

of such election, and the time during which the ballot box will be kept open; not less, however, than six hours. Said notices shall be posted in at least one place in each ward in the district at least twenty days previous to the time of election. Said notices shall also be published three times in two daily papers published in the district, and if there be no daily or dailies, then in the weekly paper or papers in three regular issues next preceding the day of such election. If the board of directors fail to give notice at such time, as herein provided, then any five legal voters residing in the district may give such notice over their own names, and such election may be held after the day fixed by this title for such election. All elections shall be by ballot and in the absence of any notice specifying the hour, the ballot box shall be open at one o'clock p. m., and be closed at eight o'clock p. m.

Passed the House February 26, 1903.

Passed the Senate March 10, 1903.

Approved by the Governor March 16, 1903.

CHAPTER 118.

[H. B. No. 223.]

FOR THE PROTECTION OF SHADE TREES AND HEDGES ON PUBLIC HIGHWAYS.

AN ACT for the protection of shade trees and hedges on public highways.

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

SECTION 1. Any person or company wishing to plant and cultivate shade or ornamental trees on the public highways of the State of Washington may lawfully do so by planting the same in the said highways at a distance not greater than ten (10) feet from the lines dividing the land owned by them from the said highways when the said roads have a legal width of sixty (60) feet or more and at a distance not greater than eight (8) feet from said dividing lines when said roads have a legal width of less than sixty

Lawful to plant—at certain distances, etc.

(60) feet: *Provided*, That such trees shall not be lawfully planted where the entire width of the road is required for public use by reason of heavy cuts, fills, slopes or grades.

Hedge fences. SEC. 2. It shall be lawful for any person or company to plant hedge fences on the line dividing their property from public highways and to use temporarily a strip of said highway not exceeding eight (8) feet in width for the protection and cultivation of such hedges and to maintain temporary fences within said strip for a period not exceeding four (4) years after the said hedges have been planted.

Duty of road supervisors. SEC. 3. It is hereby directed to be the duty of road supervisors and overseers to protect trees and hedges now growing or which may be hereafter planted in the public highways of the State when such trees and hedges are located in conformity with the provisions of this act.

Injury or destruction. Penalty. SEC. 4. Willful injury to or destruction of shade or ornamental trees or hedges in or along the line of any public highway in the State of Washington is hereby declared to be a misdemeanor and the perpetrators of such injury shall be liable for each tree so injured or destroyed, to a fine not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) or to imprisonment in the county jail for not more than sixty (60) days or to both such fine and imprisonment.

Repeal. SEC. 5. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Passed the House February 26, 1903.

Passed the Senate March 11, 1903.

Approved by the Governor March 16, 1903.