

## CHAPTER 34.

[H. B. 288.]

## EQUALIZING WHERE TOWNSHIP ORGANIZATION EXISTS.

AN ACT relating to township organization, requiring county boards of equalization to equalize property as between townships, amending sections 9339½, 9368, 9400 and 9414 of Remington and Ballinger's Annotated Codes and Statutes of Washington, and providing for the purchase of printed township supplies through the office of the county auditor, and declaring an emergency.

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

SECTION 1. That section 9339½, 9368, 9400 and 9414 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Amending  
code.  
[Amending  
§ 9339½,  
Rem.-Bal.]

Section 9339½. The electors of each town have power, at their annual town meeting—

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

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

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

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

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

Sixth. To determine the time and manner in which certain domestic animals may be permitted to go at large.

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

Imposing  
penalties.

Eighth. To apply such penalties, when collected, in

such manner as they deem most conducive to the interests of the town.

Levying  
taxes.

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

Establishing  
library.

Tenth. To vote by ballot to establish a town library for the use of the people thereof and when established to make all by-laws, rules and regulations necessary for the management thereof; to raise a sum not exceeding three hundred (\$300.00) dollars in any one year for the providing of books, furnishing a place to keep such library, and pay a librarian for his services; said sum to be expended on the direction of the board.

Cemetery.

Eleventh. To instruct by vote the board to purchase grounds for a town cemetery; to limit the price to be paid therefor, to raise a tax for payment thereof and to establish rules for the care and management of the same.

Twelfth. To authorize the licensing of dogs.

[Amending  
§ 9368,  
Rem.-Bal.]  
Supervisors'  
powers.

Section 9368. The supervisors shall have charge of such affairs of the town as are not by law committed to other town officers; and they shall have power to designate the justice of the peace, or other suitable person, as police judge in and for such township: and such police judge shall have the same powers and duties as are conferred by law upon the police judge in cities of the fourth class: and they shall have power to draw orders on the town treasurer for the disbursement of such sums as may be necessary for the purpose of defraying the incidental expenses of the

town, and for all moneys raised by the town to be disbursed for any other purpose. They shall have charge of all highways and bridges in their respective townships, and the care and supervision thereof; and shall have power to divide their respective townships into road districts and to appoint one resident elector of each road district as overseer thereof for the first year of township organization; to establish new highways and bridges and to vacate or alter all highways and bridges wholly within the township in the same manner as now provided by law for the establishing of new highways and bridges and the vacation or alteration of the same by the county commissioners in the case of county roads and bridges, except that the duties therein provided to be performed by the county commissioners shall be performed by the township board of supervisors except that all notices therein provided shall be given by the county engineer and all meetings therein provided shall be held at his office in the county court house and all records and files maintained therein, and all expenses for the condemnation and procuring of right-of-ways therein provided shall be met and paid by the township treasurer on order of the board of township supervisors, and it shall be unlawful for any township funds to be expended upon any roads not established in accordance with said law: *Provided*, Nothing in this act contained shall be construed as prohibiting any county from or denying to any county the power to build, repair, alter and maintain, at the county's expense, such highways and bridges as the county generally is interested in or such as may be of so large cost that a single township could not undertake the construction of, or such as are located in sparsely settled townships as are unable to construct the same.

Highways  
and bridges.

Building  
roads.

Section 9400. First. The county assessor shall annually provide the necessary assessment books and blanks at the expense of the county, for and to correspond with each assessment district. He shall make out in the real property assessment book complete lists of all lands or lots subject to taxation, showing the names of the owners, if to

[Amending  
§ 9400,  
Rem.-Bal.1

Duty of  
assessor.

Making  
assessment.

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

Equalizing.

Second. The county assessor shall in making up his work for the county board of equalization, add thereto the assessment rolls of the various townships and the same shall be equalized by the county board of equalization as between townships as other property in such counties is equalized. If it shall be necessary to raise the assessment of a township or townships, the county board of equalization shall serve written notice upon the chairman of the township board of supervisors of its intention so to do and shall also give general notice by publication to the residents of such township or townships at least five days previous to raising such assessment.

[Amending  
§ 9414,  
Rem.-Bal.]

Poundmaster  
fees.

Section 9414. The poundmaster shall be allowed the following fees, to-wit: For taking into pound and discharging therefrom any horse, ass or mule and all meat cattle, fifty cents each; and for every hog, large or small, sheep or lamb, goat or kid, twenty-five cents each; and fifty cents a day for keeping each head of horses, asses, mules or meat cattle twenty-four hours, and twenty cents for keeping each hog, sheep or goat, for each twenty-four hours. And the poundmaster has a lien on all such animals for the full amount of his legal charges and expenses, and shall be entitled to the possession of such animals un-

til the same are paid; and if the same are not paid, and said animals removed, within four days after they are so impounded, the said poundmaster shall give notice by posting the same in three of the most public places in said town, or by personal notice in writing, if the owner is known, that said animals (describing them) are impounded and that, unless the same are taken away and fee paid within fifteen days after the date of such notice, he will sell the same at public vendue at the place where the town meetings of said town are usually held; and on the day designated in such notice the said poundmaster shall expose the said animals for sale, and sell the same to the highest bidder in cash, for which service he shall receive two per cent. of the purchase money for each animal. Out of the money realized from said sale, the said poundmaster shall deduct all his legal fees and charges, and pay the balance, if any, to the chairman of the town supervisors, at the same time giving to said supervisors an accurate description of the animals sold, and the amount received by him for each animal, and shall take a receipt and duplicate therefor, and file one of them with the town clerk: *Provided*, That the said supervisors shall, at any time within six months, upon sufficient proof from the owner of any animal so sold, pay to said owner the balance due as received from the said poundmaster; but if said money is not claimed within that time, the sum so received shall be retained for the use of said town.

Notice given.

Pay to supervisors.

SEC. 2. It shall be the duty of each township clerk to report to the county auditor on or before the first day of March in each year the amount and the kind of printing supplies, blank books, etc., other than those furnished by the county assessor, needed by the township for the ensuing year.

[See § 9373, Rem.-Bal.]

Duty of clerk.

SEC. 3. The county auditor upon receiving the estimates of the various townships shall procure from the lowest bidder the supplies and turn said supplies over to the township ordering the same at actual cost.

Emergency.      SEC. 4. An emergency exists and this act shall take effect immediately.

Passed the House February 17, 1911.

Passed the Senate March 2, 1911.

Approved by the Governor March 7, 1911.

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## CHAPTER 35.

[H. B. 356.]

### IMPROVING PUBLIC HIGHWAYS, AND MAKING APPROPRIATIONS.

AN ACT relating to the improvement of public highways, providing for the payment of the cost thereof, making appropriations therefor, repealing chapter 150 of the Session Laws of 1907, and declaring an emergency.

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

SECTION 1. The term "permanent highway," when used in this act, shall be construed to mean an improved public road constructed along a main line of travel, either beginning at some trade center or an extension of an existing road of like character beginning at some trade center. Every permanent highway shall be uniformly graded to a width of not less than sixteen feet, shall have proper bridges, drains and culverts, and shall be surfaced with macadam, stone, gravel or other material equally as permanent and durable not less than twelve feet in width. No such highway shall be constructed with a grade exceeding five per cent., except where, by reason of physical conditions, it is not feasible or practicable to obtain such grade, but in no case shall any such highway be constructed with a grade greater than ten per cent.

SEC. 2. The owners of two-thirds of the lineal feet fronting upon any public highway or section thereof in any county may present to the board of county commissioners a petition setting forth that the petitioners are such owners, and that they desire that such highway or

Defining permanent highway.

Owners petition.