

## CHAPTER LXXV.

[H. B. No. 148.]

## QUALIFICATIONS AND COMPENSATION OF COUNTY COMMISSIONERS.

AN ACT relative to the qualifications and compensation of county commissioners.

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

SECTION 1. The board of county commissioners in the several counties in this state may hold regular sessions at the county seat of their respective counties commencing on the first Mondays of February, May, August and November, at each of which they may transact any business which may be required by law, but counties so desiring may omit the February and August terms: *Provided always*, That the number of days [on] which the county commissioners may hold regular sessions in counties of the fourteenth, fifteenth, sixteenth, seventeenth, eighteenth and nineteenth classes shall not exceed thirty days in the aggregate in any one year: *And provided always*, That the number of days [on] which the county commissioners may hold regular sessions in counties of the twentieth, twenty-first, twenty-second, twenty-third and twenty-fourth classes shall not exceed twenty-five days in the aggregate in any one year: *And provided always*, That the number of days which the county commissioners may hold regular sessions in counties of the twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth and twenty-ninth classes shall not exceed twenty days in the aggregate in any one year.

Sessions of county board of commissioners.

SEC. 2. The county commissioners in any and all of the classes of counties from the fourteenth class to the twenty-ninth class, both inclusive, mentioned in section one of this act, may hold extra sessions when the business of the county requires it, but shall receive no pay or compensation therefor, unless ordered as hereinafter provided by the superior court holding terms in the county where such extra sessions are held: *Provided*, That the provisions of this act shall not be construed as affecting the present law regarding the meeting of the board of commissioners for

Extra sessions.

the purpose of equalizing the taxes of the various counties in this state.

Compensation  
for extra  
services.

SEC. 3. Whenever a county commissioner of any of the classes of counties mentioned in section two hereof shall claim or demand pay or compensation for attendance upon extra sessions of the board of county commissioners, or shall claim or demand pay or compensation for any extra services or expenses, or for any services except the per diem and mileage allowed for attendance upon regular sessions of said board, he shall make out and file with the clerk of the superior court aforesaid, a petition showing in detail the amount claimed, together with a statement of the facts which he claims made such extra services and expenses necessary, which petition shall be verified by the oath of the commissioner claiming thereunder; and said commissioner shall thereupon immediately cause a copy of said petition, together with a written notice showing when same was filed with the clerk, to be delivered to the county attorney of said county, who shall apply to said court for an order to show cause why the prayer of said petition should not be granted. And said court shall grant an order ordering and directing all persons whom it may concern to show cause before said court at the court house in said county at a time therein mentioned (which shall not be less than fifteen days from date of said order), why the prayer of said petition should not be granted; said order shall recite the substance of said petition. Said application for an order to show cause shall be made by the county attorney as follows: If the court is in session or in chambers in said county at the time said notice and petition is delivered to the county attorney he shall make immediate application for said order. If said court is not in session or in chambers in said county at said time, he shall make the application on the first day of the next session in said county or on the first day thereafter that court is in chambers in said county.

SEC. 4. Said order when granted shall be immediately filed with the clerk of said court and the said clerk shall within one day from the day the same is filed, deliver a

certified copy thereof to the sheriff of the county for service.

SEC. 5. Said order shall be served by the sheriff of said county by posting, at least ten days before the return day of said order, one copy thereof in some conspicuous place in the court house in said county, and one copy thereof in each of two other conspicuous places in said county, and shall make due return of the service thereof at least five days before the day set for hearing the same.

SEC. 6. Upon the hearing of such petition any person or persons so desiring may appear and resist said petition. If, upon the hearing, the court shall find that the bill and petition is true, just and correct, and that the business of the county demanded the services or expenses, or both, mentioned in said petition, or any part thereof, it shall order the amount prayed for, or so much thereof as the court shall find said commissioner justly entitled to, paid to said commissioner, and upon presentation of a certified copy of said order, the county treasurer shall pay the amount specified and ordered paid to said commissioner. But if the court shall find that said petition is not true, or that said commissioner is not entitled to any part of the amount claimed in said petition, the court shall dismiss said order and order the costs of said proceedings taxed against the commissioner verifying said petition, and the clerk thereupon shall enter judgment against said commissioner for the costs of such proceedings: *Providing*, That nothing in this section contained shall be so construed as to deprive any county commissioner of the right to a trial by jury in any case wherein his claim has been in whole or in part disallowed by the judge.

SEC. 7. Each county commissioner in this state, before <sup>Bond.</sup> he enters upon the duties of his office, shall give a bond to the county, with at least two sureties thereon, in the amount hereinafter specified; which bond and the sureties thereon shall be approved by the clerk of the superior court of the proper county. The said bond, when so approved, shall be filed and recorded by said clerk in his office. Said bond shall be payable to the county, and the same shall be con-

ditioned that such commissioner shall well and faithfully discharge the duties of his office, and not approve, audit or order paid any illegal, unwarranted or unjust claim against the county for personal services: *Provided*, That the county commissioners heretofore elected, and who shall have already entered upon the duties of their office, shall have ninety days from and after the day this act goes into effect in which to make and file their bonds. The amount for which said bonds shall be given is as follows:

Amount  
of bond.

In counties of the first, second, third, fourth and fifth classes, twenty thousand dollars (\$20,000).

In counties of the sixth, seventh, eighth, ninth and tenth classes, fifteen thousand dollars (\$15,000).

In counties of the eleventh, twelfth, thirteenth, fourteenth and fifteenth classes, ten thousand dollars (\$10,000).

In counties of the sixteenth, seventeenth, eighteenth, nineteenth and twentieth classes, seven thousand five hundred dollars (\$7,500).

In counties of the twenty-first, twenty-second, twenty-third and twenty-fourth classes, five thousand dollars (\$5,000).

In counties of the twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth and twenty-ninth classes, two thousand dollars (\$2,000).

SEC. 8. County commissioners in counties of the fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth and twenty-ninth classes may charge and receive mileage as hereinafter stated, and not otherwise:

Mileage.

1. For attendance on any regular session of the board of county commissioners, ten cents per mile for each mile traveled in going to and returning from the county seat: *Provided*, That only one such trip shall be charged for at each regular session.

2. For attendance upon extra sessions of said board and for other necessary traveling on county business, such mileage, not exceeding ten cents per mile for each mile traveled, as may be allowed or ordered by the superior

court of the proper county under the provisions of this act.

SEC. 9. All acts and parts of acts in conflict with this act are hereby repealed.

Approved March 9, 1893.

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## CHAPTER LXXVI.

[H. B. No. 31.]

### PAYMENT OF AGENTS OF STATE LAND COMMISSION.

AN ACT appropriating money for the payment of agents for the state land commission.

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

SECTION 1. That there be and hereby is appropriated out of any money in the state treasury not otherwise appropriated the sum of forty thousand dollars (\$40,000.00) to pay the agents of the state land commission for their services in examining and reporting lands at the rate of compensation as provided for by section 6 of an act entitled "An act to provide for the selection of lands granted to the State of Washington under an act of congress approved February 22, 1889, for the purpose of the erection of public buildings and a penitentiary; the use and support of agricultural and scientific normal schools, and charitable, penal, and reformatory institutions; also providing for the selection of lands granted to the State of Washington under sections 1947, 2275 and 2276 of the revised statutes of the United States," approved March 10, 1891.

SEC. 2. This act shall take effect from and after its passage and approval by the governor.

Approved March 9, 1893.