioners, to consist of five disinterested persons to be appointed by the governor. Number.

SEC. 2. The said commissioners shall hold office until the 15th day of January, 1893. Should a vacancy or vacancies occur in said board, by resignation or otherwise, the same shall be filled by appointment by the governor. Term of office.

SEC. 3. The duties of the said harbor line commissioners shall be to locate and establish harbor lines in the navigable waters of all harbors, estuaries, bays and inlets of this state, wherever such navigable waters lie within or in front of the corporate limits of any city or within one mile thereof upon either side, and to perform all other duties provided and prescribed in article 15 of the constitution of the State of Washington, and all such other duties as the law may prescribe, and wherever and whenever said board of harbor line commissioners shall have established the lines as herein provided, in any of the navigable waters of the harbors, estuaries, bays and inlets of this state, they shall file the plat thereof in the office of the secretary of state, and a duplicate thereof in the office of the clerk of the city or town where harbor lines shall have been located, and from and after the filing of said plat, the harbor lines established as therein and thereon designated and displayed, shall be, and the same are declared to be, the harbor line of that portion of the navigable waters of this state. Duties of board.

SEC. 4. The board of harbor line commissioners, hereby created, shall begin operations as soon as may be practicable, and are hereby authorized to employ a clerk, a competent surveyor, and such assistance as may be necessary, and to purchase such material and supplies as may be, necessary to carry out the full intent and purpose of Clerk and surveyor.

this act, at such rates of compensation as they may deem advisable. To carry into effect the provisions of this act, the sum of six thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of the tide-land funds in the state treasury not otherwise appropriated.

SEC. 5. Each of the board of harbor line commissioners shall receive five dollars (\$5.00) per day for each and every day employed in the discharge of his work, and his actual traveling expenses.

SEC. 6. The board of harbor line commissioners shall examine and allow all bills incurred in the discharge of the duties provided for in this act, and upon presentation of the proper vouchers so allowed, the state auditor is authorized to draw his warrant on the state treasurer for the several amounts so allowed, and the state treasurer is hereby authorized to pay said warrants out of any money in the treasury appropriated for this purpose: *Provided*, That no expenses shall be incurred for the payment of which no appropriation shall have been made.

SEC. 7. The board of harbor line commissioners shall keep an itemized account of all expenses incurred, and report the same to the secretary of state.

Approved March 28, 1890.

COMMISSIONER OF INSURANCE.

AN ACT to regulate and license insurance business in this state.

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

SECTION 1. The secretary of this state shall be *ex-officio* insurance commissioner of this state, and shall receive for his services the compensation hereinafter provided. All necessary forms, circulars and blanks, together with such

pamphlet copies of the insurance laws as may be required for distribution, to any person at any time by the provisions of this act, shall be furnished at the expense of the state. Blanks furnished.

SEC. 2. It shall be the duty of the commissioner to see Duties. that all laws of this state respecting insurance companies are faithfully executed. He shall have power to examine Powers. all books and accounts of existing companies or companies organized under the laws of this state, to examine their officers and employees under oath, to issue subpoenas for witnesses to attend and testify before him, on any business touching the business of said companies, and furnish and produce for examination and investigation books, papers and documents in relation thereto, which said subpoenas must be served in the same manner as if issued from a superior court, and any person who shall fail, neglect or refuse to obey any such subpoena shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one hundred (\$100) Penalty. dollars nor more than five hundred (\$500) dollars, or by imprisonment in the county jail not less than thirty (30) days nor more than six months, or by both such fine and imprisonment, in the discretion of the court.

SEC. 3. The commissioner must cause every corporation Requirements. or person, before engaging in the business of insurance in this state, to file in his office as follows: *First*, if incorporated under the laws of the Territory of Washington or of this state, a copy of the articles of incorporation and charter of the company, together with any amendments or alterations made therein; *second*, if incorporated under the laws of any other state or country, a copy of its articles of incorporation and charter duly certified by the officer having the custody of such articles, that such company is organized under the laws of such state or country with the amount of capital stock and assets required by this act; *third*, if not incorporated, a certificate setting forth the Certificates. nature and character of the business, the location of the principal office, the names of the persons composing the association, the amount of capital employed therein, and the names of the officers of the association; and if such

association be formed out of the United States, the certificate must contain the name of the chief executive officer or manager in the United States, together with the trustees appointed by the association to manage its affairs in the United States, and the certificate may be made by such manager.

Authority to
transact busi-
ness.

SEC. 4. The commissioner shall issue his certificate to any fire or marine insurance company to transact business in this state under the following conditions: *First*, if a company organized under the laws of the Territory of Washington or the laws of this state, when he is satisfied that the provisions of this act in relation to such corporation has been complied with; *second*, if a company, corporation or association of any of the United States or territories, when he is satisfied that the company, corporation or association has a paid-up and unimpaired capital of one hundred thousand dollars; *third*, if a foreign company, corporation or association, when he shall be satisfied that the company, corporation or association has made a deposit with the treasurer of this state, or with the proper officers of some other state, of not less than two hundred thousand dollars, in the bonds of the United States, the bonds of this state, or the bonds of the state of New York or Massachusetts, in trust for the benefit of its policyholders in the United States, and that the said two hundred thousand dollars is unimpaired and free from all liabilities under the provisions of this act.

Must comply.

SEC. 5. It shall not be lawful for any company, corporation or association, to transact the business of fire or marine insurance in this state, unless the company, corporation or association shall have complied with the provisions of this act, and obtained the certificate of the commissioner as provided.

Penalty for
failure.

SEC. 6. If any insurance company, its agents or attorney, shall issue a fire or marine policy upon property within this state without having complied with the laws of this state, the agent or attorney so issuing the policy or accepting the application for the same, shall be deemed guilty of a misdemeanor, and be subject to a fine of not less than one hundred dollars or more than five hundred

dollars, and imprisonment for a term not exceeding six months, in the discretion of the court.

SEC. 7. It shall be the duty of the commissioner to make a detailed examination of all companies organized under the laws of this state or the Territory of Washington, at least once a year; upon such examination he shall ascertain if the laws relating to payment of capital, investment of moneys and methods of doing business are complied with. If upon such examination he shall find that the capital stock of such company is impaired, he shall order such impairment made good, or the capital stock reduced to the amount of such impairment: *Provided*, That no reduction of capital shall be made which will reduce the capital of any company to a less amount than is required herein, and if the company so required to make good or reduce its capital stock refuses or neglects within a reasonable time so to do, the commissioner shall revoke its certificate to do business, and shall apply to any judge of a superior court having jurisdiction for an order upon said company to show cause why its charter should not be revoked and a receiver appointed to wind up its affairs.

Examination of companies.

Impaired capital.

SEC. 8. Upon the written representation of three citizens and belief of the commissioner that any company organized outside of this state has less than the paid-up unimpaired cash capital required by this act, it shall be the duty of the commissioner to make such investigation or require such proof as shall be satisfactory to him concerning the financial condition of such company: *Provided, however*, The certificate of the insurance officer of any state having an insurance department, that such company has the required paid-up and unimpaired cash capital, shall be accepted by the commissioner as satisfactory. If such company does not, within sixty days after demand of the commissioner, produce such certificate, the commissioner shall revoke his certificate of authority to do business in this state, and in the meantime may withdraw or withhold his certificate of authority until said certificate is produced. If any officer or agent of the company shall issue or deliver, or agree to issue and deliver, any policy of the

Proof.

Revoking authority.

company covering any property in this state while such certificate of authority is withheld or withdrawn, he shall be deemed guilty of a misdemeanor, and on conviction, subjected to the penalties provided for misdemeanors.

Annual reports
of companies.

SEC. 9. Every fire or marine insurance company doing business in this state shall file a statement with the commissioner, on or before the fifteenth day of January in each year, verified by the oath of the principal executive officer or manager residing within the state, showing the business done in this state during the year ending the thirty-first day of December next preceding. They shall also make and file with said commissioner, before the first day of March in each year, a complete statement, showing the condition of every such fire or marine insurance company on the thirty-first day of December next preceding, and

Form of reports.

such statement must show — *First*, the amount of capital stock of the company; *second*, the property or assets held by the company; *third*, liabilities of the company, which must include the re-insurance reserve, as provided by this act; *fourth*, the income of the company during the preceding year; *fifth*, the expenditures of the preceding year; *sixth*, the amount of risks written during the year, amount of risks expired during the year, and the total amount at risk on the thirty-first day of December next preceding.

Foreign com-
panies.

SEC. 10. No insurance company organized outside of this state shall be permitted to do business in this state until such company shall have filed with the commissioner a power of attorney, which shall authorize a citizen and resident of this state to make and accept service in any proceedings in any court of this state, or the United States herein. If any attorney of any insurance company appointed under the provisions of this act shall remove from the state or become disqualified in any manner from accepting service, and if any citizen or resident of this state shall have any claim by virtue of any insurance policy issued by any company not represented by attorney in this state, valid service may be made on such company by service upon the commissioner: *Provided*, That in such case the commissioner shall immediately notify such company, and the principal agent for the Pacific coast, enclos-

Service of pro-
cess: when may
be made on
commissioner.

ing a copy of the service by mail, postpaid: *And provided further*, That in such case no proceeding shall be had within forty days after such service on the commissioner.

SEC. 11. When any state shall require insurance companies of other states to deposit with some officer of such other state securities in trust for policy-holders of such companies as a prerequisite to their transacting business in such state, the treasurer of this state shall receive from any insurance company of such other state the securities required by the laws of such other state on deposit, and hold the same in trust for the policy-holders of such company, but such company may collect and receive the interest and dividends thereon, and withdraw them on depositing with the said treasurer other securities of like character and value. The treasurer shall issue a certificate under seal of such deposit for each state which shall require the same, which shall state the items and amount of securities thus deposited, and that he is satisfied that they are of the market value represented therein, but no securities shall be estimated above the par value of the same, nor shall any securities be withdrawn except as provided in this section: *Provided*, That the provisions of this section shall not take effect until after the expiration of one year from the date this act shall go into effect.

Retaliatory provision.

SEC. 12. An examination shall annually be made by the treasurer of the securities held by him in trust as aforesaid from each insurance company, and if it shall appear at any time that the amount be less than the sum required for the purpose for which such deposit was made, he shall notify said company thereof, and unless the deficiency is made up within thirty days, shall countermand all the certificates he may have issued to said company under the preceding section, and give notice thereof to the officers of the state to whom said certificate may have been transmitted.

Treasurer must examine securities.

SEC. 13. When said company shall have caused all its unexpired policies to be paid, canceled or re-insured, and all its liabilities under such policies thereby to be extinguished, or to be assumed by some other responsible company, he shall, on application of such company, verified

Re-insuring.

by the oath of its president or secretary, and on being satisfied that all its policies are so paid, canceled, extinguished or re-insured, deliver up to it such securities.

Commissioner must keep a record.

SEC. 14. The commissioner must keep and preserve in a permanent form a full record of his proceedings, including a concise statement of the condition of each company examined by him. It shall be the duty of the secretary of state to furnish each of the county clerks of this state, quarterly, a certified statement of all companies doing business in this state that have complied with the provisions of this act, and such certificate shall be posted in the office of such county clerk for the inspection of the public.

Certified statement to county clerk.

Fees.

SEC. 15. The commissioner shall require in advance the following fees: *First*, for filing the articles of incorporation or certified copy of articles, or other certificates required to be filed in his office, and issuing certificate of license, ten dollars; *second*, for filing the annual statement required to be filed, five dollars; *third*, for filing any other papers required by this chapter to be filed, one dollar; *fourth*, for furnishing copies of papers filed in his office, twenty cents per folio; *fifth*, for certifying copies, one dollar each; *sixth*, for examination of any company organized under the laws of this state, five dollars per day, which sum shall be collected from the company so examined: *Provided*, That the fees arising from this duty shall be paid into the state treasury.

Cyclone, tornado or hail-storm risks.

SEC. 16. Two or more persons may form a corporation for the purpose of making insurance against loss or damage by fire, lightning, cyclone, tornado or hail, or against loss or damage by the risk of marine or inland navigation, by complying with the statutes of this state in relation to the formation of incorporated companies.

Requirements for local companies.

SEC. 17. Any company or corporation organized under the laws of the Territory of Washington, or under the laws of this state prior to the taking effect of this act, or under the provisions of this act, for the purpose of engaging in the business of fire or marine insurance, must have a subscribed capital of not less than one hundred thousand dollars, of which not less than fifty thousand dollars must be paid in in cash before the issuance by such company or

corporation of any policy of insurance under the provisions of this act.

SEC. 18. No company formed under this act shall, directly or indirectly, deal or trade in or sell wares or merchandise, or other commodities whatsoever, except such articles as may have been insured by such company and claimed to be damaged by fire, lightning, cyclone, tornado, hail or water. Limit of business.

SEC. 19. No company organized under this act shall purchase, hold or convey real estate, excepting for the purposes and in the manner herein set forth, to-wit: *First*, such as shall be requisite for its convenient accommodation in the transaction of its business; or, *second*, such as shall have been mortgaged to it in good faith as security for loans previously contracted, or for money due; or, *third*, such as shall have been conveyed to it in satisfaction of debts previously contracted in its legitimate business; or, *fourth*, such as shall have been or may be purchased at sales upon judgments, decrees or mortgage foreclosures obtained or made for such debts. Limit of ownership of real estate.

SEC. 20. It shall not be lawful for the directors, trustees or managers of any insurance company organized under the laws of the Territory of Washington, or of this act, or incorporated under any laws of this state, to make any dividends except from the surplus profits arising from their business, and in estimating such profits there shall be reserved therefrom a sum equal to forty per cent. of the amount received on premiums on all unexpired risks and policies, which amount so reserved is hereby declared to be unearned premiums; and there shall also be reserved all sums due the company on bonds, mortgages, stocks and book accounts, of which no part of the money or interest has been paid during the year preceding such estimate of profits, and upon which suit for foreclosure or collection has not been commenced or judgment obtained thereon, which shall have remained more than two years unsatisfied and upon which interest shall not have been paid. Limit of dividends.

SEC. 21. When the capital stock of any fire or marine insurance company shall be impaired, it may reduce it as provided herein, and the par value of its shares to such Reduction of capital stock.

amount as shall be justified by its assets; but no part of its assets shall be distributed to its stockholders, and no reduction shall be made except upon the vote of the stockholders, approved by at least two-thirds of the board of directors, and certified under the corporate seal by the secretary, a copy of which shall be filed with the secretary of state.

Exchange certificates.

SEC. 22. The directors, after such reduction of capital, may require each stockholder to surrender his certificate, and in lieu thereof may issue a new certificate for such number of shares as he shall be entitled to.

Limit of increase.

SEC. 23. Such company, after its capital shall be so reduced, may increase its capital stock to any amount not exceeding the amount authorized by its charter.

Mode of proceeding to increase capital stock.

SEC. 24. Any existing insurance company, or any company formed under the provisions of this act, may at any time increase the amount of its capital stock after giving notice once a week for four consecutive weeks, in any newspaper having a general circulation published in the county where the company is located, of such intention by filing with the secretary of state a copy of such advertisement, subscribed and sworn to by the publisher or manager of said paper as having been so advertised, together with a declaration under its corporate seal, signed by its president and two-thirds of its board of directors, and by the stockholders representing three-fourths of its capital stock, of their desire to so increase its capital.

Limit of risk.

SEC. 25. No insurance company incorporated under any laws of this state shall issue its policy upon any one risk for more than ten per cent. of its capital stock, paid up in cash and unimpaired, unless such excess be at once re-insured in some other reliable insurance company.

Authority for local companies.

SEC. 26. Any fire or marine insurance company organized under the laws of this state, and doing or proposing to do business in any other state, may frame and issue policies in such other state in accordance with the laws thereof, anything in its charter or by-laws to the contrary notwithstanding.

Form of policy.

SEC. 27. All policies made by insurance companies must be subscribed by the president or vice president, or in case

of the death, absence or disability of those officers, by any two of the directors, and countersigned by the secretary of the company. All such policies are as binding and obligatory upon the company as if executed over the corporate seal.

SEC. 28. In the event of the total destruction of any insured building, on which the amount of the appraised or agreed loss shall be less than the total amount insured thereon, the insurance company or companies shall return to the insured the unearned premium for the excess of insurance over the appraised or agreed loss, to be paid at the same time and in the same manner as the loss shall be paid. Adjustment of losses.

Approved March 27, 1890.

MINING BUREAU.

AN ACT to create a Mining Bureau, and to define its powers and duties, and declaring an emergency.

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

SECTION 1. For the purpose of encouraging and developing the production and reduction of ores, in which pursuits all are interested and from which all derive benefit, and reliable information concerning mines and milling being accessible only through the ministerial powers of the state, therefore, a mining bureau is hereby created, to consist of the governor, lieutenant-governor and state treasurer.

SEC. 2. The members of the mining bureau shall organize by electing from their number a president and a secretary, who shall act as such officers of said bureau.

SEC. 3. It shall be the duty of the mining bureau to Duty of bureau. collect reliable statistical information concerning the pro-

duction and reduction of all precious and useful minerals of this state, and examine the different processes for the treatment of ores used in the state; to inquire into the merits of other processes alleged or demonstrated by practical experience elsewhere to be the most successful; to inquire into the relative merits of the various inventions, machines and mechanical contrivances now in use, or which may hereafter be introduced for mining and metallurgical purposes; to keep on file in their office reports and papers, which may be published from time to time, and all correspondence on the subject of mines and milling and reducing ores, with the view of eliciting and collecting such information for the public use. They shall address circulars to corporations and individuals engaged in mining, and shall correspond with the school of mines in other states in reference to the mining and metallurgical interests; they shall make a report to the governor for transmission to the legislature, of the operations of the bureau, on or before the fifteenth day of January in each year, for the year ending on the thirty-first day of December of the preceding year, which report shall contain all statements of accounts, money received and expended, statistics, and other information which may tend to promote the development of the mineral resources of the state, and such other reports from time to time as they may deem necessary; they shall examine, audit and allow all bills which relate to expense of money received by or appropriated for this purpose, they shall co-operate with the bureau of statistics, agriculture and immigration; they shall be allowed to employ such clerical assistance as may be necessary to carry out the full intent of this act.

Report to gov-
ernor.

Clerical assis-
tance.

Seal.

SEC. 4. The mining bureau shall have a seal bearing the words, "Mining Bureau of the State of Washington."

SEC. 5. They shall have supervisory charge of the metallurgical cabinet of exhibits of the state which may now or hereafter be acquired, and shall provide a room properly arranged for the safe keeping and preservation of same until a permanent room is provided by law: *Provided*, The expense for providing said room shall not exceed \$250 per annum.

SEC. 6. The *ex-officio* members of the mining bureau shall receive no compensation for their services as such *ex-officio* members, but may be paid their actual traveling expenses while on business of, and as may be directed by, the said mining bureau: *Provided*, That not more than fifteen hundred dollars shall be expended under the provisions of this act.

SEC. 7. As immediate attention should be given to the development of this most important industry, this act shall take effect and be in force from and after its approval by the governor.

Approved February 25, 1890.

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LAND COMMISSION.

AN ACT creating "The State Land Commission," to define the duties and provide for assistance for, and fix the compensation of, the commissioner of public lands, and declaring an emergency.

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

SECTION I. The secretary of state, auditor and commissioner of public lands are hereby created a commission to be styled "The State Land Commission." The commissioner of public lands shall be *ex-officio* president of said commission, and the records of the proceedings of said commission shall be kept in the office of the commissioner of public lands.

Records.

SEC. 2. The said commission shall have general supervision and control of all public lands now owned by, or the title to which may hereafter vest in, the state, to be registered, leased and sold.

Powers of commission.

SEC. 3. All records, books and papers appertaining to any of the lands described in the preceding section, in the possession of any state or county officer, and all records,

Preservation of records.

leases or any other books and papers appertaining thereto, in the possession or under the control of any county officer or commissioner in any county, shall forthwith be turned over and delivered to the commissioner of public lands and be by him preserved under the direction of the state land commission.

Abstracts of
lands.

SEC. 4. The commissioner of public lands shall, under the directions of the state land commission, cause suitable abstracts to be made of all the lands now owned by the state, or the title to which may hereafter vest in the state, and enter into suitable and well bound books; and the said commissioner of public lands shall make reports to the legislature, to be submitted not later than the first day of each regular session, and perform such other duties as may be prescribed by law.

Seal.

SEC. 5. The commissioner of public lands shall procure a seal with the proper device and the words "The State Land Commission" engraved thereon, which seal shall be used by him officially in all matters pertaining to his office wherein a seal is required.

Bond of com-
missioner.

SEC. 6. The commissioner of public lands shall enter into a good and sufficient bond, to be approved by the secretary of state, in the sum of ten thousand (\$10,000) dollars, for the faithful discharge of the duties of said office.

Salary.

SEC. 7. The commissioner of public lands shall receive a salary of two thousand (\$2,000) dollars annually, to be paid quarterly, as provided for the payment of other state officers.

Clerk hire.

SEC. 8. The land commissioner is authorized to expend a sum not to exceed \$2,500 per annum for such clerical assistance as may be required, and the state auditor is hereby authorized and required to draw a warrant for the amount so expended upon the presentation of properly authenticated vouchers.

Surveys.

SEC. 9. The commissioner of public lands is hereby authorized to contract for any and all surveys of the lands now owned by the state, or the title to which may hereafter vest in the state, as the same may be necessary, and all contracts for such surveys shall be let to the lowest re-

sponsible bidder, the same being a competent surveyor, and furnishing a good and sufficient bond for the faithful execution of his duties, in double the amount of such contract. All contracts for surveys made by the commissioner of public lands, and all bonds for the faithful execution of the same, shall be approved by the state land commission before such contracts shall become binding upon the state. Surveys made under the provisions of this act shall be paid for only when the same shall have been examined and approved by the commissioner of public lands, and all field notes and plats of such surveys shall be filed and preserved in the office of the commissioner of public lands. All details regulating the survey of state lands and for the government of surveyors under the provisions of this act, shall be arranged by the state land commission.

Contract to lowest bidder.

Duty and powers of commissioner.

SEC. 10. There is hereby appropriated out of any money in the general fund not otherwise appropriated the following amounts for the purpose herein named: Three hundred (\$300) dollars, or so much thereof as may be necessary, for postage; six thousand dollars, or so much thereof as may be necessary, for the purchase of maps, blanks, blank books, and such other articles for the use of the office of the commissioner of public lands as may be deemed necessary by the state land commission.

Incidentals.

SEC. 11. All moneys appropriated by this act shall be paid by the state treasurer upon warrants drawn by the state auditor.

SEC. 12. The commissioner of public lands, for services performed in his office, may charge and collect the following fees: *First*, for a copy of any document or paper on file in his office, twenty-five cents per folio; *second*, for affixing certificate and seal of the state land commission, one (\$1) dollar; *third*, for each contract of sale issued, if for one quarter section of land or less, one (\$1) dollar; *fourth*, for each copy of the plat of any township, or portion thereof, one (\$1) dollar.

Fees.

SEC. 13. The commissioner of public lands shall keep a fee book, in which must be entered all fees received by him, with the date paid, and the name of the payor; and

Fee book.

the nature of the service rendered, which book must be verified annually by his affidavit entered therein; which fees so collected by him shall be paid into the state treasury, from time to time, as collected.

SEC. 14. Whereas, there are no acts of the legislature relating to the duties of the commissioner of public lands, there being an immediate necessity therefor, therefore an emergency is declared to exist, and this act shall take effect and be in force from and after its passage and approval by the governor.

Approved March 27, 1890.

STATE LIBRARY.

AN ACT relating to the State Library.

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

Librarian.

SECTION 1. The state library of this state shall be kept by a librarian, who shall be appointed by the governor, by and with the advice and consent of the senate, whose term of office shall be for four years next following his appointment and until his successor is appointed and qualified, and in case of a vacancy, the governor shall appoint a librarian to fill the unexpired term: *Provided*, That the first librarian appointed under this act shall hold office for a term of three years.

Oath.

SEC. 2. The state librarian, before he enters upon the duties of his office, shall qualify by an oath, to be filed in the office of the secretary of state, that he will support the constitution of the United States and the constitution of the State of Washington, and that he will faithfully perform his duties; and he shall also give a bond in the sum of two thousand dollars, payable to the state, with two or more sureties, to be approved by the secretary of state, that he will perform his duties as required by law.

Bond.

SEC. 3. The state librarian may, at his own cost, appoint a deputy who shall, before entering upon the duties of the office, qualify in the same manner as the state librarian. Deputy.

SEC. 4. It shall be the duty of the librarian to keep a correct account of all books in the library, and keep said books in an orderly manner on the shelves of said library, except he allows them to be taken from the shelves as hereinafter provided, and to use that reasonable diligence which a careful man would do in his own private office; to make a complete catalogue of all books in said library, to be completed in manuscript before January 1, 1891, and deliver the same to either branch of the legislature, also to make and keep in library suitable card catalogues of books; to collect the books outstanding into the library; to keep all the books marked, so that it may be known to whom they belong; to report to the governor of the state biennially, in November preceding each session of the legislature, all increase or decrease in said state library, and the sources of such increase and decrease, and when his term of office expires, deliver all accounts and papers concerning said library, and all of said library, to his successor in office. Duties of. Biennial report.

SEC. 5. The librarian shall, during the session of the legislature and supreme court, keep said library open for the use of the legislature and other officers, and the attorneys and judges of said court, and all the books of the library shall at that time be collected into the library for the use of said persons and other officers of the state. Convenience of legislature and supreme court.

SEC. 6. The persons named in the preceding section shall be allowed at all times to use the books in the library room, but shall in no case be permitted to take any book therefrom unless he first deposits with the acting librarian a receipt therefor, signed by the person taking the book, in which case said party may be allowed to take such book from the library room. Must receipt for books.

SEC. 7. No books so taken shall be allowed to be taken outside the city which is the seat of government, and all persons violating the provisions of this section shall forfeit and pay to the state an amount equal to five times the value of the book so taken, to be collected as hereinafter Penalty.

Order of court. prescribed: *Provided, however,* That on an order of the court or judge, any law book may be taken out of said library beyond said city.

Limit of loan. SEC. 8. Every person who shall take a book from the library, as provided in the preceding section, shall within three days after the adjournment of the legislature or court aforesaid, return such book to the state library, and in case of failure he shall forfeit and pay to the state an amount equal to five times the value of the book, and in case said book is one of a set, then five times the value of the set to which the said book belongs.

SEC. 9. During the session of a superior court being held at the seat of government, judges, attorneys and other officers of the court may have the same privileges, under the same restrictions, penalties and other provisions as is provided in the preceding section.

State officers have access.

SEC. 10. All state officers shall have at all times, between the hours of 10 A. M. and 4 P. M. (Sundays excepted), free access to the library and use of the books to take away as above stated, in all respects and under the same regulations, penalties and provisions as aforesaid; except the time of their return of said books which, instead of being three days after the end of the session of the legislature or court, shall be one month after they receive said books.

Terms of access to general public.

SEC. 11. Any and all other persons than those above named may have free access to said library at any time the same may be open, to use the same in the library room while the same is open, and not otherwise. Any person may take a book from the said library, except when the supreme court or legislature is in session, by first depositing in money with the state librarian the value of said book, if it be one not belonging to a set; and if it be one belonging to a set, then by depositing the value of the whole set, and also by depositing with the librarian a receipt for said book, signed by the person taking the book, and any person obtaining a book under the provisions of this section shall return the same to the librarian within one month from the time the same is taken, and in all cases three days before the session of the legislature or

supreme court, under the penalty of the forfeiture of the money so deposited. The person returning the book shall be entitled to his receipt, which he gave for the same, and to his money which he deposited, less the amount of damage done to the book returned, if the book is returned within the time prescribed by this act. If any person fails to return a book within the time specified in this act, such person shall, in case said book be a single, independent book, pay a forfeiture to the state five times the value of said book, and in case such book be one of a set, then five times the value of the set to which it belongs, and the book shall remain the property of the state. Penalty for non-return.

SEC. 12. Any person who shall purposely destroy, mutilate, alter, deface, conceal or cover up the state marks on any book belonging to the state library, shall be deemed to intend to embezzle the same and guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not less than twenty dollars nor more than two hundred dollars, and shall also deliver up such book or books. Penalty for defacing.

SEC. 13. All actions prosecuted under this act shall be deemed criminal actions, and shall be prosecuted as other crimes and misdemeanors are prosecuted in the name of the state, and all courts of justices of the peace shall have concurrent jurisdiction with the superior courts in all cases where the penalty is one hundred dollars or less, and in all other cases the superior courts shall have the jurisdiction thereof. Nature of offense.

SEC. 14. All moneys recovered under the provisions of this act to which the state is entitled shall be paid immediately to the state treasurer, to the credit of the special state library fund. Disposition of money.

SEC. 15. The state librarian shall not at any time permit books to a greater value than one thousand dollars to be absent from the state library at one time, and said librarian shall be responsible on his state bond for any violation of his duty, and the same shall be prosecuted, in case of a breach of duty, by the prosecuting attorney of the district in which the state library is located, and the money received deposited with the state treasurer, for the Limit of value of books to be loaned.

benefit of the state library. If the librarian shall permit more books than a thousand dollars' worth to be taken from the library at one time, he shall forfeit twice the amount of the excess.

Powers of commissioners.

SEC. 16. The board of commissioners, provided in section twenty-one of this act, may exchange or sell such law books and public documents as to the said board may seem conducive to the best interest of the said library, and the said board shall buy with the proceeds of such sale or sales, or shall receive in exchange for books so exchanged, such books as they shall direct, and said board shall exercise a general supervision over the said state library.

Distribution of supreme court reports.

SEC. 17. It shall be the duty of the official supreme court reporter to deposit with the state librarian such supreme court reports of this state as the state is by law entitled to, receiving his receipt for the same. The librarian shall forward to all persons in this state entitled by law to receive such reports, an annual copy of the same, as well as to the library of congress, and to the libraries of the several states and territories practicing a like comity with this state. His account for expenses of transporting the same shall be paid out of the state treasury by warrant drawn by the state auditor, who shall receive proper vouchers for the same.

Incidentals.

SEC. 18. The state librarian is hereby authorized to pay freight and other charges upon books or other documents sent to the library, and to buy such wrapping paper, twine and postage stamps as may be found necessary for the use of said library, taking proper vouchers therefor; and upon presentation of said vouchers, approved by the secretary of state, the state auditor shall, at the end of each quarter, issue a warrant upon the state treasurer, in favor of the librarian, for the amount so found due.

Janitor duties.

SEC. 19. In addition to the duties of the state librarian hereinbefore named, he shall, under the supervision of the secretary of state, have the care and custody of the state capitol buildings and grounds, and perform such duties as usually devolve upon a janitor.

Salary of librarian.

SEC. 20. The state librarian shall be allowed an annual salary of one thousand dollars, to be paid quarterly, and

the state auditor shall draw warrants on the state treasurer for said amounts.

SEC. 21. The governor, the secretary of state and the attorney general of the state shall constitute a board of commissioners, who shall make such rules for the conduct of the library as they may deem advisable, and shall obtain, by purchase or otherwise, books, reports, etc., for the state library, and the said commissioners are hereby authorized to purchase such books at their discretion, and expend therefor in the aggregate during the year one thousand eight hundred and ninety (1890) a sum not exceeding ten thousand dollars, and during each subsequent year a sum not exceeding in the aggregate three thousand dollars: *Provided*, That at no time shall such purchases exceed the amount in the hands of the state treasurer to the credit of the special state library fund.

Personnel and powers of commission.

SEC. 22. When purchases of books for the state library are made, as provided in the preceding section, the vouchers therefor, having been certified by one or more of said commissioners, shall be presented to the state auditor, who shall issue warrants for the same upon the state treasurer, to be paid out of the special state library fund.

Vouchers,

SEC. 23. Any person who has any book belonging to the state library shall, within two months, return said book to the state library, and if any person now having such book shall fail to return such book in said time, such person shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than twenty dollars nor more than two hundred dollars, and shall also deliver up such book or books.

Books belonging to library previously taken out.

SEC. 24. All acts and parts of acts inconsistent with this act are hereby repealed.

Approved March 27, 1890.

AGRICULTURAL COLLEGE AND SCHOOL OF SCIENCE.

AN ACT to create a Commission of Technical Instruction, and to establish a State Agricultural College and School of Science, and to declare an emergency.

Enabling act.

WHEREAS, By section sixteen of an act of congress approved February twenty-second, *anno domini* eighteen hundred and eighty-nine, entitled "An act to provide for the division of Dakota into two states, and to enable the people of North Dakota, South Dakota, Montana and Washington to form constitutions and state governments, and to be admitted into the Union on an equal footing with the original states, and to make donations of public lands to such states," ninety thousand acres of land, (to be selected and located as provided in section ten of said act, approved February twenty-second, *anno domini* eighteen hundred and eighty-nine,) are granted to the State of Washington for the use and support of agricultural colleges in said state, as provided in the acts of congress making donations of lands for such purposes; and

Land grant for scientific school.

WHEREAS, By section seventeen of said act, approved February twenty-second, *anno domini* eighteen hundred and eighty-nine, one hundred thousand acres of land are granted to the State of Washington for the establishment and maintenance of a scientific school; and

Act of congress relative to agricultural experiment stations.

WHEREAS, By an act of congress approved March second, *anno domini* eighteen hundred and eighty-seven, and entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several states," under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto, certain moneys are appropriated to each state, entitled (under the provisions of said act, approved March second, *anno domini* eighteen hundred and eighty-seven,) to the benefits of said act: therefore,

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

SECTION 1. That a commission is hereby created and established, to be known as the commission of technical instruction, which shall be composed of three commissioners, who shall be appointed by the governor of the State of Washington, by and with the advice and consent of the senate. The commissioners first appointed under this act shall continue in office for the term of one, three and five years, respectively, from the first day of February, *anno domini* eighteen hundred and ninety, the term of each to be designated by the governor, but their successors shall be appointed for terms of four years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he shall succeed. Any commissioner may be removed by the governor for inefficiency, neglect of duty or malfeasance in office, but he shall first be served with a copy of the charges preferred against him, and have a hearing thereon. Before any commissioner shall enter upon the duties of his office he shall take and subscribe an oath or affirmation before some person duly authorized to administer the same, that he will support the constitution of the United States and the State of Washington, and will faithfully and impartially discharge the duties of the office of commissioner of technical instruction, which oath or affirmation shall be filed in the office of the secretary of state.

SEC. 2. That the commission may conduct its proceeding in such manner as will best conduce to the proper dispatch of business. A majority of the commissioners shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time. No commissioner shall participate in any proceeding in which he has any pecuniary interest. Every vote and official act of the commission shall be entered of record. Said commission shall have an official seal which shall be judicially noticed. Said commission may sue and be sued. No vacancy in the commission shall impair the right of the remaining commissioners to exercise all the powers of the commission. At their first meeting after appointment the

Commission to be appointed.

Vacancies.

Oath; how filed.

Quorum.

Seal.

Chairman. commissioners shall elect one of their number chairman of the commission.

Object, duty and powers of commission.

SEC. 3. That it shall be the object and duty of the commission to further the application of the principles of physical science to industrial pursuits, and in particular to collect information as to schemes of technical instruction adopted in other parts of the United States and in foreign countries, to hold farmers' institutes at such times and places and under such regulations as it may determine, and to perform such other duties as may from time to time be prescribed by law, and said commission shall possess all the powers necessary or convenient to accomplish the objects and perform the duties prescribed by law.

Name of institution.

SEC. 4. That there is hereby established within the State of Washington an educational institution by the name of the Washington State Agricultural College and School of Science. The said college shall be under the management of the commission of technical instruction, and the chairman of said commission shall discharge the duties of president of the said college. Said commission shall locate the said college unless its location has been otherwise selected in accordance with law, previous to the first day of June, A. D. eighteen hundred and ninety; and in selecting said location said commission shall have in view the best interests of said college and the attainment of the object aimed at in the creation of the same.

Visitors ex-officio.

SEC. 5. That the governor of the State of Washington, the superintendent of public instruction, members of the legislature and county commissioners shall be *ex-officio* visitors of said college. But said visitors shall have no powers granted to control the action of the commission of technical instruction or to negative its powers and duties as defined by law.

Object.

SEC. 6. That the object of said college shall be to train teachers of physical science, and thereby to further the application of the principles of physical science to industrial pursuits.

Government of institution.

SEC. 7. That the commission is authorized to appoint a secretary, and such professors, demonstrators, instructors, officers, or other employees as may be deemed necessary

by it; to determine their duties, responsibilities, compensation and tenure of office, and to remove from office for inefficiency, neglect of duty or malfeasance in office any person appointed by it to any office whatsoever; but all appointments shall be made without regard to political opinion or religious belief.

SEC. 8. That the said commission shall make provisions that all instruction given in the college shall, to the utmost practicable extent, be conveyed by means of practical work in the laboratory. Said commission shall provide, in connection with said college, the following laboratories: One physical laboratory or more, one chemical laboratory or more, and one biological laboratory or more, and suitably furnish and equip the same. Said commission shall provide that all male students shall be trained in military tactics. Said commission shall establish a department of said college to be designated the department of elementary science, and in connection therewith provide instruction in the following subjects: Elementary mathematics, including elementary trigonometry; elementary mechanics, elementary and mechanical drawing, land surveying. Said commission shall establish a department of said college to be designated the department of agriculture, and in connection therewith provide instruction in the following subjects: *First*, physics, with special application of its principles to agriculture; *second*, chemistry, with special application of its principles to agriculture; *third*, morphology and physiology of plants, with special reference to the commonly grown crops and their fungus enemies; *fourth*, morphology and physiology of the lower forms of animal life, with special reference to insect pests; *fifth*, morphology and physiology of the higher forms of animal life, and in particular of the horse, cow, sheep and swine; *sixth*, agriculture, with special reference to the breeding and feeding of live stock, and the best mode of cultivation of farm produce; *seventh*, mining and metallurgy. And it shall appoint demonstrators in each of these subjects, to superintend the equipment of a laboratory and to give practical instruction in the same. Said commission shall establish an agricultural experimental station in connection with the

Character of
institution.

Department of
agriculture.

Character of
instruction.

Mining and
metallurgy.

department of agriculture of said college, appoint its officers and prescribe such regulations for its management as it may deem expedient. Said commission may establish other departments of said college, and provide courses of instruction therein, when those are, in its judgment, required for the better carrying out of the object of the college.

Regulations for admission.

SEC. 9. That said commission is authorized to prescribe regulations for the admission of students; but no discrimination shall be made in respect of race, sex, political opinion or religious belief. The commission may prescribe such rates of tuition as it may deem expedient. The commission is authorized and required to prescribe regulations for the good government and discipline of the college, with reasonable penalties for violation thereof. The commission may confer on any person or persons power to enforce the regulations provided for in this section.

Building must be insured.

SEC. 10. That said commission is authorized and required to insure against the risk of fire, with some safe fire insurance company, all the property of the state used in connection with the college and its several departments.

Regulations and penalties.

It is authorized and required to prescribe regulations for the safe custody and preservation of the buildings, libraries, laboratories, museums, cabinets, and all property whatsoever belonging to the state used in connection with the college and its several departments, with reasonable penalties and forfeitures by way of damage for violation thereof, which may be sued for and collected in the name of the commission before any court having jurisdiction of such action. The commission may confer on any person or persons power to enforce the regulations provided for in this section.

Annual report.

SEC. 11. That the commission shall, on or before the first day of October in each year, make to the governor of the State of Washington a full and detailed report of the operations of the college for the year ending June thirtieth preceding, including a detailed statement of all receipts and expenditures of the commission during that period. This report shall also contain such information

and data collected by the commission as may be considered of value in the determination of questions connected with technical instruction, together with such recommendations as to additional legislation relating thereto, and to the state agricultural college and school of science, as the commission may deem expedient. The governor shall transmit the reports to the legislature, and copies of the same shall be sent to the superintendent of public instruction and to the county clerks of each county of the State of Washington for preservation among the public records.

Duty of governor.

SEC. 12. That the commission shall each be paid his actual and necessary traveling expenses incurred in discharge of his official duties, and shall be reimbursed all other necessary expenses so incurred, and shall receive a compensation of five dollars (\$5) per day for the time actually spent in the discharge of such duties.

Payment of expenses.

SEC. 13. That said commission is authorized to expend moneys for all furniture, apparatus, matters and things, with a view to effectuate the objects and purposes of this act, except that it shall not expend any money or moneys for the purchase of lands or the purchase or erection of any building or buildings, except such purchase or erection be authorized by the express terms of the gifts, grants, appropriations, endowments or bequests of money so expended. Said commission is hereby prohibited from contracting any debts or liabilities in excess of appropriations actually made or moneys on hand.

Expenditure of money.

SEC. 14. That all vouchers for the expenditure of money under the provisions of this act must be signed and attested by at least a majority of the commissioners, and the state auditor shall, upon presentation of such vouchers, if he shall find the item or items thereof otherwise authorized by law, draw his warrant upon the state treasurer for the payment of the same, and the state treasurer shall pay such warrants out of any moneys on hand appropriated for the purpose herein set forth: *Provided*, That every voucher shall set forth the purpose for which the money, material or labor represented therein was used.

Limit of debt.

SEC. 15. That the sum of five thousand dollars is hereby appropriated out of any money in the treasury not other-

wise appropriated, for the uses and purposes of this act: *Provided*, That the state shall be reimbursed in the said amount of five thousand dollars out of the available proceeds of the first sale of lands of the ninety thousand acres donated to the college of agriculture and the mechanic arts. All appropriations shall be disbursed by said commission.

SEC. 16. That all laws or parts of laws in conflict with the provisions of this act are hereby repealed.

SEC. 17. Whereas, an emergency exists, and it is of great importance to the State of Washington that the said commission be forthwith appointed in order that appropriations heretofore made by the congress of the United States be received and the same be disbursed; this act shall take effect and be in force from and after its approval by the governor.

Approved March 28, 1890.

WEIGHTS AND MEASURES; SEALER OF.

AN ACT to establish a uniform standard of weights and measures in this state, and to provide for a State Sealer and Inspector of the same.

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

Standard.

SECTION 1. That the standard of weights and measures in this state shall agree exactly with the standard as recognized and furnished by the United States, and shall, for the purpose of security and verification, be kept in the custody of the secretary of state.

State sealer.

SEC. 2. The secretary of state shall be *ex-officio* state sealer of weights and measures, and shall have the care and custody of the authorized public standards of weights and measures. He shall try and prove by such standards all weights and measures, scales and beams which may

belong to any county and be sent and brought to him for that purpose by the county sealer, and shall seal such, when found to be accurate, by stamping on them the letter "W" with a seal which he shall have and keep for that purpose.

SEC. 3. The county auditor of each county shall be the County sealer. sealer of weights and measures for the county, and shall have the care and custody of the county standards. He shall procure at the expense of the county, when not already provided, a full set of weights and measures, scales and beams, which he shall cause to be tried, proved and sealed by the state standards, under the direction of the secretary of state.

SEC. 4. The secretary of state shall authorize and in- Duty of secretary of state.struct the county auditor of each and every county in this state in regard to testing and verifying weights and measures within said county, and shall furnish said county auditor with a copy of this act, and the county auditor shall Duty of county auditor. immediately post in his office due notice of his authority and readiness to act as inspector and sealer of weights and measures, and shall advertise the same in two papers in said county for the month of January in each year: *Provided, however,* That in counties where no newspapers are published, that notices shall be posted in five public places.

SEC. 5. The several county sealers shall try and prove all weights and measures, scales and beams, when requested so to do, and when the same are found or made to conform to the legal standards, they shall seal and mark such weights and measures with a seal to be kept by them for that purpose.

SEC. 6. The state and county sealers of weights and measures in this state shall charge for testing or sealing any beam or scale the sum of fifty cents: *Provided,* That Fees. no charge shall be made for testing or sealing weights for counter, gold or apothecary scales, and for each and every weight or measure ten cents; for sealing and marking liquid and dry measures, if the same be a gallon or more, ten cents; if less than a gallon, five cents. They shall also be entitled to a reasonable compensation for making such weights and measures conform to the standards established by this act.

Expenses of
county sealers.

SEC. 7. That the expense justly chargeable to any county in this state and incurred in and immediately connected with procuring county standards of weights and measures, and noticing and advertising the same in furtherance of the provisions and intentions of this act, shall, on presentation of proper and sufficient vouchers to the county commissioners, be accepted and paid by said county.

Penalty for non-
conformity.

SEC. 8. That any person in this state who shall, after thirty days subsequent to published notice from the county sealers of weights and measures, as provided in section four of this act, be found using any false or fraudulent beam, scale, weight or measure, and who shall fail or neglect, on written notice of the same from any person aggrieved, or in any way cognizant thereof, to have said imperfect beam, scale, weight or measure duly inspected, and by proper authority adjusted and sealed, or who shall use the same scale, weight or measure subsequent to said notice without correction or adjustment, as provided in this act, any person so offending shall be liable to an action in law and penalty of twenty dollars for each and every offense, to be paid into the county fund.

Oaths of sealers.

SEC. 9. That the secretary of state and each and every county sealer of weights and measures in this state shall, before entering upon the performance of any official duties described or implied in this act, take and subscribe the following oath or affirmation: "I, ——, do swear (or affirm) that I will not seal or give any certificate of correctness for any scale, weight or measure but such as shall, as nearly as possible, agree with the standard in my keeping, as the standard of the State of Washington and of the United States, and that I will, to the best of my ability, execute and discharge truly and faithfully the trusts reposed in me. So help me God." Which oath or affirmation shall be filed in the office of the secretary of state.

How filed.

Half bushel de-
fined.

SEC. 10. In the sale of fruits, vegetables and all other articles sold by heaped measure, one thousand two hundred and eighty-two (1,282) cubic inches shall constitute a half bushel.

SEC. 11. The hundred-weight shall consist of one hun-

dred pounds, and twenty such hundred-weights shall constitute a ton.

SEC. 12. Whenever any of the following articles shall be contracted for or sold or delivered, and no special contract or agreement shall be made to the contrary, the weight per bushel shall be as follows, to-wit: Wheat, sixty pounds; clover seed, sixty pounds; rye or Indian corn, fifty-six pounds; oats, thirty-six pounds; barley, forty-eight pounds; buckwheat, forty-two pounds; dried apples or peaches, twenty-eight pounds; potatoes, sixty pounds; green apples or pears, forty-five pounds; flax, fifty-six pounds.

Busheis by weight.

SEC. 13. Whoever, in buying any of the articles mentioned in the preceding section, shall take any greater number of pounds thereof to the bushel, or in selling any of said articles, shall give any less number of pounds thereof to the bushel than is allowed by said section, with intent to gain advantage thereby, except when expressly authorized so to do by special contract or agreement to that effect, shall be liable to the party injured in double the amount of the property so wrongfully taken or not given, and ten dollars in addition thereto, to be recovered in any court of competent jurisdiction.

Penalty for fraud.

Approved March 20, 1890.

SOLDIERS' HOME; COMMISSION TO ESTABLISH.

AN ACT to provide for the establishment and maintenance of a home for honorably discharged Union soldiers, sailors, marines, and also members of the state militia disabled while in the line of duty, and who are *bona fide* citizens of this state.

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

SECTION 1. That there shall be established in this state an institution under the name of the "Washington Sol-

Name of institution.

diers' Home," which institution shall be a home for honorably discharged Union soldiers, sailors, marines, and also members of the state militia disabled while in the line of duty, and who are *bona fide* citizens of this state.

Qualifications
for admission
to.

SEC. 2. All honorably discharged Union soldiers, sailors, marines, and also members of the state militia disabled while in the line of duty, may be admitted to the home provided for in section one hereof, under such rules and regulations as may be adopted by the board of trustees hereinafter provided for: *Provided*, Such applicants are *bona fide* citizens of this state.

Appropriation.

SEC. 3. To carry out the provisions of this act, there shall [be] and is hereby appropriated out of any moneys in the state treasury, or that may come therein to the credit of the general revenue fund, not otherwise appropriated, the sum of thirty thousand dollars, which may be drawn as required by the board of trustees provided for in this act.

Trustees to be
appointed.

SEC. 4. The selection and purchase of the site and the construction of the buildings for said institution, and the general supervision and government thereof, shall be vested in five trustees, who, upon the passage of this act, shall be appointed as follows, to-wit: One for one year, one for two years, one for three years, one for four years and one for five years, and as the term of each expires, his successor shall be appointed for five years. Such trustees shall be appointed by the governor, by and with the advice and consent of the senate, and each of them, and their successors, shall, before entering upon the duties of his office, give a bond of five thousand dollars to the state, approved by the governor and filed in the office of the secretary of state, for the faithful performance of his duties.

Trustees' re-
port.

SEC. 5. The trustees shall, within one month before the first day of meeting of any session of the legislature of the state, prepare and lay before the governor and legislature a full and detailed sworn report, exhibiting a particular statement of the condition of such soldiers' home and all its concerns, including an account of all contracts, expenditures and liabilities.

SEC. 6. Said board is authorized to select and purchase

a site for said institution, consisting of not less than forty acres of land, at an expense not exceeding ten thousand dollars, or may receive donations of land for such purpose, or purchase building or buildings, if the same may be found to the satisfaction of the board. The title to said lands must be approved by the attorney general before the same is accepted, and when accepted, shall be conveyed to the State of Washington, and the deed therefor shall be duly recorded in the proper county, and then deposited with the auditor of state.

Purchase of site.

Title to land.

SEC. 7. The trustees shall appoint a superintendent, who shall be styled "commandant of the home," and who shall hold office for five years, unless sooner removed by the trustees, for cause of which they shall be the judges. Said commandant shall have entire management and control of the institution under the rules and regulations adopted by the trustees, and he shall, with the approval of a majority of the board, appoint or employ all subordinate officers and employes of said institution, and may remove or discharge them for cause. Said commandant shall give a bond to the state in the sum of five thousand dollars, approved by the governor and filed in the office of the secretary of state, for the faithful performance of his duties.

Commandant.

Duties and powers.

Approved March 26, 1890.

REFORM SCHOOL; COMMISSION TO LOCATE.

AN ACT providing for the establishment and location of a State Reform School, and to declare an emergency.

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

SECTION 1. That a reform school be and is hereby established, to be known as the Washington State Reform School.

Object.

SEC. 2. Said school to be for the keeping and reformatory training of all youths between the ages of eight and eighteen who are residents of the State of Washington, and who, on presentation to the presiding officer of said school by an accompanying officer, parent or guardian, shall be accompanied by a certificate of commitment from a court legally authorized to make such commitment.

How admitted.

Commissioners to select site.

SEC. 3. The governor shall, immediately after the approval of this act, appoint three responsible citizens of the state, commissioners to choose a location for said school, and the said commissioners shall, on or before the first day of May, 1890, visit personally, in a body, the different counties asking for the location of said school, and said commissioners shall decide in which county the school shall be located, taking into consideration the best interest of the school and the state at large. After having decided upon the location of the school, so far as the county is concerned, the commissioners shall report the same to the governor in writing.

Trustees.

SEC. 4. The governor shall, on or before the first day of April, 1890, appoint three competent persons, who shall constitute a board of trustees, to be known as the trustees of the Washington State Reform School. He shall notify said trustees of such appointment as soon as it is made; and he shall have power to fill by appointment all vacancies occurring in said board, whether by death, removal, resignation or expiration of terms of office, and he shall further have power to remove, for good and sufficient cause, any one or all the members of said board.

Oath and bond of trustees.

SEC. 5. As soon as notified of his appointment, each member of the board of trustees, before entering upon the duties of his office, shall take and subscribe to an oath, before any officer qualified to administer oaths, that he will faithfully perform the duties of his office according to law, and shall each give a bond to the State of Washington in the sum of ten thousand dollars, with good and sufficient sureties, conditioned for the faithful performance of his duties, which bond shall be filed in the office of the secretary of state.

SEC. 6. As soon as each member of the board of trus-

tees shall have complied with the requirements of section 5 of this act, they shall meet at the county seat of the county in which the commissioners shall have located the school, and shall at once organize by electing one of their number president and one secretary. Immediately after such organization the board shall select a suitable tract of land of not less than five nor more than one hundred acres on which to erect such buildings and other improvements as may be necessary for the establishment of said school, and shall proceed to purchase the same in the name of the State of Washington. And said board is hereby authorized to receive, in the name of the state, any and all donations, gifts or contributions to said school, whether in money, land, labor, material or supplies. Immediately upon purchase of the land, as aforesaid in this act, the board shall establish a permanent office as near as possible to said tract, and the secretary shall there keep any and all books of the board, which shall be open for public inspection, and he shall also file with the secretary of state any and all deeds executed conveying land to the State of Washington for the use and benefit of said school. The president shall preside at all meetings of the board of trustees, superintend the performance of all contracts for labor and material which may have been authorized by the board, and see that the terms of each contract are faithfully fulfilled; and he shall perform such other duties as the board may direct.

Duties and powers of board.

SEC. 7. On or before the first day of June, 1890, the board of trustees shall select upon the land purchased for the reform school a suitable building site, and shall proceed to erect thereon the necessary buildings according to the provisions of this act; but no member of the board shall be, either directly or indirectly, interested in any agreement or contract of any kind connected with the erection of buildings, furnishing material or supplies of any kind for said school. All contracts for labor, material or supplies of any kind for or connected with said school, at any time or place, shall be let to the lowest responsible bidder, which letting shall be advertised by posting printed notices at every postoffice in the county where the school

Building site.

Contracts let to lowest bidders.

is located at least thirty days prior to such letting or time of opening bids and awarding contracts, and also by advertising in at least two leading papers in the state for the same length of time.

Erection of buildings.

SEC. 8. The board shall, as soon as possible, adopt plans, specifications and arrangements for buildings and such other improvements as are necessary for the establishment of said school, and shall erect the same as speedily as is consistent with the provisions of this act: *Provided*, That such buildings and improvements shall not exceed in cost, when completed and ready for occupancy, the sum appropriated for such purposes by this act.

Form of bids.

SEC. 9. All bids for labor, material or supplies shall be made by sealed proposals to the president of the board, and all advertisements for labor, material or supplies shall name nature, character and amount of the same as nearly as may be possible, and shall further specify the nature and amount of the bond required of the party awarded the contract.

Vouchers.

SEC. 10. All bills against the state for supplies or material furnished or labor performed in connection with said school, shall be certified to by the president and secretary of the board of trustees, and such board shall not certify to any bill or sanction the payment of any account for labor performed, or material or supplies furnished, except the same shall have been duly contracted for and the provisions of the contract fully complied with. All bills and accounts of said school shall be audited by the state auditor, who shall draw a warrant on the state treasurer for the amount so certified to by the president and secretary of the board, which warrant shall state on its face the person in whose favor it is drawn, and for what particular purpose it is drawn; but the auditor shall draw no warrant for any bill or account connected with said school except said bill or account be certified to according to the provisions of this act.

Bond of contractor.

SEC. 11. The board shall award each contract to the lowest responsible bidder, who shall furnish the required bond with sureties, to be approved by the said board: *Provided*, That the board may reject any and all bids if,

in its judgment, they are too high, and shall again advertise for proposals as in the first instance: *And provided further*, That should there be but one bid or proposal the assent of the entire board shall be necessary to such contract.

SEC. 12. The board, after the first meeting, as provided for in this act, shall meet as often as it may be necessary for the best interests of said school, at the place chosen for its permanent office, and each member shall receive for his services as trustee five dollars per day for each day's attendance at such meetings, and ten cents per mile for each mile traveled in the performance of his duties as such officer. Each member of the board shall serve six years, except in the case of the board first appointed, in which case one shall serve two years, one four years, and one six years, and they shall, at their first meeting, cast lots to determine the length of time each shall serve. Compensation of trustees.

SEC. 13. On the completion of the buildings and improvements, as provided for in this act, the board of trustees shall give notice of the same to the governor, whose duty it shall be to give public notice of the same to the state, and the board shall then employ a competent person (a male), who shall be known as director of the Washington State Reform School. It shall be the duty of said director to take charge of the school, and he shall also have immediate control of the male department of said school, and shall, by and with the consent of the board of trustees, employ a matron, who shall have immediate control of the female department of the school, and the director shall also appoint such other officers and teachers as may be necessary for the management of the school. Director. Matron.

SEC. 14. The salary of the director shall be one thousand and five hundred dollars per year, and the salary of the matron and other employes of the school shall be fixed by the board of trustees. Salary of director.

SEC. 15. The director, before entering upon the duties of this office, shall execute and file with the board of trustees a bond, with good and approved sureties, in the sum of five thousand dollars, conditioned for the faithful performance of his duties as director of said reform school. Bond of director.

Duties.

SEC. 16. The director shall be present at all meetings of the board of trustees after his appointment and qualification, and shall there confer with the trustees regarding the management and interests of the school. He shall have entire supervision of the school, subject, however, to the control of the board, and shall hold his office during the pleasure of the same.

Duties of board.

SEC. 17. It shall be the duty of the board of trustees to investigate any and all complaints made against the director, matron or any employe of said reform school, and for good and sufficient reason remove the person against whom such complaint shall have been made. The board shall further investigate any and all charges may [made] by the director against any inmate or inmates of the school, and if, after the investigation of such charges, any inmate or inmates of said school shall be found incorrigible, unmanageable or detrimental to the best interest of the school, such inmate or inmates, as the case may be, shall be returned to the court which made the commitment.

Departments.

SEC. 18. Said reform school shall consist of two departments; one for the male and one for the female inmates, and the two departments shall be entirely separate. The matron shall be directly accountable to the director for the management of the female department of the school.

Character of training.

SEC. 19. All the branches taught in the public schools of the state shall be taught in the reform schools, and the inmates shall be taught and trained in morality, temperance and frugality, and they shall also be instructed in the different trades and callings of the two sexes, as far as possible, in the scope of the institution.

SEC. 20. The board of trustees shall have full power to regulate the workings of the institution and make such rules for its management and control as may be necessary: *Provided*, That no rule made by the board shall conflict with the provisions of this act.

Report of directors.

SEC. 21. The director shall, at the close of each year, make a full and complete report to the board, of the condition, number and standing of the inmates of the school, as well as the number received and the number dismissed

during the year, and he shall give such further information as the board may require.

SEC. 22. The board shall make a biennial report to the governor. Said report to contain a complete list of all officers and employes connected with the school; the number of inmates, male and female; the number admitted and the number dismissed each year during the period covered by the report; an account of all expenses incurred, and for what purpose; and as nearly as possible, the advancement made by the inmates. They shall also show the needs of the school, so far as supplies, buildings and other improvements are concerned, and may recommend the passage of any laws they may deem necessary for the benefit of the school.

Biennial report
of board.

SEC. 23. Each commissioner appointed in accordance with section 3 of this act shall receive for each day employed in the performance of his duties as such commissioner three dollars, and ten cents for each mile traveled in the performance of such duties.

Compensation
of commission-
ers.

SEC. 24. For the purpose of carrying into effect the provisions of this act, there is hereby appropriated, out of any money belonging to the state not otherwise appropriated, the sum of twenty-five thousand dollars.

Appropriation.

SEC. 25. Whereas, there are now in this state a number of offenders between the ages specified in this act, and no institution established for their keeping or reformation; therefore, an emergency is hereby declared to exist, and this act shall take effect from and after its approval by the governor.

Approved March 28, 1890.

STATE NORMAL SCHOOL; COMMISSION TO
LOCATE.

AN ACT to establish a State Normal School.

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

SECTION 1. There shall be established in the city of Ellensburg, county of Kittitas, a school to be called the Washington State Normal School, for the training and educating of teachers in the art of instructing and governing in the public schools of this state.

Trustees to select site.

SEC. 2. The governor of the State of Washington, the superintendent of public instruction of the said state, and the secretary of state, are hereby appointed and created trustees, with full power and authority to select a site for the permanent location of the State Normal School in the city of Ellensburg. Said trustees shall, within thirty days after this act goes into effect, examine the sites offered by the city of Ellensburg for the location of the State Normal School buildings and select therefrom a suitable location for said Normal School buildings, and the site selected by them shall be and remain the permanent site for the State Normal School buildings.

Conveyance of site.

SEC. 3. The mayor and common council of the city of Ellensburg are hereby authorized, empowered and directed, immediately after such site shall have been selected by said trustees, to convey such site by good and sufficient conveyance to the trustees of the State Normal School, who are hereby authorized and empowered to receive and hold the same and the title thereto in trust and for the use of said State Normal School.

Trustees of school.

SEC. 4. The governor, the state superintendent of public instruction, and three others to be appointed by the governor, shall constitute the board of normal school trustees. The appointed members, at the first meeting of the board of trustees, shall determine, by lot, their respective terms of office, which shall be for two, four and six years.

Powers of board.

SEC. 5. Said board of trustees shall have power to ex-

pend all moneys appropriated or donated for building school-rooms and boarding-houses, and for furnishing the same, as well as all moneys for the current expenses of the school.

SEC. 6. The board of trustees shall have power to elect a principal and all other teachers that may be deemed necessary; to fix the salaries of the same, and to prescribe their duties.

SEC. 7. It shall be the duty of the board of trustees to prescribe the course of study and the time and standard of graduation, and to issue such certificates and diplomas as may from time to time be deemed suitable. These certificates and diplomas shall entitle the holders to teach in any county in this state for the time and in the grade specified in the certificate or diploma. Duties of board.

SEC. 8. The board of trustees shall prescribe the text-books, apparatus and furniture, and provide the same, together with all necessary stationery for the use of pupils.

SEC. 9. Said board shall, when deemed expedient, establish and maintain a training or model school or schools, in which the pupils of the normal school shall be required to instruct classes under the supervision and direction of experienced teachers. Training school.

SEC. 10. Said board shall make rules for the government of the boarding-house or houses; shall superintend the same, and make all necessary arrangements for conducting the same in the most economical manner that will make them self-sustaining.

SEC. 11. At each annual meeting, the board shall determine what number of pupils may be admitted into the school; and this number shall be apportioned among the counties of this state according to the number of representatives from said counties in the legislature: *Provided*, That teachers holding first or second grade certificates may be admitted from the state at large. The county superintendents and the county boards of examination shall hold competitive examinations before the first of May in each year, of all persons desiring to become pupils of the normal school, which examinations shall be conducted in the same manner as examinations for teachers' certificates. Apportionment of pupils among counties.

A list shall be made of the applicants thus examined, and they shall receive recommendation in the order of standing in examination: *Provided*, That superintendents may discriminate in favor of those whose age and experience specially fit them to become normal pupils. After the expiration of the year a new list must be prepared, and those not recommended must be re-examined or forfeit their right to recommendation.

Conditions pre-requisite for admission.

SEC. 12. To secure admission into the junior class of the normal school, the applicant, if a male, must be not less than seventeen years of age, or if a female, not less than sixteen years of age; to enter an advanced class, the applicant must be proportionately older. Applicants must also present letters of recommendation from their county superintendent, certifying to their good moral character and their fitness to enter the normal school. Before entering, all applicants must sign the following declaration: "We hereby declare that our purpose in entering the Washington State Normal School is to fit ourselves for the profession of teaching, and that it is our intention to engage in teaching in the public schools of this state."

Pupils from abroad.

SEC. 13. Pupils from other states and territories may be admitted to all the privileges of the school, on presenting letters of recommendation from the executive or state school superintendents thereof, and the payment of one hundred dollars. The money thus received shall be appropriated to the purchase of library and apparatus. Pupils from other states shall not be required to sign the declaration named in section twelve.

Duty of superintendent of public instruction.

SEC. 14. The superintendent of public instruction shall be the executive agent and secretary of the board of trustees of the normal school. He shall visit the school from time to time, inquire into its condition and management, enforce the rules and regulations made by the board, require such reports as he deems proper from the teachers of the school and officers of the boarding house, and exercise a general supervision of the same. He shall, in connection with the executive committee appointed by the board, expend all moneys appropriated for salaries and incidental expenses, and shall make a semi-annual state-

ment in writing to the board, of all moneys received and expended.

SEC. 15. It shall be the duty of the principal of the school to make a detailed annual report to the board of trustees, with a catalogue of the pupils and such other particulars as the board may require or he may think useful. It shall also be his duty, authorized by the board, to attend county institutes and lecture before them on subjects relating to public schools and the profession of teaching. Duty of principal.

SEC. 16. The board of trustees shall hold two regular meetings annually at such time and place as may be determined, but special meetings may be called by the secretary by sending written notice to each member. Meetings of trustees.

SEC. 17. The board shall have power to make all rules and regulations necessary for discharging the duties named above. Regulations.

SEC. 18. All classes may be admitted into the normal school who are admitted without restriction into the public schools of the state.

Approved March 28, 1890.

STATE NORMAL SCHOOL; TO PROVIDE FOR ITS LOCATION AT CHENEY.

AN ACT to establish a Normal School for the State of Washington, in the City of Cheney, in Spokane county, and for the government, management and control of the same.

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

SECTION 1. That a normal school for the State of Washington is hereby established in the city of Cheney, in Spokane county, the exclusive purpose of which shall be the instruction of persons, both male and female, in the art of teaching the various branches that pertain to a good Location and purpose of.

Proviso. common school education; also, to give instruction in mechanical arts and in husbandry, in the fundamental laws of the United States, and in what regards the rights and duties of citizens: *Provided*, That the trustees of the Benjamin P. Cheney Academy shall, prior to the first day of September (1890), eighteen hundred and ninety, donate to the state the building and one block of ground containing eight acres, now occupied by said Benjamin P. Cheney Academy, within the limits of the city of Cheney, and valued at not less than thirty thousand (\$30,000) dollars, and shall convey the same to the State of Washington by a good and perfect title in fee simple, to be approved by the attorney general and accepted by the board of trustees hereinafter mentioned.

Trustees. SEC. 2. That said normal school shall be under the direction of a board of trustees, and shall be governed and supported as hereinafter provided.

Number of; how appointed. SEC. 3. The said board of trustees shall consist of five members, who shall be appointed by the governor, by and with the consent of the senate, two of whom shall hold their office for six years, two for four years, and the other for two years, and the governor shall designate the tenure of office of each member so appointed. The board of trustees shall annually elect from their number a president and secretary. It shall be the duty of the secretary to keep an exact and detailed account of the doings of said board, and he shall make such reports to the legislature as are required by this act; and no member of said board of trustees shall, during his continuance in office as a member of said board, act as agent of any publisher or publishers of school books or school library books, or be or become interested in the publication or sale of such books, as agent or otherwise; and the governor of the state is hereby authorized and required, upon satisfactory evidence being produced to him that any member of said board is employed as such agent, or interested as aforesaid, to remove such member of said board from office and appoint another in his place.

Members of board must be disinterested. Duty of secretary. Trustees' meetings. SEC. 4. That the board of trustees shall hold two regular meetings in each year, viz.: During the first week

in January and the first week in June in each year, at which second meeting the officers of the board shall be elected. All meetings of the board shall be held in the city of Cheney, and when practicable be in the normal school building; and all financial matters, allowances of claims and accounts, shall be disposed of at such regular meetings only. Special meetings of the board may be called upon written order of the president of the same, which order shall specify the object of the meeting. An adjournment may be had from a regular or special meeting, but the journal must in either case state the reason in full for the same, and no regular, special or adjourned meeting shall continue in session for more than ten days at any one time. A majority of the board shall constitute a quorum to transact business. A true and faithful journal of their proceedings shall be kept at any reasonable time open to the inspection of any member of the board.

SEC. 5. The said board of trustees shall have power to appoint a principal and assistant to take charge of said school, and such other teachers and officers as may be required in said school, and to fix the salary of each and prescribe their several duties. They shall have power to remove either the principal, assistant or teachers and appoint others in their stead. They shall prescribe the various books to be used in said school, and shall make all the regulations and by-laws necessary for the good government and management of the same.

SEC. 6. That the said board of trustees are hereby authorized and it is made their duty to take and at all times to have general supervision and control of all buildings and property appertaining to said normal school, and to have general charge and control of the construction of all buildings to be built after the acceptance of the building mentioned in the first section of this act. They shall have the power to let contracts for building and completion of any such buildings and the entire supervision of their construction: *Provided*, That all contracts connected with the erection of any such buildings shall be let to the lowest responsible bidder, after notices of the letting of such contracts shall have been published in at least four

Special meet-
ings.

Quorum.

Powers of
board.

Contracts must
be let to lowest
bidder.

of the leading newspapers located in different parts of the state, for at least thirty days before the letting of said contracts, and the said board shall have power to reject any or all bids.

Duty of state superintendent.

SEC. 7. That as soon as said normal school is prepared to receive pupils, the superintendent of public instruction shall give notice of the fact to each county clerk in the state, and shall publish said notice in a newspaper published in each judicial district.

Rules and regulations.

SEC. 8. That the said board of trustees shall ordain such rules and regulations for the admission of pupils to said school as they shall deem necessary and proper. Every applicant for admission shall undergo an examination in such manner as shall be prescribed by the board, and if it shall appear that the applicant is not a person of good moral character, or will not make an apt and good teacher, such applicant shall be rejected. The board of trustees may, in their discretion, require any applicant for admission into said school other than such as shall, prior to such admission, sign and file with said board a declaration of intention to follow the business of teaching schools in this state, to pay, or secure to be paid, such fees or tuition as to said board shall seem reasonable.

SEC. 9. That any person may be admitted as a pupil of said normal school who shall pass a satisfactory examination: *Provided*, That the applicant shall, before admission, sign a declaration of intention to follow the business of teaching schools in this state: *And provided further*, That the pupils may be admitted without signing such declaration of intention on such terms as the said board of trustees may require or prescribe.

Special visitors.

SEC. 10. That after said normal school shall have commenced its first term, and at least once in each year thereafter, it shall be visited by three suitable persons not members, to be appointed by the board of trustees, who shall examine thoroughly into the affairs of the school and report to the superintendent of public instruction their views in regard to its condition, success and usefulness, and any other matter they may judge expedient. Such visitors shall be appointed annually.

SEC. 11. That lectures in chemistry, comparative anatomy, the mechanical arts, agricultural chemistry, and any other science or any other branches of literature that the board of trustees may direct, may be delivered to those attending such school in such manner and on such conditions as the board of trustees may prescribe. Lectures.

SEC. 12. That as soon as any person has attended said institution twenty-two weeks said person may be examined in the studies required by the board in such manner as may be prescribed by them, and if it shall appear that such person possesses learning and other qualifications necessary to teach a common school, said person shall receive a certificate. Examinations.

SEC. 13. That services and all other necessary traveling expenses, as herein provided, incurred by the board of trustees in carrying out the provisions of this act shall be paid on the proper certificate out of any funds belonging to said institution in the hands of the treasurer; and the principal, assistants, teachers and other officers employed in said school shall be paid out of said normal school fund and from the receipts for tuition. The members of the board of trustees shall be entitled to four dollars per day during the meetings of said board, and ten cents for each mile necessarily traveled in attending said meetings. Compensation and expenses of trustees.

SEC. 14. That all funds appropriated for the use and benefit of said normal school shall be under the direction and control of the board of trustees, subject to the provisions herein contained. The treasurer of the state shall pay out of such funds all orders or drafts for money to be expended under the provisions of this act; such orders or drafts to be drawn by the state auditor on certificates of the secretary, countersigned by the president of said board. No such certificates shall be given except upon accounts audited and allowed by the board at their regular meetings. Vouchers.

SEC. 15. That it shall be the duty of the governor to fill by appointment all vacancies that may from any cause occur in the board of trustees of the said state normal school, and he may, for neglect of any duty, or any violation of the trust reposed, or the arbitrary exercise of the power Vacancies.

conferred, remove any member of said board, and appoint a suitable person in his stead.

Annual report.

SEC. 16. That the clerk of the board of trustees shall on the 15th day of October in each year, transmit to the governor a full report of the expenditures of the same, for the previous year, setting forth each item in full, and the date thereof.

Morals.

SEC. 17. That the board of trustees in their regulations, and the principal in his supervision and government of the school, shall exercise a watchful guardianship over the morals of the pupils at all times during their attendance upon the same, but no religious or sectarian tests shall be applied in the selection of teachers, and none shall be adopted in the school.

SEC. 18. That all acts and parts of acts in conflict with these provisions are hereby repealed.

Approved March 22, 1890.

INDEMNITY SCHOOL LANDS; COMMISSION TO SELECT.

AN ACT to provide for the selection of indemnity lands for support of the common schools in lieu of sections 16 and 36, or any parts thereof, that have been sold or otherwise disposed of by or under the authority of any act of congress, and declaring an emergency.

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

Personnel of board.

SECTION I. That the governor, the secretary of state and the commissioner of public lands shall constitute and are hereby constituted as a board of commissioners for the selection of indemnity lands for support of the common schools, in lieu of sections 16 and 36, or any parts thereof, of every township of the state that have been sold or otherwise disposed of by or under the authority of any act of congress.

SEC. 2. The board of commissioners constituted by section one shall meet within ten days after the passage and approval of this act at Olympia, and shall organize as follows, to-wit: The governor shall be president of the board, and he shall designate one of the other members as secretary.

Organization of board.

SEC. 3. With the least practicable delay after organization the board of commissioners herein provided for shall proceed to segregate lands for the support of common schools, in lieu of sections 16 and 36, or any parts thereof, of every township of the state that have been sold or otherwise disposed of by or under the authority of any act of congress, and when such segregation is completed the board of commissioners shall report the fact to the secretary of the interior and request his approval of the selections made: *Provided*, That the selections shall be made in conformity with the provisions of sections ten and nineteen of the act of congress enabling the states of North and South Dakota, Montana and Washington to be admitted into the Union.

Duties of board

Regulating selections.

SEC. 4. Whereas, the best interests of the common schools of the State of Washington require the early operation of the provisions of sections one, two and three of this act; therefore an emergency is declared to exist, and this act shall take effect and be in force from and after its passage and approval.

Approved March 26, 1890.