# SESSION LAWS

#### OF THE

# STATE OF WASHINGTON

### SIXTEENTH SESSION

Convened January 13; Adjourned March 13

## 1919

Compiled in Chapters by I. M. HOWELL, Secretary of State

Marginal Notes BY L. L. THOMPSON Attorney General

PUBLISHED BY AUTHORITY

OLYMPIA FRANK M. LAMBORN OF PUBLIC PRINTER. 1919

#### EXPLANATORY.

The Sixteenth Legislature convened on January 13, 1919, at 12 o'clock noon (being the second Monday in January), and adjourned *sine die* on March 13, 1919.

All Acts passed by said session, approved by the Governor, together with those which became laws without his approval, take effect ninety days after adjournment, or 12 o'clock, midnight, June 11, 1919, except relief bills, appropriations and other acts declaring an emergency.

> I. M. Howell, Secretary of State.

## LAWS OF WASHINGTON

#### PASSED AT THE

### Sixteenth Regular Session

### 1919

#### CHAPTER 1.

[S. B. 1.]

#### LEGISLATIVE EXPENSES.

An Acr appropriating the sum of one hundred and fifteen thousand dollars (\$115,000.00) or so much thereof as may be necessary for the expenses of the sixteenth legislature and declaring an emergency.

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

SECTION 1. That there be and there is hereby Appropriaappropriated out of the general fund, the sum of \$115,000.00. one hundred and fifteen thousand dollars, (\$115,-000.00) or so much thereof as may be necessary to be used for the purpose of paying the expenses of the sixteenth legislature of the State of Washington.

Emergency.

SEC. 2. This act is necessary for the support of <sup>Eme</sup> state government and shall take effect immediately.

Passed the Senate January 13, 1919. Passed the House January 13, 1919. Approved by the Governor January 13, 1919.

#### CHAPTER 2.

#### [S. B. 2.]

#### LEGISLATIVE PRINTING.

AN ACT appropriating the sum of fifteen thousand dollars (\$15,-000.00) or so much thereof as may be necessary for the printing of the sixteenth legislature, and declaring an emergency.

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

SECTION 1. That there be, and there is hereby appropriated out of the general fund the sum of fifteen thousand dollars, (\$15,000.00) or so much thereof as may be necessary to pay for such printing as may be ordered by the sixteenth legislature, or either branch thereof.

SEC. 2. This act is necessary for the support of Emergency. state government and shall take effect immediately Passed the Senate January 13, 1919. Passed the House January 13, 1919. Approved by the Governor January 13, 1919.

#### CHAPTER 3.

[S. B. 264, Session of 1917.] (Repealed by Chapter 174, Laws 1919.)

#### CRIMINAL SYNDICALISM.

AN ACT defining the crime of criminal syndicalism and prescribing punishment thereof.

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

SECTION 1. Criminal syndicalism is the doctrine which advocates crime, sabotage, violence or other unlawful methods of terrorism as a means of accomplishing industrial or political reform. The advocacy of such doctrine, whether by word of mouth or writing, is a felony punishable as in this act otherwise provided.

Crime defined.

Appropria-tion, \$15,000.

SEC. 2. Any person who:

(1)By word of mouth or writing, advocates Acts constituting or teaches the duty, necessity or propriety of crime, offense. sabotage, violence or other unlawful methods of terrorism as a means of accomplishing industrial or political reform; or

(2) Prints, publishes, edits, issues or knowingly circulates, sells, distributes or publicly displays any book, paper, document or written matter in any form, containing or advocating, advising or teaching the doctrine that industrial or political reform should be brought about by crime, sabotage, violence or other unlawful methods of terrorism; or

(3) Openly, wilfully and deliberately justifies, by word of mouth or writing, the commission or the attempt to commit crime, sabotage, violence or other unlawful methods of terrorism with intent to exemplify, spread or advocate the propriety of the doctrines of criminal syndicalism; or

(4) Organizes or helps to organize, or becomes a member of or voluntarily assembles with any society, group or assemblage of persons formed to teach or advocate the doctrines of criminal syndical- Penalty. ism is guilty of a felony and punishable by imprisonment in the state prison for not more than ten years (10) or by a fine of not more than five thousand dollars (\$5,000.00) or both.

SEC. 3. Whenever two or more persons assemble Assemblages for the purpose of advocating or teaching the doc- to promote syndicalism. trines of criminal syndicalism as defined in this act. such an assemblage is unlawful and every person voluntarily participating therein by his presence, aid or instigation is guilty of a felony and punishable by imprisonment in the state prison for not more Penalty. than ten years (10) or by a fine of not more than five thousand dollars (\$5,000.00) or both.

SEC. 4. The owner, agent, superintendent, jani- Permitting tor, caretaker or occupant of any place, building or premises.

use of

room, who wilfully and knowingly permits therein any assemblage of persons prohibited by the provisions of section 3 of this act, or who, after notification by the sheriff of the county or the police authorities that the premises are so used, permits such use to be continued, is guilty of a misdemeanor and punishable by imprisonment in the county jail for not more than one year or by a fine of not more than five hundred dollars (\$500.00) or both.

Penalty.

Passed the Senate February 26, 1917.

Passed the House March 6, 1917.

Vetoed by the Governor March 20, 1917.

Passed over the Governor's veto January 14, 1919.

#### CHAPTER 4.

[H. B. 390, Session of 1917.]

#### REGULATING PRACTICE OF OSTEOPATHY.

AN ACT to regulate the system, method or science of healing known as osteopathy as taught and practiced by graduates of schools of osteopathy and surgery recognized by the Association of Osteopathic Colleges and creating a board of examination and registration for the regulation of the same and providing penalties for the violation of this act and declaring that this act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately.

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

Board of examiners.

SECTION 1. There is hereby created a board of osteopathic examiners of the State of Washington to consist of five members, who shall be licensed active practitioners of osteopathy in this state. Within thirty days after the passage of this act the Governor shall appoint five members to this board. The Governor shall also have the power to fill any and all vacancies. The appointment of each member Ch. 4.]

shall be for a term of three years, and until his successor is appointed and qualified: It shall require the affirmative vote of the majority of the members of said board to carry any motion or resolution, to adopt any rule, to pass any measure, or to authorize the issuance of any certificate as in this act provided.

SEC. 2. Each member of said board shall before Oath of entering upon the duties of his office, take the constitutional oath of office, and shall, in addition, make oath that he is a graduate of a school giving a regular course in osteopathy and surgery and a licensed practitioner of osteopathy of this state. The president and secretary-treasurer shall be empowered to administer the oath of office.

SEC. 3. Said board shall be organized on or be- Organization fore the fifteenth day of June, 1917, by electing from meetings. its members a president, vice-president and secretary-treasurer who shall hold their respective positions during the pleasure of said board. Said board shall hold its regular meetings on the first Tuesday of January and July of each year, alternating between the eastern and western part of the State of Washington, excepting that the first meeting shall be held the first Tuesday in August 1917. Special meetings of the board may be held at such time and place as the board may designate.

SEC. 4. Two forms of certificates shall be issued certification. by said board under the seal thereof, and signed by the president and secretary-treasurer: First, a certificate authorizing the holder thereof to practice osteopathy; second, a certificate authorizing the holder thereof to practice osteopathy and surgery.

In order to procure a certificate to practice Practice of osteopathy, the applicant for such certificate must file with said board at least thirty days prior to a regular meeting thereof, satisfactory testimonials of

office.

osteopathy, qualifica-tions.

good moral character, and a diploma issued by some legally chartered school of osteopathy and surgery. the requirements of which shall have been at the time of granting such diploma in no particular less than those prescribed by the Association of Osteopathic Colleges for that year, or satisfactory evidence of having possessed such diploma, and he must file with such diploma an application sworn to before some person authorized to administer oaths. and attested by the hand and seal of such officer, if he have a seal, stating that he is the person named in said diploma, that he is the lawful holder thereof. and that the same was procured in the regular course of instruction and examination, without fraud or misrepresentation. The said application shall be made upon a blank furnished by said board, and it shall contain such information concerning said medical instruction and the preliminary education of the applicant as said board may by rule provide: Applicants who have failed to meet the requirements must be rejected.

Practice of osteopathy and surgery, qualifications.

Application.

An applicant for a license to practice osteopathy and surgery must furnish evidence that he has served for not less than one year as interne in a thoroughly equipped hospital which shall have had at least twenty-five beds for each interne devoted to the treatment of medical, surgical, gynecological and special diseases, and he also must have had a service of six weeks, or the equivalent thereof in the maternity department of the same or some other hospital, during which time he shall have attended or participated in the attendance upon not less than six confinements. He shall furnish evidence that he has had sufficient experience in and a practical working knowledge of pathology, and the administering of anaesthetics: Provided That when an applicant who has graduated before July, 1917, has not completed one year as interne as above provided. he

must furnish evidence that he has been engaged in the active practice of osteopathy for a period of at least two years prior to that date: *Provided further*, That any person holding a valid unrevoked certificate to practice osteopathy in the State of Washington who is a graduate of a college recognized by the Association of Osteopathic Colleges and desiring a certificate to practice osteopathy and surgery shall be examined in surgery and the management of surgical cases (including anaesthetics) and be granted said certificate if satisfactorily passing said examination.

SEC. 5. In addition to the requirements above set forth, such applicants for a certificate must be personally examined by said board as to their qualifications. The examination shall be conducted in the English language, shall be practical in character and designed to discover the applicant's fitness to practice osteopathy, and shall be in whole or in part in writing on the following fundamental subjects, to-Anatomy, histology, gynecology, pathology, wit: bacteriology, chemistry, toxicology, physiology, obstetrics, general diagnosis, hygiene, principles and practice of osteopathy and any other branches thereof that the board shall deem advisable. Provided. That those seeking a certificate to practice osteopathy and surgery shall also taken [take]an examination in surgery and the management of surgical cases (including anaesthetics) before being granted said certificate. Examination in each subject shall consist of not less than ten questions, answers to which shall be marked upon a scale of zero to ten. All applicants must obtain not less than sixty per cent in any one subject. The examination papers shall form a part of the records of the board and shall be kept on file by the secretary for a period of one year after examination. In said examination the applicant shall be known and designated by number

Examination of applicants.

7

Ch. 4.]

only, and the name attached to the number shall be kept secret until after the board has finally voted upon the application.

SEC. 6. Each applicant on making application shall pay the secretary-treasurer of the board a fee of twenty-five dollars (\$25.00) which shall be paid to the State Treasurer by said secretary-treasurer and used to defray the expenses and compensation of said board. In case the applicant's credentials are insufficient, or in case he does not desire to take the examination, the sum of fifteen dollars (\$15.00) shall be returned. All persons licensed to practice osteopathy or osteopathy and surgery within this state who are engaged in active practice shall pay on or before the first day of May of each year to the secretary-treasurer of the said board a renewal license fee of five dollars (\$5.00), except that the first payment after the passage of this act shall be paid on or before the first day of August 1917. This fee shall be reduced to two (\$2.00) dollars after 1925. Licenses not so renewed will not be valid. The secretary-treasurer shall thirty (30) days or more before May 1st of each year mail to all active practitioners of osteopathy or osteopathy and surgery in this state at their last known address a notice of the fact that the renewal fee will be due on or before the first of May: except that the first notice after the passage of this act shall be sent on or before July 11, 1917. Nothing in this act shall be construed so as to require that the receipt shall be recorded as original licenses are required to be recorded.

Disposition of fees.

All money received or collected by said board or any member or officer thereof, during any month, shall be turned over, before the tenth day of the succeeding month to the State Treasurer together with a verified statement showing the sources from which such money was derived. The secretary-treas-

Examination and license

fees.

Annual license fee. urer of said board shall give surety bond to be approved by and deposited with the auditor of the Bondby state, in the sum of one thousand dollars (\$1,000), the cost of said bond shall be paid by the state.

Each member of said board shall receive a compensation of five dollars (\$5.00) per day for each day in which he is actually and necessarily engaged in attendance upon meetings of the board, in going to and returning from the place of meeting, and all necessary expenses incurred in attending such meetings. All such compensation and expenses, and all other expenses incident to the execution of the provisions of this act shall be paid by the State Treasurer upon warrants drawn by the State Auditor upon the presentation of proper vouchers to be approved by a majority of said board, as in the case of state officers: Provided The expense does not exceed the receipts of said board. The secretary-secretarytreasurer of said board shall receive a compensation to be determined by said board not to exceed fifty (\$50.00) dollars per annum.

SEC. 7. Said board shall keep an official record of all its proceedings, a part of which record shall consist of a register of all applicants for certificates under this act, with the result of such application. Said record shall be evidence of all the proceedings of said board which are set forth therein.

SEC. 8. Every person holding a certificate authorizing him to practice osteopathy or osteopathy and surgery in this state, must have it recorded in the office of the county clerk of the county in which the holder of said certificate is practicing his profession, and the fact of such recording shall be indorsed on the certificate by the county clerk recording the same. Every such person, on each change of his residence, must have the certificate recorded in the county to which he shall have changed his

secretarytreasurer.

Per diem and traveling expenses of board.

Compensation of treasurer.

Records of board.

Recordation of certificates.

residence. The absence of such record shall be *prima facie* evidence of the want of possession of such certificate. And any person holding a certificate to practice osteopathy or osteopathy and surgery in this state who shall attempt to practice osteopathy or osteopathy and surgery in this state with surgery in this certificate with the county clerk as herein provided, shall be guilty of a misdemeanor.

SEC. 9. The county clerk shall keep in a book provided for the purpose, a complete list of the certificates recorded by him, with the date of the record; and said book shall be open to public inspection during his office hours. The county clerk shall forthwith give written notice to the secretary of the board, notifying him of the name of each licensee recorded after this act shall go into effect, together with the date of such recording.

SEC. 10. Said board must refuse a certificate to any applicant guilty of unprofessional conduct: but before such refusal the applicant must be cited by citation, signed by the secretary-treasurer of the board, and sealed with its seal. No such citation shall be issued except upon a sworn complaint filed with the secretary-treasurer of the board, charging the applicant with having been guilty of unprofessional conduct, and setting forth the particular act constituting such unprofessional conduct. On filing of such complaint the secretary-treasurer must forthwith issue a citation and make the same returnable at a regular or special meeting of said board, occurring at least thirty days next after filing the complaint. Such citation shall notify the applicant of the time and place when and where the matter of said unprofessional conduct shall be heard, the particular unprofessional conduct with which the applicant is charged, and that the applicant shall file his written answer, under oath, within

Refusal of certificate for unprofes-

sional con-

duct.

County clerk's record

and duties.

Procedure.

Penalty for failure to

record.

twenty days next after service upon him of said citation, or default will be taken against him, and his application for certificate refused. The attendance of witnesses at such hearing shall be compelled by subpoenas issued by the secretary-treasurer of the board under its seal; and said secretarytreasurer shall in no case refuse to issue any such subpoena, upon a fee of twenty cents being paid him for each subpoena. Said citation and said sub-" poenas shall be served in accordance with the statutes of this state then in force as to the service of summons and subpoenas generally and all provisions of the statutes of this state then in force relating to subpoen as are hereby made applicable to the subpoenas provided for herein. If any person refuses to obey a subpoena served upon him in accordance with the statutes of this state then in force providing for the manner of service [of] subpoenas, the fact of such refusal shall be certified by the secretary-treasurer of said board, under the seal thereof, to the superior court of the county in which the service was had and the said court shall thereupon proceed to hear said matter in accordance with the statutes of this state then in force as to contempt for disobedience of process of the court, and should said court find that the subpoena had been legally served and that the party so served has wilfully disobeved the same, it shall proceed to impose such penalty as provided in cases of contempt of court. In all cases of alleged unprofessional conduct arising under this act. testimonies of witnesses may be taken, the same as in civil cases, and all the provisions of the statutes of this state then in force as to the taking of testimony are hereby made applicable to the taking of depositions under this section. If the applicant shall fail to file with the secretary-treasurer of said board his answer, under oath, to the charges made against him, within twenty

days after service on him of said citation or within such further time as the board may give him, and the charges on their face be deemed sufficient by the board, default shall be entered against him and his application refused. If the charges on their face be deemed sufficient by the board, and issue be joined thereon by answer, the board shall proceed to determine the matter, and to that end shall hear such evidence as may be adduced before it; and if it appear to the satisfaction of the board that the applicant is guilty as charged, no certificate shall be issued to him. No certificate shall be refused on the grounds of unprofessional conduct unless the applicant has been guilty of such conduct within two years next preceding his application. Whenever any holder of a certificate to practice osteouathy or osteopathy and surgery in this state is guilty of unprofessional conduct, as the same is defined in this act, and said unprofessional conduct has been brought to the attention of the board in the manner hereinafter pointed out, or whenever a certificate has been procured by fraud or misrepresentation, or issued by mistake, it shall be their duty to, and they must, revoke the same at once, and the holder of said certificate shall not be permitted to practice osteopathy or osteopathy and surgery in this state. But no revocation shall be made unless such holder is cited to appear and the same proceedings are had as is hereinbefore provided in this section in case of refusal to issue certificates. Said secretary-treasurer in all cases of revocation shall enter on his register the fact of such revocation and shall certify the fact of such revocation under the seal of the board, to the county clerk of each county in which the certificate of the person whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register the certificate of such person,

Certificates procured by fraud or mistake to be revoked.

Revocations certified to county clerk.

the following: "This certificate was revoked on the —— day of ——, ——." giving the day, month and year of revocation in accordance with certification to him by the secretary-treasurer. The record of such revocation so made by said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all the proceedings of said board in the matter of said revocation. From the time of the revocation of a certificate the holder thereof shall be disqualified from practicing osteopathy or surgery in this state.

SEC. 11. The words "unprofessional conduct," Unprofesas used in this chapter, are hereby declared to mean: stonal con-

sional con-

The procuring, or aiding or abetting in First. procuring a criminal abortion.

The willfully betraying of a profes-Second. sional secret.

Third. All advertising of any kind or character other than the carrying of a professional card, window or street sign.

Fourth. All advertising of any medicine or of any means whereby the monthly periods of women can be regulated or the menses re-established if suppressed.

Fifth. Conviction of any offense involving moral turpitude, in which case the record of such conviction shall be conclusive evidence.

Sixth. Habitual intemperance.

Seventh. The personation of another licensed practitioner of a like or different name.

Exploiting or advertising through the Eighth. press, or by the use of handbills, circulars or other periodicals, other than professional cards, giving only name, address, profession, office hours and telephone connections.

SEC. 12. In any case of the refusal or revoca- Record of tion of a license by said board under the provisions and refusal of this act, said board shall file a brief and concise

revocation of licenses.

Ch. 4.]

statement of the grounds and reasons for such refusal or revocation in the office of the secretarytreasurer of said board, which said statement, together with the decision of said board, in writing, shall remain of record in said office.

Appeals from action of board.

SEC. 13. In any case of the refusal or revocation of a license by said board under the provisions of this act, the applicant whose application shall be so refused, and the licentiate whose license shall be so revoked by said board, shall have the right to appeal from the decision so refusing or revoking such license within thirty days after the filing of such decision in the office of the secretary-treasurer of said board, as hereinbefore in this chapter provided. Such appeal shall be to the superior court in and for the county in which was held the last general meeting of said board, prior to the refusal of such license, in the case of such refusal; and to the superior court in and for the county in which the hearing was had upon which such license was revoked, in case of such revocation. In any case a person desiring to take such appeal shall serve or cause to be served upon the secretary-treasurer of said board, a written notice of such appeal, which shall contain a statement of the grounds of such appeal, and shall file in the office of such secretarytreasurer an appeal bond, with good and sufficient surety, to be approved by said secretary-treasurer to the State of Washington, conditioned for the speedy prosecution of such appeal, and the payment of such cost as may be adjudged against him upon such appeal. Said secretary-treasurer shall within ten (10) days after the service of said notice of appeal, and the filing and approval of said appeal bond, transmit to the clerk of the superior court to which such appeal is taken, a certified copy, under the seal of said board, of the decision of said board. and the grounds thereof in the case of the refusal

Transcript of board proceedings filed in superior court.

of the license; and in addition thereto, a certified copy under such seal of the complaint in the case of the revocation of a license, together with the bond and notice of appeal. The clerk of such court shall thereupon docket such appeal causes, and they shall stand for trial in all respects as ordinary civil actions, and like proceedings be had thereon. Upon such appeal said cause shall be tried de novo. Either party may appeal from the judgment of said superior court to the supreme court of the state in Appeal to like manner as in civil actions within sixty (60) days after the rendition and entry of such judgment in said superior court. If such judgment shall be in favor of the party appealing from the decision of said board, and in case said examining board does not appeal from said judgment within sixty (60) days, then in that case, said board shall, at the end of said sixty (60) days, and immediately upon the expiration thereof, issue to such successful party the usual license to practice osteopathy or osteopathy and surgery in this state, and in addition thereto, shall reinstate upon the records of said board the name of such successful applicant, in case of the revocation of his license by such board. In case of such appeal to the supreme court by said board, no such license shall be issued nor reinstatement be required until the final determination of ~ said cause, and as hereinafter provided. In case the final decision of the supreme court be against said medical examining board, then, and in that case, said court shall make such order in the premises as may be necessary, and said board shall act accordingly: Provided, That in no case shall an appeal Costs not taxable to bond be required of said board, nor shall any costs board. be adjudged or taxed against the same.

SEC. 14. Any person who shall practice or at- Illegal practempt to practice, or hold himself out as practicing demeanor. osteopathy or osteopathy and surgery in this state.

Ch. 4.1

without having, at the time of so doing, a valid, unrevoked certificate as provided in this act, shall be guilty of a misdemeanor. In each such conviction the fine shall be paid, when collected, to the State Treasurer, and shall constitute a special fund to be used by the board created in this act, for the prosecution of illegal practitioners as defined in this act, and the said board is authorized to prosecute all persons guilty of a violation of the provisions of this act.

SEC. 15. Every person filing for record, or attempting to file for record, the certificate issued to another, falsely claiming himself to be the person named in such certificate, or falsely claiming himself to be the person entitled to the same, shall be guilty of a felony, and, upon conviction thereof, shall be subject to such penalties as are provided by the laws of this state for the crime of forgery.

SEC. 16. Any person assuming to act as a member of the state board of osteopathic examiners without so being, or who shall sign, or subscribe, or issue, or cause to be issued, or seal, or cause to be sealed, a certificate authorizing any person to practice osteopathy or osteopathy and surgery in this state, shall be guilty of a misdemeanor.

SEC. 17. Any person who holds a license authorizing him to practice osteopathy from a board of medical examiners heretofore existing, under the provision of any laws of this state, past or present, shall be entitled to practice osteopathy in this state the same as if issued under this act: *Provided*, That all licenses herein mentioned may be revoked for unprofessional conduct, in the same manner and upon the same grounds as if issued under this act. *Provided*, further, That the term osteopathy, as used in this act, shall be held to be the practice and procedure as taught and recognized by the regular

False personation of certificate holder.

Disposition

Wrongfully acting as board member.

Licenses under preexisting laws.

.

Recognized practice of osteopathy.

colleges of osteopathy. Provided, further, That no one shall be permitted to practice surgery who has not a license therefor.

SEC. 18. All persons granted licenses or certifi- subject to cates under this act shall be subject to the state and health regumunicipal regulations relating to the control of contagious diseases, the reporting and certifying to births and deaths, and all matters pertaining to public health; and all such reports shall be accepted as legal.

SEC. 19. Nothing in this act shall be construed to prohibit service in the case of emergency, or the domestic administration of family remedies, or the practice of midwifery; nor shall this act apply to any commissioned medical officer in the United States army, navy, or marine hospital service, in the discharge of his official duties; nor to any licensed dentist when engaged exclusively in the practice of dentistry; nor shall this act apply to any practitioner from any other state or territory in which he resides. Provided, That such practitioner shall not open an office or appoint a place of meeting patients or receive calls within the limits of this state.

This act shall not be construed to apply in any scope of act. manner to any other system or method of treating the sick or afflicted or to apply to or interfere in any way with the practice of religion or any kind of treatment by prayer.

SEC. 20. On all cards, signs, letter heads, enve- Advertising matter to carry word lopes and bill heads used by those licensed by this "osteop-athic." act to practice osteopathy or osteopathy and surgery the word "osteopathic" shall always immediately precede the word "physician" and if the word "surgeon" is used in connection with said name, the word "osteopathic" shall also immediately precede said word "surgeon."

Persons exempt from provisions of act.

SESSION LAWS, 1919.

[Ch. 5.

SEC. 21. The words "certificates" and "liable terms. censes" shall be known as interchangeable terms in this act.

Repealing clause.

SEC. 22. All acts and parts of acts in conflict herewith are hereby repealed.

SEC. 23. This act is necessary for the immediate new. preservation of the public peace, health and safety, and shall take effect immediately.

Passed the House February 24, 1917.

Passed the Senate March 5, 1917.

Vetoed by the Governor March 17, 1917.

Passed over the Governor's veto January 21, 1919.

#### CHAPTER 5.

[H. B. 61, Session of 1917.]

#### REGULATING CHIROPRACTIC PRACTICE.

AN Act to authorize and regulate the practice of Chiropractic, to provide for the licensing and examination of Chiropractors, to create a state board of examination and registration, to provide for the appointment of same, to establish rules and regulations governing said board, to provide a curriculum, and establish a standard of efficiency, to provide prerequisites and establish a fee for examination, to provide for the disposal of the fund arising from said fee, to regulate the holding of meetings of said board and issuance of license to practice Chiropractic, to provide a penalty for practicing Chiropractic without a license as provided by this act, and to repeal all acts and parts of acts in conflict herewith.

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

SECTION 1. That there is hereby created and established a board to be known by the name and style of the state board of chiropractic examiners, and said board shall be composed of three (3) practicing chiropractors of integrity and ability, who shall be residents of the state for a period of at

Emergency.

Board of examiners.

least one year, and who shall have practiced chiropractic only continually in the state for this same year. No two members of said board shall be graduates from the same school or college of chiropractic.

SEC. 2. The Governor shall within thirty (30) days after the taking effect of this act, appoint three (3) chiropractors, who shall possess the qualifications. specified in section 1 of this act, to constitute the members of said board. Said members shall be classified by the Governor that the term of office of one shall expire in one year, one in two years, and one in three years from the date of appointment. Annually thereafter the Governor shall appoint one member who shall be a licensed practitioner and possesses [possess] the qualifications specified in section 1 of this act, to serve for a period of three years and shall fill all vacancies in said board caused by death or otherwise as soon as practicable.

SEC. 3. (a) Said board of chiropractic examiners shall convene within thirty (30) days after their appointment and elect a president, a vice-president. and a secretary-treasurer from their membership.

(b) Said board shall hold regular sessions at such places as the board may decide the first week in January and July, respectively, of each year, and shall publish such dates for examinations and place of meeting in some newspaper of general circulation at least fifteen (15) days prior to said meeting.

(c) Said board shall have authority to admin- Powers and ister oaths, take affidavits, summon witnesses and take testimony as to matters pertaining to their duties. They shall adopt a seal, which shall be affixed to all licenses issued by them and shall from time to time adopt such rules and regulations as they deem proper and necessary for the performance of their duties, and they shall adopt a schedule

Organization of board.

Time and place of meetings.

duties.

Appointment of examiners.

Ch. 5.]

of minimum educational requirements, which shall be without prejudice, partiality or discrimination as to the different schools of chiropractic. The secretary of said board shall at all times keep a record of the proceedings of the board which shall at all times be open to public inspection. Said board shall also keep on file with the Secretary of State a copy of their rules and regulations for public inspection, and shall elect annually a president, vice-president, and a secretary-treasurer. A majority of the board shall constitute a quorum.

(d) No professor or person financially interested in any chiropractic school or college shall be a member of said board.

(e) A license to practice chiropractic within this state shall be issued to the individual members of said board at the first meeting of said board upon payment of the regular fee as provided for in this act.

SEC. 4. It shall be unlawful for any person to practice chiropractic in this state, unless they shall have obtained a license as provided in this act: *Provided*, *however*, That nothing in this act shall apply to or affect any persons who are now actually engaged in the practice of such profession, except as hereinafter provided.

SEC. 5. (a) Any person wishing the right to practice chiropractic in this state, before it shall be lawful for him to do so, shall make application to said board of chiropractic examiners through the secretary-treasurer thereon [thereof], upon such form thereof and in such manner as may be adopted and directed by the board at least fifteen (15) days prior to any meeting of said board. Each applicant shall be a graduate of a chartered chiropractic school or college which teaches a course of two years of nine months each or more, or its equivalent, requiring actual attendance in same. Applications shall be in

Record of proceedings.

.

Officers.

Disqualifications for membership.

Licenses to board members.

Practicing without license, unlawful.

Application for licenses.

Qualifications required.

writing and shall be signed by the applicant in his own handwriting and shall be sworn to before some officer authorized to administer oath[s], and shall recite the history of the applicant as to his educational advantages, his experience in matters pertaining to a knowledge of the care of the sick, how long he has studied chiropractic, under what teachers, what collateral branches, if any, he has studied, the length of time he has engaged in clinical practice; accompanying the same by reference therein, with any proof thereof in the shape of diplomas, certificates, and shall accompany said application with satisfactory evidence of good character and reputation.

(b) There shall be paid to the secretary-treas- License and urer of the state board of chiropractic examiners by each applicant for a license, a fee of \$25.00, ten dollars of which shall accompany application and the remainder, \$15.00, shall be paid upon issuance of license. Like fees shall be paid for any subsequent examination and application.

SEC. 6. Examinations for license to practice Examinachiropractic shall be made by said board according conducted. to the method deemed by it to be the most practicable and expeditious to test the applicant's qualifications. Such application shall be designated by a number instead of his or her name, so that the identity [shall] not be discovered or disclosed to the members of the board until after the examination papers are graded.

(b) All examinations shall be made in writing, the subject of which shall be as follows: Anatomy, amination. physiology, hygiene, symptomatology, nerve-tracing, chiropractic-orthopedy, principles of chiropractic and adjusting, as taught by chiropractic schools and colleges. A license shall be granted to all applicants who shall correctly answer seventy-five per centum (75%) of all questions asked, and if any applicant

Subjects

shall fail to answer correctly sixty per centum (60%) of the questions on any branch of said examination, he or she shall not be entitled to a license.

(c) Any chiropractor who has complied with the provisions of this act may adjust by hand any articulation of the spine, but shall not prescribe for or administer to any person any medicine or drugs now or hereafter included in Materia Medica, nor practice obstetrics, nor practice osteopathy or surgery.

SEC. 7. All chiropractors practicing within this state six (6) months prior to the passage of this act and who shall be a graduate of a chartered school or college of chiropractic requiring actual attendance in the same, during his course, shall be granted a license as herein provided, without examination, provided that application be made within sixty (60) days after the taking effect of this act and accompanied by the required fee, as herein provided.

SEC. 8. (a) The state board of chiropractic examiners may refuse to grant or may revoke a license to practice chiropractic in this state or may cause a licentiate's name to be removed from the records in the office of the county clerk of any county in this state upon any of the following grounds, to-wit: The employment of fraud or deception in applying for a license or in passing an examination provided for in this act; the practice of chiropractice under a false or assumed name, or the impersonation of another practitioner of like or different name; the conviction of a crime involving moral turpitude; habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate him or her for the performance of their professional duties, exploiting or advertising through the press, or by the use of handbills, circulars or other periodicals, other than professional cards, giving only name, address, profes-

Character of practice permitted.

Examinations dispensed with, when.

Revocation and refusal of licenses. sion, office hours and telephone connections. Anv person who is a licentiate, or who is an applicant for a license to practice chiropractic against whom any of the foregoing grounds for revoking or refusing a license, is presented to said board with a view of having the board revoke or refuse to grant a license. shall be furnished with a copy of the complaint, and shall have a hearing before said board in person or by attorney, and witnesses may be examined by said board respecting the guilt or innocence of said accused.

Said board may at any time within two Restoration (h) years of the refusal or revocation or cancellation of practice. registration under this section, by a majority vote. issue a new license or grant a license to the person affected, restoring him to, or conferring upon him all the rights and privileges of, and pertaining to the practice of chiropractic as defined and regulated by this act. Any person to whom such have been resotred [restored] shall pay to the secretary-treasurer the sum of \$25.00 upon issuance of a new license.

(a) Every person who shall receive a Recordation SEC. 9. license from the state board of chiropractic examiners shall have it recorded in the office of the county clerk of the county of which he resides and shall likewise have it recorded in the counties to which he shall subsequently remove for the purpose of practicing chiropractic.

(b) The failure or refusal on the part of the Failure to holder of a license to have it recorded before he or she shall begin the practice of chiropractic in this state after having been notified by the state board of chiropractic examiners to do so, shall be sufficient grounds to revoke or cancel a license and render it null and void. The county clerk shall keep for public inspection, in a book provided for that purpose, a complete list and description of the licenses recorded by him. When any such licenses

of licenses.

record. ground for ancellation. shall be presented to him for record, he shall stamp upon the face thereof his signed memorandum of the date when such license was presented for record.

SEC. 10. All persons practicing chiropractic within this state shall pay on or before the first day of September of each year, after a license is issued to them as herein provided, to said board of chiropractic examiners a renewal license fee of five dollars. . The secretary-treasurer (\$5.00)shall. thirty (30) days or more before September 1st, of each year mail to all chiropractors in this state a notice of the fact that the renewal fee will be due on or before the first of September. Nothing in this act shall be construed so as to require that the receipts shall be recorded as original licenses are required to be recorded.

SEC. 11. (a) All examinations and renewal fees received by the state board of chiropractic examiners under this act shall be paid to the secretarytreasurer of said board, who shall on or before the tenth (10) day of the succeeding month deposit the same with the State Treasurer, together with a verified statement showing the sources from which the money was derived.

(b) The secretary-treasurer shall keep a true and accurate account of all funds received and all vouchers issued by the board; and on the first day of December of each year he shall file with the Governor of this state a report of all receipts and disbursements, and the proceedings of said board for the fiscal year.

(c) The members of said board shall receive a per diem of five (\$5.00) dollars for each day during which they shall be actually engaged in the discharge of their duties in attendance upon the meetings of the board and in going to and returning from the place of meeting, and all necessary expenses incurred in attendance of such meetings.

Annual fiscal reports.

Per diem and traveling expenses of board.

Notice to practitioners.

Disposition of fees.

Annual license fee.

(d) All such compensation and expenses, and all Payment of other expenses incident to the execution of the provisions of this act, shall be paid by warrants drawn by the State Auditor upon the presentation of vouchers to be approved by a majority of the board, as in the case of state officers.

SEC. 12. Chiropractic practitioners shall observe Practitionand be subject to all state and municipal regulations relating to the control of contagious and infectious diseases, sign death certificates and any and all matters pertaining to public health, reporting to the proper health officers the same as other practitioners.

SEC. 13. The treasurer of said board shall give Bond of bond in such sum and with such sureties as the of board. board may deem proper. Upon sufficient proof to the Governor of the inability or misconduct of a member of the board, said member shall be dismissed and the Governor shall appoint as his successor some licensed chiropractor practicing in this state who shall be a graduate of a different school than those represented on the board.

SEC. 14. Persons licensed to practice chiropractic under the laws of any other state having equal requirements of this act, may, in the discretion of the board, be issued a license to practice in this state without examination, upon payment of the fee of twenty-five (\$25.00) dollars as herein provided.

SEC. 15. Any person who shall practice or at- Illegally tempt to practice chiropractic, or any person who a misdeshall buy, sell, or fraudulently obtain any diploma or license to practice chiropractic, whether recorded or not, or who shall use the title chiropractor, D. C. Ph. C., or any word or title to induce belief that he is engaged in the practice of chiropractic without first complying with the provisions of this act, or any person who shall violate any of the provisions

compensa tion and expenses.

ers subject to health regulations.

treasurer

Removal of board members.

Licensing practitioners from other states.

practicing. meanor.

of this act, shall be guilty of a misdemeanor, and every person filing for record, or attempting to file

for record, the certificate issued to another, falsely claiming himself to be the person named in said certificate, or falsely claiming himself to be the person entitled to the same, shall be guilty of a felony. All subsequent offenses shall be punished in like manner. Nothing herein shall be held to apply or to

regulate any kind of treatment by prayer:

tion "Dr." or the letters M. D. or D. O.

vided, That on all cards, books, papers, signs or other written or printed means of giving informa-

tion to the public, used by those licensed by this act to practice chiropractic, the practitioner shall use after or below his name the term chiropractor or D. C. Ph. C. designating his line of drugless practice, and shall not use the word "doctor" abbrevia-

Pro-

False personation, a felony.

Advertising matter, style of.

Prosecutions for violations of act. SEC. 16. It shall be the duty of the several prosecuting attorneys of this state to prosecute all persons charged with the violation of any of the provisions of this act. It shall be the duty of the secretary-treasurer of said board, under the direction of said board, to aid said attorneys of this state in the enforcement of this act.

SEC. 17. All acts and parts of acts in conflict herewith are hereby repealed.

Passed the House February 24, 1917.

Passed the Senate March 5, 1917.

Vetoed by the Governor March 17, 1917.

Passed over the Governor's veto January 21, 1919.

Repealing clause.

#### CHAPTER 6.

#### [H. B. 376. Session of 1917.]

#### RELATING TO DOGS.

AN ACT providing for the assessment and collection of an annual license tax for dogs, authorizing cities of the first, second or third class to make disposition of the same, creating a fund for the payment of damages for injuries to domestic animals. permitting any amount in such, in excess of two hundred dollars to be expended for bounties on wild animals providing for the killing of dogs injuring persons or domestic animals, making the owner or keeper thereof liable for damages for such injury, defining the powers and duties of certain officers and providing penalties for violation thereof.

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

SECTION 1. It shall be the duty of the county as- License tax sessor of each county, at the time of listing personal property for assessment of taxes, to list all dogs owned or kept within the county, giving the name and place of residence of the owner or keeper, and the breed, size, color and sex of each dog, and to assess a license tax of one dollar (\$1.00) upon each male dog and spaved female, and two dollars and fifty cents (\$2.50) upon each female dog. and to make return of such lists and assessments to the county treasurer to be collected as other taxes are collected. Provided, That in cities of the first, sec- Disposition ond and third class the license tax collected on dogs cities. shall be credited to the funds as provided by ordinance of such city, and no other tax shall be levied or collected on dogs in such cities: Provided, That said cities may authorize their humane societies to expend such license tax in defraying the expenses Humane of any carrying out the purposes of such societies. All fees and fines collected as aforesaid over and above the amount of expenses required to be met by such society shall be turned over by it to the city from whence such fines or fees were obtained.

on dogs.

of tax in

societies.

Domestic Animal Protection Fund.

Transfer of fund.

Payment of tax.

Penalty for non-payment

Domestic animals killed by dogs.

SEC. 2. There shall be in the county treasury of each county a special fund to be known as the "Domestic Animal Protection Fund" into which shall be paid all taxes assessed and collected under the provisions of this act, and the county treasurer, upon the payment of any such tax, shall issue to the person paying the same a receipt therefor describing the dog upon which such tax is paid, as the same is described and listed by the county assessor and shall also issue a metal tag bearing the number of the year in which, and showing the sex of the dog upon which, said tax is paid: *Provided*. That if at the end of any fiscal year the amount to the credit of the Domestic Animal Protection Fund shall exceed the sum of two hundred dollars, the board of county commissioners may transfer the amount in excess of the two hundred dollars to a wild animal bounty account to be used for the payment of bounties on wild animals killed within the county in the manner provided by sections 3587 to 3592, both inclusive, of Rem. & Bal. Code.

SEC. 3. All taxes assessed under the provisions of this act shall be due and payable on or before the first day of June in the year in which they are assessed; and it shall be the duty of the county treasurer, between the first and tenth days of June of each year, to furnish the sheriff of the county a list of all dogs on which the taxes have not been paid; and it shall be the duty of the sheriff to kill, or cause to be killed, all such dogs found in the county without a tag showing the payment of the tax for the current year, and the cost and expense thereof shall be charged to and paid out of the domestic animal protection fund of the county.

SEC. 4. Whenever any dog shall kill or injure any sheep, swine or other domestic animal, the owner of such animal may present a claim for damages to the nearest justice of the peace and such justice shall investigate the facts and determine the value of such animal killed or the damages to such animal injured, and shall issue and file with the county treasurer a certificate stating the amount of damages sustained and shall be paid for making such investigation and filing such certificate out of the domestic animal protection fund a fee of three dollars (\$3.00).

SEC. 5. The owner or keeper of any dog shall be Liability of liable to the owner of any animal killed or injured vicious dog. by such dog for the amount of damages sustained and costs of collection, and in case the owner or keeper of such dog is unknown or the damages cannot be collected, the person suffering damages may file a claim for the damages sustained with the county treasurer, and upon making proof to the satisfaction of the county treasurer by affidavit or when damotherwise, that the owner of the dog occasioning the damage is unknown or that the damages cannot be collected from such owner, the treasurer shall pay to the claimant out of the domestic animal protection fund the amount of damages sustained as certified by the justice of the peace. Any person who Harboring shall keep any dog or allow the same to be and remain upon his premises for a period of fifteen days shall be deemed the owner of such dog for the purposes of this section.

SEC. 6. It shall be lawful for any person who Killing shall see any dog chasing, biting, injuring or killing any sheep, swine or other domestic animal, outside the enclosure of the owner or keeper of such dog, or biting or injuring any child or person, to kill such dog, and it shall be the duty of the owner or keeper of any dog found chasing, injuring or biting any domestic animal, or injuring or biting any child or person, to thereafter keep such dog in leash or confined upon the premises of the owner or keeper thereof, and in case any such owner or keeper of a

Investigation by justice of peace.

ages payable from protec-tion fund.

vicious dogs authorized.

Ch. 6.]

dog shall fail or neglect to comply with the provisions of this section, it shall be lawful for any person to kill such dog found running at large.

SEC. 7. It shall be the duty of any person owning or keeping any dog which shall be found killing any domestic animal to kill such dog within fortyeight hours after being notified of that fact and any person failing or neglecting to comply with the provisions of this section shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than five dollars (\$5.00) and of one dollar (\$1.00) for each day that he shall fail and neglect to comply with the provisions of this section, and the costs of prosecution.

SEC. 8. This act shall not apply to cities of first or second class regulating the licensing of dogs by ordinance.

Passed the House March 5, 1917.

Passed the Senate March 7, 1917.

Sections 1, 2, 3, 4 and 5, vetoed by the Governor March 16, 1917.

Sections 6, 7 and 8, approved by the Governor March 16, 1917.

Sections 1, 2, 3, 4 and 5 passed over the Governor's veto January 21, 1919.

#### CHAPTER 7.

VETOED APPROPRIATIONS OF 1917 SESSION.

UNITED STATES OF AMERICA STATE OF WASHINGTON OFFICE OF THE SECRETARY OF STATE.

I, I. M. Howell, Secretary of State of the State of Washington, do hereby certify that the following are full, true and correct copies of the items vetoed by the Governor in House bill No. 393, passed by

Duty of owner to kill.

Penalty for failure.

City licensing regulations unaffected. the Legislature of the State of Washington at its Fifteenth Biennial Session, and filed in the office of the Secretary of State on the 20th day of March, A. D. 1917.

FOR THE GOVERNOR'S MANSION: Maintenance, furnishings, repairs, im- provements and entertainment, to be disbursed on vouchers approved by Governor	Governor's mansion.
For the Bureau of Inspection and Supervision of Public Offices: Salaries and wages: Deputy inspectors, clerk hire and examin-	Bureau of
ing State institutions and depart- ments	
\$43,700.00	
For the State Law Librarian:	
Law Librarian \$6,000.00	Law Librarian.
FOR THE BUREAU OF LABOR:	
For factory inspection (expenditures for factory inspection not to exceed the col- lections for same): Supplies, material and service	Bureau of Labor.
FROM THE MILITARY FUND.	
Cutter and Malmgren for preparing plans and supervising alteration and recon- struction of a room for the G.A.R. and company rooms at the State Ar- mory, Spokane \$250.00	Spokane Armory.
IN TESTIMONY WHEREOF, I have hereunto set my	

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed hereto the seal of the State of Washington. Done at Olympia this 13th day of January, A. D. 1919.

(SEAL) /S/ I. M. HOWELL, Secretary of State.

Passed over the Governor's veto January 24, 1919.

#### CHAPTER 8.

[S. B. 194, Session of 1917.]

#### VALIDATION OF INDEBTEDNESS OF THIRD CLASS CITIES.

An Act relating to, and authorizing, the ratification and validation of certain claims, contracts and obligations on the part of cities of the third class, contracted, allowed or otherwise incurred by the city councils thereof, and invalid or void because contracted, allowed or otherwise incurred in violation of the provisions of Section 7702 or Section 7694 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That from and after the passage of this act the city council of any city of the third class in this state shall have the power, and it shall be lawful for it, by a unanimous vote of all the members thereof, to ratify and validate by resolution to that effect, all claims or obligations contracted or otherwise incurred by the city council of any such city at any time between the 1st day of January, 1913, and the 20th day of March, 1915, and invalid or void because contracted, allowed or otherwise incurred by the city council of any such city in violation of the provisions of Section 7702 or Section 7694 of Remington & Ballinger's Annotated Codes and Statutes of Washington, and order the same paid and direct the issuance of warrants therefor,

Authority to ratify conferred on city council. and it shall be lawful for, and the duty of, the treasurer of any such city to pay all warrants ordered issued by the city council of any such city under the terms and provisions of this act.

Passed the Senate February 19, 1917.

Passed the House March 5, 1917.

Vetoed by the Governor March 17, 1917.

Passed over the Governor's veto January 30. 1919.

## CHAPTER 9. [H. B. 122.]

#### VETERANS' WELFARE COMMISSION.

AN ACT for the welfare of the veterans and the soldiers, sailors and marines of the war with Germany and her allies, making an appropriation and declaring that this act shall take effect immediately.

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

SECTION 1. There is hereby created a commis- Appointment sion to be known as the "Veterans' Welfare Commission", to consist of five members who shall be appointed by and removable at the pleasure of the Governor. Each commissioner shall serve without compensation, but shall be allowed his necessary expenses incurred in the performance of the duties created by this act. The commission shall organize as soon as possible after their appointment and select one of their number as chairman and one as secretary, and may employ such persons as necessary to assist them in their work, and expend such of the funds appropriated by this act as they may deem necessary for such purposes.

SEC. 2. It shall be the duty of the "Veterans" Welfare Commission" to disburse the funds appro-

Powers of

----2

of members.

Ch. 9.1

priated by this act or any subsequent appropriation made for such purposes for the welfare of the veterans and the soldiers, sailors and marines of the United States in the war with Germany and her allies, preference being given to those veterans who at the time of their enlistment or induction were bona fide residents of this state. The commission may disburse such funds in such manner and for such purposes as in its judgment will best facilitate and promote the return of such veterans, soldiers, sailors and marines to civil life, and to that end may establish employment agencies to furnish employment, provide for institutions of any sort for aid of such persons, make grants or loans, or expend such funds in any manner whatsoever for such persons, and the enumeration of specific purposes shall not be construed to exclude other purposes but the manner in which such funds shall be expended shall be entirely in the discretion of the commission.

Public officers to aid commission.

Audit of expenditures.

Appropriation, \$500,000.00.

Emergency.

SEC. 3. It shall be the duty of all state, county, and municipal officers to render such aid to the Veterans' Welfare Commission as shall be within their power and consistent with the duties of their respective offices.

SEC. 4. The Veterans' Welfare Commission shall keep proper records of all expenditures which shall be audited by the bureau of inspection and supervision of public offices.

SEC. 5. For carrying out the purposes of this act there is hereby appropriated the sum of Five Hundred Thousand Dollars (\$500,000.00).

SEC. 6. This act is necessary for the immediate preservation of the public peace, health and safety, for the support of the state government, and shall take effect immediately.

Passed the House January 31, 1919.

Passed the Senate January 31, 1919.

Approved by the Governor February 1, 1919.

## CHAPTER 10.

### [H. B. 41.]

#### RE-APPROPRIATION FOR STATE ROADS.

AN ACT reappropriating certain sums from the public highway fund for the purpose of constructing and maintaining certain highways that have been established and constructed, and declaring that this act shall take effect immediately.

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

SECTION 1. That the sum of six hundred nineteen Appropriathousand, eight hundred forty-four dollars (\$619.- \$619,844.00. 844), or so much thereof as may be necessary, be, and the same is hereby re-appropriated from the public highway fund for completing and maintaining work already under contract and construction on certain state roads hereinafter mentioned, the same being the unexpended balance of certain existing appropriations as shown by the state auditor's books on December 31st, 1917, said respective balances being re-appropriated as follows:

\$4,615.00
8,863.00
·
19,676.00
$26,\!456.00$
4,833.00
65,939.00
12,527.00
22,890.00
$33,\!548.00$
555.00

Olympic Highway, between Thurston	
county and Clallam county	\$4,755.00
Lake Quinault northwest	40,210.00
Forks to Jefferson county line	21,030.00
Pacific Highway, Chehalis to Vancouver.	103,067.00
Between Bellingham and Everett	40,060.00
Between Blaine and Ferndale	4,838.00
Sunset Highway, between North Bend	
and Vantage Ferry	29,689.00
Creston west	$42,\!173.00$
State road No. 4, Okanogan county	14,196.00
State road No. 7	18,500.00
State road No. 8, Klickitat county	14,798.00
State road No. 8, Skamania county	6,493.00
State road No. 10, Okanogan county	19,500.00
State road No. 18	9,149.00
State road No. 21	15,939.00
Cascade road	4,625.00
Pend Oreille Highway	19,186.00
Uncompleted work and federal aid, east-	
ern Washington	11,734.00

## \$619,844.00

Provided, however, that the separate amounts above stated together with the amount expended, shall not exceed the original appropriation made in 1917 for said purposes.

Emergency.

SEC. 2. This act is necessary for the immediate preservation of public safety and the support of the existing institutions of the state and shall take effect immediately.

Passed the House January 23, 1919.

Passed the Senate January 28, 1919.

Approved by the Governor February 5, 1919.

## CHAPTER 11.

#### [H. B. 22.]

# EXTRADITION EXPENSES AND PAYMENT OF REWARDS.

An Act appropriating the sum of \$2,500.00 for extradition expenses, examination into alleged infractions of the law, and payment of rewards, and declaring that this act shall take effect immediately.

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

SECTION 1. That there be and hereby is appropriated out of the general fund the sum of \$2,500.00, \$2,500.00, or so much thereof as may be necessary for the governor's office, for the purpose of paying extradition expenses, examination into the alleged infractions of the law, and rewards during the current biennium.

SEC. 2. This act is necessary for the support of Emergency. state government and shall take effect immediately.

Passed the House January 22, 1919.

Passed the Senate January 28, 1919.

Approved by the Governor February 5, 1919.

## CHAPTER 12.

## [H. B. 21.]

#### RELIEF FOR MONEYS ADVANCED TO STATE COUNCIL OF DEFENSE.

AN ACT appropriating the sum of \$2,500.00 for the relief of J. T. Heffernan, C. J. Lord, George Donald, W. A. Lowman and W. J. Patterson; whereas, J. T. Heffernan, C. J. Lord, George Donald, W. A. Lowman, and W. J. Patterson have advanced to the governor for the purpose of paying the expenses of the state council of defense the sum of \$500.00 each; and whereas, said sums have been expended for the necessary expenses of the state council of defense, therefore:

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

SECTION 1. That the sum of \$2,500.00 is hereby appropriated out of the general fund for the relief of, and to reimburse J. T. Heffernan, C. J. Lord, George Donald, W. A. Lowman and W. J. Patterson for moneys advanced for the payment of the expenses of the state council of defense, and the state auditor is hereby directed to draw his warrants upon the state treasurer in favor of the above mentioned persons in the respective sums of \$500.00 each.

Passed the House January 22, 1919.

Passed the Senate January 28, 1919.

Approved by the Governor February 5, 1919.

Appropriation, \$2,500.00.

## CHAPTER 13.

## [H. B. 23.]

#### DEPARTMENT OF AGRICULTURE APPROPRIATION.

AN ACT making appropriation for the department of agriculture, and declaring that this act shall take effect immediately.

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

SECTION 1. That the following sums, or so much Appropriathereof as shall severally be found necessary, are \$5,500.00. hereby appropriated out of the general fund for the departments of the state government and for the purposes hereinafter set forth for the current biennium.

FOR THE DEPARTMENT OF AGRICULTURE.

Dairy and Livestock division.

Supplies, material and service of veteri-

nary inspectors ......\$3.500.00 Horticultural division.

Supplies, material and service.....\$2,000.00

SEC. 2. This act is necessary for the support of Emergency. state government and shall take effect immediately.

Passed the House January 22, 1919.

Passed the Senate January 28, 1919.

Approved by the Governor February 5, 1919.

### CHAPTER 14.

## [S. B. 110.]

## OLYMPIC HIGHWAY IMPROVEMENT APPROPRIATION.

An Act making an appropriation for the widening, grading and improvement of the Olympic Highway between Duckabush and Brinnon, and providing for the expenditure thereof.

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

SECTION 1. There is hereby appropriated from the public highway fund the sum of fifty thousand dollars, (\$50,000.00), for the widening, grading and improvement of the Olympic Highway between Duckabush and Brinnon.

SEC. 2. The state highway commissioner may, in his discretion, provide for the doing of such work by force account or by day labor: *Provided*, that in such case preference in employment shall be given to veterans of the war with the Teutonic powers.

SEC. 3. That this act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 4, 1919. Passed the House February 4, 1919. Approved by the Governor February 5, 1919.

Method of doing work.

Appropria-

tion, \$50,000.00.

Emergency.

## CHAPTER 15.

#### [H. B. 32.]

## DEFICIENCY APPROPRIATIONS FOR STATE HOSPITALS AND TRAINING SCHOOL.

AN ACT making an appropriations for the operation and maintenance of various state institutions for the biennial period ending March 31, 1919, and declaring that this act shall take effect immediately.

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

SECTION 1. That the following sums, or so much Appropriation, thereof as shall severally be found necessary, are \$50,000.00. hereby appropriated out of the general fund for the maintenance and operation of state institutions and for the purposes hereinafter set forth for the biennial period ending March 31, 1919.

FOR THE NORTHERN STATE HOSPITAL. Supplies, material and service........... 15,000.00

SEC. 2. This act is necessary for the support of Emergency. existing public institutions and shall take effect immediately.

Passed the House January 23, 1919. Passed the Senate February 3, 1919. Approved by the Governor February 7, 1919.

## CHAPTER 16.

#### [S. B. 33.]

#### SEPARATE TRIALS OF DEFENDANTS JOINTLY CHARGED.

AN ACT relating to separate trials of defendants jointly charged with commission of a crime amending section 2161 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 2161 of Rem. and Bal. Code be amended to read as follows:

Section 2161. When two or more defendants are indicted or informed against jointly, any defendant requesting it may, in the discretion of the trial judge be tried separately.

Passed the Senate January 30, 1919.

Passed the House February 6, 1919.

Approved by the Governor February 14, 1919.

## CHAPTER 17.

#### [S. B. 51.]

#### CRIMINAL STATUTE FOR SAFEGUARDING HEALTH AND MORALS OF MINORS.

AN ACT relating to crimes and punishments and amending section 2445 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 2445 of Rem. & Bal. Code be amended to read as follows:

Section 2445. Every person who-

(1) Shall admit to or allow to remain in any concert saloon, or in any place owned, kept, or man-

Right to separate trial.

Concert and liquor saloons. aged by him where intoxicating liquors are sold, given away or disposed of-except a restaurant or dining-room, any person under the age of twentyone years; or,

(2) Shall admit to, or allow to remain in any Pool and dance-house, public pool or billiard hall, or in any billiard halls. place of entertainment injurious to health or morals. owned, kept or managed by him, any person under the age of twenty-one years; or,

(3) Shall suffer or permit any such person to Gambling. play any game of skill or chance, in any such place, or in any place adjacent thereto, or to be or remain therein, or admit or allow to remain in any reputed Prostitution. house of prostitution or assignation, or in any place where opium or any preparation thereof, is smoked, or where any narcotic drug is used, any person under Narcotics. the age of twenty-one years; or,

(4) Shall sell or give, or permit to be sold or Tobacco and given to any person under the age of twenty-one years any intoxicating liquor, cigar, cigarette, cigarette paper or wrapper, or tobacco in any form; or,

Shall sell, or give, or permit to be sold or Pistols. (5)given to any person under the age of eighteen years, any revolver, pistol, or toy pistol;

Shall be guilty of a gross misdemeanor.

It shall be no defense to a prosecution for a violation of this section that the person acted, or was believed by the defendant to act, as agent or representative of another.

Any person between the ages of eighteen and  $\frac{Misrepresentation}{sentation}$ twenty-one years who shall by affirmative misrepresentation of age, purchase, or shall have in his or her possession, any cigar, cigarette, cigarette paper or wrapper, or tobacco in any form, shall be guilty of a misdemeanor.

Passed the Senate January 29, 1919.

Passed the House February 6, 1919.

Approved by the Governor February 14, 1919.

Ch. 17.]

cigarettes.

to age.

## CHAPTER 18.

#### [S. B. 57.]

#### REPEALING PROVISIONS OF INSURANCE CODE.

An Act relating to insurance and repealing sections 6059-23 and 6059-27 of Remington & Ballinger's Annotated Codes and Statutes of Washington, and declaring that this act shall take effect immediately.

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

SECTION 1. That sections 6059-23 and 6059-27 of Remington & Ballinger's Annotated Codes and Statutes of Washington be and the same are hereby repealed.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately.

Passed the Senate January 31, 1919. Passed the House February 6, 1919. Approved by the Governor February 14, 1919.

#### CHAPTER 19.

#### [S. B. 66.]

#### ARMORY AT WALLA WALLA.

AN ACT relating to the construction of an armory at Walla Walla, amending section 2 of chapter 108 of the Laws of 1917, and making an appropriation.

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

SECTION 1. That for the purpose of constructing, equipping and furnishing an armory for the use of such organization or organizations of the National Guard of Washington as may be stationed there, the

R. & B. Code, \$\$ 6059-23, 6059-27 repealed.

Emergency.

Appropriation, \$100,000.00.

sum of one hundred thousand dollars (\$100,000,00) is hereby appropriated from the military fund for the construction, equipment and furnishing of an armory in the city of Walla Walla. Provided That a suitable site for such armory be furnished without cost to the State of Washington therefor, and that Donation of title to such site shall be deeded to the State of Washington.

SEC. 2. That section 2 of chapter 108 of the Laws of 1917 be amended to read as follows:

Section 2. That for the purpose of erecting, completing, furnishing and equipping said armory, there is hereby created a commission to be known as the Armory commission. Walla Walla armory commission, which said commission shall consist of three members, comprised as follows: The adjutant general of the National Guard of Washington, the chairman of the state board of control, all of whom shall be ex-officio members of said commission, and Captain Paul Weyrauch of the city of Walla Walla. In case of the death. resignation or inability to serve of the last named member, the vacancy shall be filled by the commissioners of the city of Walla Walla. On or before the first day of July, 1919, the members of said commission shall meet and organize. The adjutant general shall be chairman of said commission, and said commission shall elect a secretary from among its members. When a vote of said commission shall be equally divided the adjutant general shall cast the deciding vote. The members of said commission shall act as such until the completion, acceptance, equipment and furnishing of said armory, and the consummation of all business relating thereto, and Official bond. shall give bond to the State of Washington, in the sum of five thousand dollars (\$5,000.00) conditioned upon the faithful performance of the duties imposed by this act, to be approved by the governor and filed

with the secretary of state, the cost of said bonds to be paid out of the money appropriated by this act. A majority of the said commission shall constitute a quorum: *Provided, however*, That no member of said commission shall be allowed or shall receive any compensation for his services as a member of such commission.

Passed the Senate February 3, 1919.

Passed the House February 6, 1919.

Approved by the Governor February 14, 1919.

## CHAPTER 20.

#### [S. B. 74.]

#### ARMORY AT ABERDEEN.

An Act relating to the construction, equipment and furnishing of an armory for the use of the National Guard of Washington and other military organizations at Aberdeen, appropriating money from the military fund therefor, creating a commission to superintend the construction, equipment and furnishing of said armory, and authorizing the promulgation of rules and regulations for the government thereof, and amending sections 1 and 2, chapter 109, Session Laws of 1917.

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

SECTION 1. That section 1, chapter 109, Session Laws of 1917, be amended to read as follows:

Appropriation, \$100,000.00. Section 1. That for the purpose of constructing, equipping and furnishing an armory for the use of such organization or organizations of the National Guard of Washington as may be stationed there, the sum of one hundred thousand dollars (\$100,000.00) is hereby appropriated from the military fund for the construction, equipment and furnishing of an armory in the city of Aberdeen: *Provided*, That a suitable site for such armory be furnished without Ch. 20.]

cost to the State of Washington therefor, and that Donation of site title to such site shall be deeded to the State of Washington.

SEC. 2. That section 2, chapter 109, Session Laws of 1917, be amended to read as follows:

Section 2. That for the purpose of erecting, com- Armory commission. pleting, furnishing and equipping said armory, there is hereby created a commission to be known as the "Aberdeen armory commission," which said commission shall consist of three members comprised as follows: The adjutant general of the National Guard of Washington, the chairman of the state board of control, both of whom shall be ex-officio members of said commission and Captain Elmer Brady of Brady. In the case of the death, resignation or inability to serve of the last named member, the vacancy shall be filled by appointment made by the then mayor of the said city of Aberdeen. Within ten days after the taking effect of this act the members of said commission shall meet and organize. The adjutant general shall be chairman of said commission and said commission shall elect a secretary from among its members. When a vote of said commission shall be equally divided the adjutant general shall cast the deciding vote. The members of said commission shall act as such until the completion, acceptance, equipment and furnishing of said armory, and the consummation of all business relating thereto, and shall give bond to the State of Washington, in the sum of five thousand dollars (\$5,000.00) conditioned Official upon the faithful performance of the duties imposed by this act, to be approved by the governor and filed with the secretary of state, the cost of said bonds to be paid out of the money appropriated by this act. A majority of the said commission shall constitute a quorum: Provided, however, That no member of said commission shall be allowed or shall receive any

47

compensation for his services as a member of such commission.

Passed the Senate February 3, 1919. Passed the House February 6, 1919. Approved by the Governor February 14, 1919.

## CHAPTER 21.

#### [S. B. 45.]

#### ARMORY AT EVERETT.

- AN Act relating to the construction, equipment and furnishing of an armory for the use of the National Guard of Washington at Everett, appropriating one hundred twenty-five thousand dollars (\$125,000.00) from the military fund therefor; and amending sections 1 and 2, chapter 166, Session Laws of 1917.
- Be it enacted by the Legislature of the State of Washington:

SECTION 1. That Section 1, Chapter 166, Session Laws 1917, be amended to read as follows:

Appropriation, \$125,000.00.

Donation of site.

Armory commission. Section 1. That for the purpose of constructing, equipping and furnishing an Armory, for the use of such organization or organizations of the National Guard of Washington as may be stationed there, the sum of one hundred twenty-five thousand dollars (\$125,000.00) is hereby appropriated from the Military Fund for the construction, equipment and furnishing of an Armory in the city of Everett, Washington: *Provided*, That a suitable site for such Armory be furnished without cost to the State of Washington therefor, and that title to such site shall be deeded to the State of Washington.

SEC. 2. That Section 2, Chapter 166, Session Laws 1917 be amended to read as follows:

Section 2. That, for the purpose of erecting, completing, furnishing and equipping said Armory,

there is hereby created a commission, to be known as the Everett Armory Commission, which said commission shall consist of three (3) members, comprised as follows: Adjutant General of the National Guard of Washington, T. E. Skaggs member of the State Board of Control and Captain Bertram W. Paschke of the city of Everett. In case of the death, resignation or inability to serve of the last named member, the vacancy shall be filled by the County Commissioners of Snohomish County, Washington.

Within ten (10) days after the taking effect of this Act the members of said commission shall meet in the city of Everett, Washington, and organize. The Adjutant General shall be chairman of said commission, and said commission shall elect a secretary from among its members.

The members of said commission shall act as such until the completion, acceptance, equipment and furnishing of said Armory and the consummation of all business relating thereto; and shall give bond to the State of Washington in the sum of five thousand dol- official lars (\$5,000.00), conditioned upon the faithful performance of the duties imposed by this Act, to be approved by the Governor and filed with the Secretary of State. The cost of said bond to be paid out of the money appropriated by this Act. A majority of said commission shall constitute a quorum.

Passed the Senate February 3, 1919.

Passed the House February 6, 1919.

Approved by the Governor February 14, 1919.

Ch. 21.]

### CHAPTER 22.

#### [S. B. 11.]

#### STUDY OF AMERICAN HISTORY AND GOVERNMENT IN HIGH SCHOOLS.

An Act relating to education, the powers and duties of the state board of education, and prescribing a course of study in American history and American government as a prerequisite of graduation in high schools.

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

SECTION 1. The study of American history and American government is hereby declared to be indispensable to good citizenship and an accurate understanding of our institutions, and a proper appreciation of national ideals.

SEC. 2. The state board of education shall prescribe as a course of study in the high schools of this state, American history and American government, and shall require as a prerequisite for graduation from any of said high schools one full school year of study of American history and American government.

Passed the Senate January 24, 1919. Passed the House February 6, 1919. Approved by the Governor February 14, 1919.

Promotion of good citizenship.

High school courses to include American history.

### CHAPTER 23.

#### [S. B. 48.]

#### APPRAISEMENT OF DECEDENTS' ESTATES.

An Act relating to the appointment of appraisers for estates of deceased persons and amending section 95 of chapter 156 of the Laws of 1917.

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

SECTION 1. That Section 95 of Chapter 156 of the Laws of 1917 be and the same hereby is amended to read as follows:

Section 95. Every executor or administrator Inventory shall make and return, upon oath, into the court, within one month after his appointment, a true inventory of all of the property of the estate which shall have come into his hands, and within thirty days after filing such inventory he shall make application to the court to appoint three disinterested persons to appraise the property so inventoried, and it shall be the duty of the court to appoint such ap-Appraisers. praisers. Such appraisers shall receive as compensation for their services each the sum of three (\$3.00) per day and mileage. If any part of the estate shall be in another county than that in which letters are issued, appraisers residing in such county may be appointed by the court having jurisdiction of the case, or, if most advisable, the same appraisers may act: *Provided*. That the court may appoint persons to appraise the estate at the time, or any time after the appointment of the administrator: And provided further. That where it is shown by the filing of such inventory, or other proof, to the satisfaction when appraisement of the court, that the whole estate consists of personal property of less value than two hundred and fifty dollars (\$250.00) exclusive of moneys, drafts,

of estate.

with.

checks, bonds, or other securities of fixed value, an appraisement may be dispensed with in the discretion of the court.

Passed the Senate January 29, 1919. Passed the House February 6, 1919. Approved by the Governor February 14, 1919.

## CHAPTER 24.

#### [H. B. 81.]

#### INHERITANCE TAX APPRAISEMENTS.

AN ACT relating to the taxation of inheritances and amending section 9193 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 9193 of Rem. & Bal. Code be and the same is hereby amended to read as follows:

Appraisers, selection.

Objections to appraisement.

Section 9193. The superior court, having jurisdiction, shall appoint three suitable, disinterested persons to appraise the estate and effects of deceased persons for inheritance tax purposes, and unless otherwise provided by order of the court, the appraisers appointed under the probate law to appraise the estate and effects of deceased persons, shall be and constitute the appraisers under the provisions of this act. The state tax commissioner or any person interested in the estate appraised, may file exceptions to the appraisement, which shall be heard and determined by the court having jurisdiction in probate of the estate involved. If, upon the hearing, the court finds the amount at which the property is appraised is its market value and the appraisement was fairly and in good faith made, it shall approve such appraisement: but if it finds that the appraisement was made at a greater or less sum than the market value of the property, or that the same was not fairly or in good faith made. it shall set aside the appraisement and determine such value. The state tax commissioner, or any one interested in the property appraised, may appeal to the supreme court from the order of the superior court in the premises.

Passed the House January 30, 1919. Passed the Senate February 6, 1919. Approved by the Governor February 14, 1919.

#### CHAPTER 25.

#### [H. B. 28.]

#### VIOLATIONS OF LIQUOR PROHIBITION LAW.

- AN ACT relating to prosecutions for the violation of the provisions of Initiative Measure No. 3, enacted by the people, November 3, 1914, and amending said act by adding thereto a new section to be known as section 23-a.
- Be it enacted by the Legislature of the State of Washington:

SECTION 1. That Initiative Measure No. 3, enacted by the people November 3, 1914, be amended by adding thereto a new section, to be known as section 23-a and to read as follows:

Section 23-a. In any prosecution for the viola- Prosecution of the provisions of this act, it shall not be necessarv for the indictment or information, or complaint, to set forth any negative allegation, nor for the plaintiff to prove that the defendant does not come within any of the exceptions herein contained; but such exceptions shall be considered as a matter of de-

Hearings and appeals.

Ch. 25.1

fense, and the burden shall be upon defendant to show that he comes within such exceptions.

Passed the House January 30, 1919. Passed the Senate February 6, 1919. Approved by the Governor February 14, 1919.

## CHAPTER 26.

#### [H. B. 5.]

#### PUBLIC EMPLOYMENT OF SOLDIERS AND SAILORS.

AN ACT relating to the employment of honorably discharged soldiers and sailors of the United States, and their widows, in the public departments and upon all public works of the State of Washington and of any county thereof, and amending section 8925 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 8925 of Rem. & Bal. Code be amended to read as follows:

Guaranteeing preference in employment. Section 8925. In every public department, and upon all public works of the State of Washington, and of any county thereof, honorably discharged union soldiers and sailors, and their widows, and honorably discharged soldiers and sailors, and their widows, of the Spanish-American War and the Philippine insurrection, and of the war with Germany and her allies, and their widows, shall be preferred for appointment and employment; age, loss of limb, or other physical impairment, which does not in fact incapacitate, shall not be deemed to disqualify them, provided they possess the business capacity necessary to discharge the duties of the position involved.

Passed the House January 28, 1919.

Passed the Senate February 5, 1919.

Approved by the Governor February 14, 1919.

## CHAPTER 27.

#### [H. B. 20.]

#### EQUALITY OF WAGE FOR MALE AND FEMALE TEACHERS.

AN ACT to prevent discrimination in the payment of salaries between male and female teachers in the public schools of this state.

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

SECTION 1. It shall be unlawful for any board of Discriminaschool directors in fixing the compensation of any hibited. teacher in the public schools of this state to discriminate between male and female teachers on account of sex: Provided, That this act shall not affect any contract entered into prior to the date of passage thereof.

Passed the House January 23, 1919. Passed the Senate February 6, 1919.

Approved by the Governor February 14, 1919.

## CHAPTER 28.

#### [H. B. 106.]

#### APPROPRIATION FOR PERMANENT HIGHWAY CON-STRUCTION.

AN ACT appropriating the sum of four million dollars (\$4,000,-000.00) from the permanent highway fund to complete contracts and construction work now in force on permanent highways, for the purpose of making payments on new contracts on permanent highways and for the maintenance of permanent highways, and declaring this act shall take effect immediately.

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

SECTION 1. That the sum of four million dollars Appropria-(\$4,000,000.00), or as much thereof as may be neces-

tion pro-

sary, be, and the same is hereby appropriated from the permanent highway fund for completing work already under contract and for new contracts on and the maintenance of permanent highways.

Emergency.

SEC. 2. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Passed the House February 3, 1919. Passed the Senate February 6, 1919. Approved by the Governor February 14, 1919.

# CHAPTER 29.

## [H. B. 79.]

## AMENDING INHERITANCE TAX LAW.

AN ACT relating to the taxation of inheritances and amending section 9195 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That Section 9195 of Rem. & Bal. Code, be and the same is hereby amended to read as follows:

Section 9195. Upon the filing of any petition for letters of administration or for the probate of any will, the petitioner shall file with the clerk of the court a statement in such form as the state tax commissioner may prescribe, which statement shall contain a list of heirs, legatees or devisees of said estate, if known, and the relationship which each bears to the decedent, together with a statement of the location, nature and probable value of the entire estate, and an estimate of the amount or value of each distributive share, the residence and date of death of decedent, and shall state whether such deceased died

Statements to be filed, contents.

testate or intestate, and the clerk of the court shall not accept such petition for filing unless the same is accompanied by such statement. The clerk of the court shall immediately forward such statement to the state tax commissioner.

Passed the House January 30, 1919.

Passed the Senate February 6, 1919.

Approved by the Governor February 14, 1919.

## CHAPTER 30.

#### [H. B. 40.]

## DISPOSITION OF FINES UNDER LIQUOR PROHIBITION LAW.

An Act providing for the disposition of fines and forfeitures for violations of the provisions of Initiative Measure No. 3, enacted by the people November 3, 1914, as amended, amending section 4606 of Remington & Ballinger's Annotated Codes and Statutes of Washington, and declaring that this act shall take effect immediately.

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

SECTION 1. That section 4606 of Rem. & Bal. Code be amended to read as follows:

Section 4606. Except as otherwise provided by Fines and law, all sums of money derived from fines imposed credited to for violation of orders of injunction, mandamus and school fund. other like writs, or for contempt of court, and the net proceeds of all fines collected within the several counties of the state for breach of the penal laws. and all funds arising from the sale of lost goods and estrays, and from penalties and forfeitures, shall be paid in cash by the person collecting the same, within twenty days after the collection, to the county treasurer of the county in which the same have accrued. and shall be by him transmitted to the state treas-

urer. who shall place the same to the credit of the current state school fund. He shall indicate in such entry the source from which such money was derived: *Provided*, however, that fifty per cent (50%) of all fines collected for the violation of any of the provisions of Initiative Measure No. 3 enacted by the people November 3, 1914, shall be turned in to the county treasurer of the county wherein such violation occurred, to be kept as a special fund by said county treasurer and to be used for the purpose of obtaining evidence in other cases pertaining to the violation of the provisions of said Initiative Measure No. 3 enacted by the people November 3, 1914, said fund to be drawn upon by vouchers by the sheriff of the county wherein the said violation occurred and approved by the prosecuting attorney and a majority of the board of county commissioners of said county. A forfeiture of bail shall be construed as a fine. Tf at the end of any fiscal year there remains any surplus in said fund same shall be turned into the state current school fund.

SEC. 2. This act is necessary for the immediate Emergency. preservation of the public peace, health and safety, and shall take effect immediately.

> Passed the House January 29, 1919. Passed the Senate February 6, 1919. Approved by the Governor February 14, 1919.

Fines for prohibition law violations.

Forfeited bail as a fine.

## CHAPTER 31.

#### [H. B. 13.]

#### NOTICE OF FINAL REPORTS AND DISTRIBUTION IN PROBATE PROCEEDINGS.

An Act amending section 162 of chapter 156 of the Laws of 1917, and relating to probate law and procedure.

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

SECTION 1. That Section 162 of Chapter 156 of the Laws of 1917, relating to probate law and procedure be amended to read as follows:

Section 162. When such final report and petition for distribution, or either, shall have been filed, the court shall fix a day for the hearing of the same. which day must be at least twenty-five days subsequent to the day of the first publication and posting of notices of such hearing as hereinafter provided. Notice of the time and place fixed for such hearing shall be given by the executor or administrator by publishing the same at least once a week for three successive weeks preceding the time fixed for such hearing, such publication to be in such paper as the court may order, and such notice shall be posted in three public places in the county at least twenty-five days preceding the time fixed for such hearing, and which shall state in substance that a final report and petition for distribution have, or either thereof has. been filed with the clerk of the court, and that the court is asked to settle such report, distribute the property to the heirs or persons entitled to the same, and discharge the executor or administrator, and it shall give the time and place fixed for the hearing of such final report and petition and shall be signed by the executor or administrator or the clerk of the

Time and place of hearings, notice required.

. · · .

court and be posted and published or caused to be posted and published as aforesaid.

Passed the House January 23, 1919. Passed the Senate February 6, 1919. Approved by the Governor February 14, 1919.

### CHAPTER 32.

#### [H. B. 99.]

#### DEFICIENCY APPROPRIATION FOR STATE COLLEGE.

An Act making an appropriation for the State College of Washington.

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

SECTION 1. That there be and hereby is appropriated out of the general fund for the State College of Washington, to be expended during the current biennium, the following sums, or so much thereof as may be necessary: For salaries and wages, twentyfive thousand dollars (\$25,000.00); for supplies, maintenance and service, thirteen thousand five hundred dollars (\$13,500.00).

SEC. 2. This act is necessary for the immediate support of existing public institutions of the state and shall take effect immediately.

Passed the House January 31, 1919.

Passed the Senate February 6, 1919.

Approved by the Governor February 15, 1919.

Appropriation, \$38,500.00.

Emergency.

## CHAPTER 33.

#### [S. B. 18.]

#### FARES AND TRANSFERS ON STREET RAILROADS.

AN ACT relating to public service properties and utilities, and amending section 25 of chapter 117 of the Laws of 1911 and declaring an emergency.

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

SECTION 1. That Section 25 of an act entitled. "An Act relating to public service properties and utilities, providing for the regulation of the same, fixing penalties for the violation thereof, making an appropriation, and repealing certain act," as approved March 18th, 1911, being Chapter 117 of the Laws of 1911, be, and the same is hereby amended to read as follows:

Section 25. No street railroad company shall Rate of fare. charge, demand or collect more than five cents for one continuous ride within the corporate limits of any city or town: *Provided*. That such rate may be exceeded or lowered as to any municipally owned street railroad when the corporate authorities of the municipality owning such railroad shall, by an ordi- Increase and nance duly passed, authorize the collection of a higher or lower rate of fare, to be specified in such ordinance, and as to any other street railroad company, such rate may be exceeded or lowered with the permission or upon the order of the Public Service Commission after the filing of a tariff or a complaint by such street railroad company and a hearing thereon as provided in this act. Every street railroad Transfers. company shall, upon such terms as shall be just and reasonable, furnish to its passengers transfers entitling such passenger to one continuous trip over

lowering.

and upon portions of its lines within the said city or town not reached by the originating car.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health, and safety and shall take effect immediately.

Passed the Senate February 3, 1919. Passed the House February 11, 1919. Approved by the Governor February 15, 1919.

## CHAPTER 34.

## [S. B. 112.]

AUTHORITY AND APPROPRIATION FOR ERECTION OF CAPITOL BUILDING AND SOLDIERS' MEMORIAL.

AN ACT relating to capitol buildings and grounds, the powers and duties of the state capitol commission, making appropriations therefor, and providing that this act shall take effect immediately.

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

Authority conferred. SECTION 1. The state capitol commission is hereby authorized to provide for the erection and completion of public buildings at the capitol for legislative, executive and judicial purposes, and to make contracts therefor, the total cost of any new buildings not to exceed the sum of three million five hundred thousand dollars (\$3,500,000.00), and to provide for the erection of a suitable memorial upon the capitol grounds in honor of the soldiers, sailors and marines from this state who lost their lives in the service by disease or on the battlefield at home or abroad in the present war with the Teutonic powers, at a cost not exceeding fifty thousand dollars (\$50,000.00).

Appropriation, \$2.500.000.00. SEC. 2. There is hereby appropriated from the capitol building construction fund the sum of two

Emergency.

million five hundred thousand dollars (\$2,500,000.00) to be expended during the biennial period ending March 31, 1921, for the purpose of carrying out the provisions of this act.

Emergency. SEC. 3. This act is necessary for the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 7, 1919.

Passed the House February 13, 1919.

Approved by the Governor February 18, 1919.

## CHAPTER 35.

#### [S. B. 92.]

STATE AID TO COUNTY TUBERCULOSIS HOSPITALS.

AN ACT relating to payments by state to county tuberculosis hospitals; and amending section 5554-10 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 5554-10 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 5554-10. There shall be paid by the state Payments treasurer quarterly to the counties maintaining such hospitals five dollars (\$5.00) per week for each person in such institution during time of confinement, as hereinafter provided, excepting those paying full maintenance.

Passed the Senate January 30, 1919. Passed the House February 11, 1919. Approved by the Governor February 18, 1919.

## CHAPTER 36.

## [S. B. 12.]

### **REGULATION OF DRUGLESS HEALING.**

An Act regulating and licensing the practice of treating the sick and afflicted without the use of drugs, creating a board of examiners for such practitioners, defining the powers and duties of such board, regulating the use of certain professional terms and abbreviations, defining the term "drugless therapeutics," creating a drugless practitioners' fund, defining what shall be unprofessional conduct, making an appropriation from funds created by collection of license fees, prescribing penalties for the violation of this act, and repealing all acts and parts of acts in conflict herewith.

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

SECTION 1. The governor shall appoint a board of examiners to be known as the board of drugless examiners of the State of Washington, consisting of eight drugless physicians as hereinafter provided. The members to be appointed as follows: two mechano-therapists, two suggestive therapists, two food scientists, two physcultopaths. In selecting the members of said board, the Washington Association of Drugless Physicians shall certify to the governor the names of sixteen of its members, each a graduate of a legally chartered college of drugless therapeutics who shall have practiced continuously in the State of Washington four years prior to June 30th, 1919. The governor may appoint members to the said board of drugless examiners who are not members of the Washington Association of Drugless Physicians: Provided. said members are regularly licensed under this act and graduates of chartered drugless colleges, which members shall serve for the term of six years and until their successors are appointed: Provided, that the first board shall be appointed within thirty days

Appointment of board of examiners.

after the taking effect of this act. The members of said board to serve as follows: two for two years, three for four years, and three for six years. All vacancies on said board shall be filled by the governor, and the Washington Association of Drugless Physicians shall certify to the governor for such purposes, the names of five (5) of its members: Provided, said members shall be regularly licensed by this board. No member of said board shall serve for more than two (2) terms in succession, nor shall any person financially interested in any medical or drugless school be appointed to said board. The Officers of board shall elect from its members a president, a secretary, and a treasurer, for a term of two (2) vears, and shall adopt a seal. It shall hold examinations alternately at Spokane and Seattle, Washington, said examinations to begin at 9 o'clock a. m., on the first Monday of February and August Examinaof each year. Examinations to continue at least one (1) day and until all applications are properly disposed of. The secretary shall keep a record of all secretary's records. proceedings, including the register of applicants for licenses, giving their age, a description of their education in drugless therapeutics, and results of examinations. Said record shall be prima facie evidence of the matters therein contained.

SEC. 2. Each member of said board before en- oaths. tering upon the duties of his office, shall take an oath that he will honestly perform his duties, and also make oath that he is a graduate of a chartered college of drugless therapeutics.

SEC. 3. Only persons desiring to practice drug- License less therapeutics in this state shall apply to said board of examiners for a license and pay a fee of twenty-five dollars (\$25.00) as hereinafter specified, which sum in no case shall be refunded. If at a time appointed, or at the next regular examina-

board

Ch. 36.1

tion, he or she shall prove he or she has completed a residence course of three entire sessions of thirtysix weeks each at a chartered drugless school, the entrance requirements of which was a high school education, or its equivalent and shall pass an examination in the following subjects, to-wit: anatomy, physiology, hygiene, symptomatology, urinalysis, dietetics, hydrotherapy, radiography, electrotherapy, gynecology, obstetrics, psychology, mechanical and manual manipulation, they shall be granted a license by said board, or if the school attendance of said applicant was prior to the passage of this act a diploma from a chartered drugless school, the entrance requirements of which was a common school education or its equivalent, and two years continuous practice in this state shall suffice; or if the applicant has no diploma but has been in continuous practice in any of the drugless systems herein mentioned for the past four years, two years of which shall have been in continuous practice in one place in this state, he or she shall be allowed to practice: Provided, said applicant shall take an examination on the following subjects: anatomy, physiology, hygiene, symptomatology, mechanical and manual manipulation. After such examination, the board, if five (5) members consent, shall grant the applicant a license to practice drugless therapeutics in the State of Washington. The examinations shall be both scientific and practical and thoroughly test the fitness of the candidate. All answers to questions peculiar to any school of therapeutics shall be scrutinized and their sufficiency passed upon by the members of the board belonging to such school and their decisions shall be final, but the following subjects, to-wit: anatomy, physiology, hygiene, urinalysis and gynecology, shall be construed to be in common with all systems herein mentioned, and each candidate shall be examined in each of

66

Examinations. said subjects: Provided, after 1921, the following subjects shall be construed as common to all systems, to-wit: anatomy, physiology, hygiene, urinalysis, symptomatology, hydrotherapy and gynecology. The board may refuse to grant a license to, or may revoke the license of any person guilty of unprofessional conduct. subject to the right of ap- Refusal, repeal within ninety (90) days, to the superior court cancellation of the county where the board met when said license was refused, or revocation made. Any license granted without a full and fair compliance with the provisions of this act may be cancelled in any action brought in the name of the state by the prosecuting attorney of the county where the examination was held, or said action may be brought by the attorney general; and if a license is denied an applicant shall have the right to petition the superior court where said examination was held for an order compelling said board to issue said license.

Continuous practice as herein provided shall be continuous construed to apply to drugless physicians who have construed actually been practicing in this state, even if they have not received a license under the present medical laws.

SEC. 4. The following forms of certificates shall Forms of be issued by said board under the seal thereof, and to practice. signed by the president and secretary:

First. A certificate authorizing  $\mathbf{the}$ holder thereof to practice mechanotherapy;

Second. A certificate authorizing the holder thereof to practice suggestive therapeutics;

Third. A certificate authorizing the holder thereof to practice food science:

Fourth. A certificate authorizing the holder thereof to practice physcultopathy;

Fifth. A certificate for any other separate and co-ordinate system of drugless practice, and such system shall be given two representations on the

vocation, and of licenses.

board: Provided, they shall show evidence of not less than fifty graduates, practicing in this state, whose requirements shall be no less than as set forth in this act. Practitioners hereunder shall confine their practice to the subjects and system or systems represented by their certificate or certificates granted by said board. The applicant for an examination must file at least thirty days prior to a regular meeting satisfactory testimonials of good moral character and a diploma issued by some legally chartered drugless college, or satisfactory evidence of having possessed such diploma, except as herein otherwise provided, and must fill out a blank application to be sworn to before some person authorized to take acknowledgments, showing that he or she is the person named in the diploma, is the lawful holder thereof, and that the same was procured in the regular course of instruction and examination. without fraud or misrepresentation. The said application shall be made on a blank furnished by said board, and shall contain such other information concerning the instruction and preliminary education of the applicant as said board may by rule adopt.

SEC. 5. All money received by said board or any member thereof, shall be turned over before the tenth day of the succeeding month to the state treasurer, together with verified statement showing the source from which it was derived. The treasurer of said board shall give a surety bond to be approved by and deposited with the auditor of the state in the sum of one thousand dollars (\$1,000.00). Each member of the board of examiners shall receive a compensation from said fund of five dollars (\$5.00) for each day in which he is actually engaged in attendance upon the meetings of the board, in going to and returning from meetings, and all necessary expenses incurred in attending such meet-

Affidavits and testimonials required.

Disposition of moneys collected.

Treasurer's bond.

Compensation and expenses of examiners. ings, all such compensation and premium for treasurer's bond, also postage and printing, shall be paid by the state treasurer from funds accumulated by license fees herein provided for, same to be paid on warrants drawn by the state auditor upon presentation of proper vouchers approved by said board.

All the fees collected under the provisions of Drugless this act shall be credited to a fund to be known as "the drugless practitioner's fund," and at the end of each three year period, any amount of monev accumulated in said fund over and above the sum of two hundred and fifty dollars (\$250.00) shall be part of the general fund and shall accordingly be transferred by the state treasurer from said "drugless practitioner's fund" to the general fund. The secretary of said board shall receive a compensa- salary of tion not to exceed one hundred dollars (\$100.00) per annum.

SEC. 6. Before engaging in practice, the holder shall file his license for record with the county clerk in the county where he resides. Upon removal to  $\frac{1}{\text{nc}}$  recordation of licenses. another county he shall file his license in like man-Such clerk shall keep in the record book of ner. said licenses an index, showing the date and page record, and on demand shall furnish the secretary of the board a list of licenses on file. Upon notice to the clerk of the death or removal of a licensee. or revocation of a license, he shall note the same upon the records.

SEC. 7. All persons granted licenses or certificates under this act, shall be subject to the state and municipal regulations, relating to the control of contagious diseases, the reporting and certifying of births and deaths, and all matters pertaining to public health; and all such reports shall be accepted as legal.

Nothing in this act shall be construed Persons ex-SEC. 8. as to prohibit service in the case of emergency, or of act.

practitioner's fund.

Transfer to general fund.

secretary.

Health and vital statis-tics regulations.

cepted from

Ch. 36.1

the domestic administration of families' remedies, nor shall this act apply to any commissioned health officer in the United States army, navy or marine hospital service, in discharge of his official duties. nor to any licensed dentist when engaged exclusively in the practice of dentistry, nor to any duly licensed physician in the practice of medicine, or surgery, nor to a person duly licensed to practice osteopathy, from using or recommending drugless methods of healing in the course of their practice. nor shall this apply to any practitioner from any other state who visits this state in response to a call to treat a particular patient: Provided, such practitioner shall not open an office or appoint a place of meeting patients within the limits of this state, nor shall this act be construed to discriminate against any particular school of drugless therapeutics or to interfere in any way with the practice of religion: Provided, also that nothing in this act shall be held to apply to, or regulate any kind of treatment by prayer.

Unprofessional conduct defined. SEC. 9. The words "unprofessional conduct" as used in this act is hereby declared to mean:

First. The procuring, aiding or abetting in procuring a criminal abortion.

Second. The wilful betraying of a professional secret.

Third. Advertising any means or remedy whereby the monthly periods of women can be regulated, or menses re-established.

Fourth. Conviction of any offense involving moral turpitude.

Fifth. Habitual intemperance.

Sixth. The personation of another licensed practitioner.

Seventh. Exploiting or advertising through the press, or by the use of hand bills, circulars or other

periodicals, other than professional cards, giving only name, address, profession, office hours and telephone connections.

Eighth. All advertising which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons.

Conspiring to bring or cause to be Ninth. brought any action in court against any licensed practitioner for alleged malpractice or agree with anvone for a share or part of any sum of money to be recovered in such action: Provided. that nothing herein shall be construed to prevent any licensed practitioner from testifying against any other licensed practitioner in any action for alleged malpractice.

SEC. 10. Any person not heretofore authorized <sup>Illegally</sup> practicing. by law who shall practice or attempt to practice or hold himself out as practicing drugless therapeutics in the State of Washington without having obtained the license herein provided for, contrary to any provisions of this act shall be guilty of a misdemeanor, and shall be punished as provided by law for such offenses. Any person shall be regarded as practicing within the meaning of this act who shall use, prescribe, direct or recommend, any drugless treatment for the relief of any wound, fracture, bodily injury, or disease, either mental or physical: Provided, this act shall not be construed to discriminate against any particular school of drugless therapeutics, or to interfere in any way with the practice of religion: Provided, also, that nothing in this act shall be held to apply to or regulate any kind of treatment by prayer.

The examination held by the state Examination regulations. SEC. 11. board of drugless examiners under this act shall be conducted in accordance with the following regulations:

Affidavits.

First. Each applicant is required to make an affidavit setting forth his age, place of residence, time and place of each course of lectures, or other work connected with his drugless education and the date of graduation, or length of time in practice. The affidavit must be corroborated by the exhibition of a certificate from the proper officers of the college, showing that the applicant had completed the prescribed course for graduation. No advance standing shall be recognized for work done at other than drugless colleges.

Fee not returnable on failure to pass.

Credits.

Conduct of examinations.

Second. A fee of twenty-five dollars (\$25.00) must accompany the application. This fee is under no consideration to be returned, but if the applicant should fail to secure an average of sixty-five per cent (65%), and should be denied a license. such applicant shall, without paying a further fee and without losing his classification under the provisions of this act, be permitted to take another examination any time within two years. Drugless practitioners who hold a diploma from a legally incorporated drugless school who have practiced in this state two years previous to the passing of this act and those having no diploma but who have been in continuous practice in this state for three years, shall be given a credit of fifteen per cent (15%) on the general average.

Third. The examination shall be in charge of three or more of the members of the board of examiners, and the papers of candidates shall be known by numbers which shall be arranged as follows: envelopes shall be numbered and each containing a blank corresponding to the number, on which blank the applicant shall write his name and address, and return to the envelope, sealed by the applicant, and delivered to the examiners. Each candidate shall place on his paper the number given him and the year of graduation. Ch. 36.]

Fourth. Examination papers will be collected, and sent to the member or members of the board in charge of that subject. Such member or members shall examine the papers and place the mark opposite each candidate's number. These marks shall be sent to the secretary, who shall tabulate them and present them to the members of the board at a meeting which shall be held at the time of the examination or within thirty days thereafter. When the markings are completed, the envelopes containing the names are to be opened and the names placed opposite their respective numbers.

Fifth. No dishonest methods will be tolerated, and any candidate disregarding these rules shall be debarred from further examination.

Sixth. Each subject for examination shall be covered by ten questions, and two hours' time shall be allowed for each subject. All of the questions given on the subjects of anatomy, physiology and hygiene must be approved by five members of said board, and all of the questions on the other subjects mentioned in common in this law shall be approved by at least four members of the entire board.

Seventh. No candidate shall be allowed to leave the examination room after the question papers have been distributed, until the questions are answered and delivered to the examiners in charge.

Eighth. All examinations shall be in English. Within twenty days after a license is granted or refused, the reasons shall be set forth in writing and placed with the papers used in the examination, and all of said examination papers shall be filed with the secretary of the board within thirty days after said license has been granted or refused.

SEC. 12. The term "separate and co-ordinate Definitions. system" as used in this act is defined as follows: Food Science: is the science of treating disease through the chemical action of foods, water, nonmedicinal herbs, roots, barks and all natural food elements other than pharmaceutic drugs and poisons, to bring about a normal condition of health.

Mechano-Therapy. Is a system of therapeutics which enables the practitioner to know how to apply scientifically the mechanics of hydrotherapy, dietetics, circumstances, idea and manual manipulation for the stimulation of phycho and physiological action to establish a normal condition of the body.

Suggestive Therapeutics. Is a system of healing which enables the practitioner to know how to offer suggestions that will cause the mind of the patient to overcome the disease of the body and bringing mind and body into harmony, and both into harmony with environment.

Physcultopathy. Is a system of healing which enables the practitioner to know the scientific effect of movements on the body and how to direct a system of mechanical gymnastics that restore the diseased parts or functions to a normal condition.

SEC. 13. The term "drugless therapeutics," as used in this act consists of hydrotherapy, dietetics, electro-therapy, radiography, sanitation, suggestion, mechanical and manual manipulation for the stimulation of physiological and phychological action to establish a normal condition of mind and body, but shall in no way include the giving, prescribing or recommending of pharmaceutic drugs and poisons for internal use, the purpose of this act being to confine practitioners hereunder to drugless therapeutics.

The words "certificate" and "license" shall be known as interchangeable terms.

Advertising matter. SEC. 14. On all cards, books, papers, signs, or other written or printed means of giving informa-

Suggestive Therapeutics.

Physcultopathy.

Drugless therapeutics defined.

Food Science.

Mechano-Therapy. tion to the public on any system of practice, the practitioner shall use after or below his name the proper term designating the special line of drugless practice in which he is engaged, and shall not use after his name the letters. "M. D." or Doctor of Medicine and Surgery, nor "D. O." or Doctor of Osteopathy, or "D. C." or Doctor of Chiropractic.

SEC. 15. There is hereby appropriated from the  $\frac{\text{Appropriation}}{1,200.00}$ . drugless practitioners' fund the sum of twelve hundred dollars (\$1,200.00) for the purpose of defraying the expenses and paving the amounts herein provided for the next biennium: Provided. however, that in no event shall the expenditures herein provided exceed the actual collections on hand in such fund.

SEC. 16. All acts and parts of acts in conflict Repealing herewith are hereby repealed to the extent that they might affect the drugless systems mentioned.

SEC. 17. Any person violating any of the pro- Penalty for visions of this act shall be guilty of a misdemeanor. of act. and shall be punished as provided by law.

Passed the Senate January 27, 1919.

Passed the House February 11, 1919.

Approved by the Governor February 18, 1919.

#### CHAPTER 37.

#### [H. B. 100.]

#### COMPENSATION OF PUBLIC PRINTER.

AN ACT relating to the public printing and the compensation to be paid therefor, amending sections 8622, 8622½ and 8624 of Remington & Ballinger's Annotated Codes and Statutes of Washington, and declaring that this act shall take effect immediately.

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

SECTION 1. That section 8622 of Rem. & Bal. Code be amended to read as follows:

Section 8622. For the purpose of providing for the compensation of the public printer for his services, the public printing shall be divided into the following classes, and be paid for as herein stated:

FIRST CLASS. The bills, resolutions, and other matters that may be ordered by the legislature, or either branch thereof, in bill form, shall constitute the first class, and shall be printed on half sheet cap paper, weighing not less than twelve pounds to the ream of  $14 \times 17$  inches in small pica type; each page to contain not more than forty-four lines of said matter of the usual length of forty pica ems, and the lines shall be successively numbered, with a nonpareil slug between each line; and the same shall be measured as solid matter at single price when lines are not underscored, and when more than five lines on any one page are underscored, at price and one-half; and every fraction of a page shall be measured as a full page, but no blank pages shall be counted or paid for. The compensation to be paid for printing of the first class shall be as follows:

Composition, 55 cents per one thousand ems.

Classification and rates for composition and press work. Ch. 37.]

Presswork, 60 cents for the first one hundred impressions of a form, and 18 cents for each subsequent one hundred impressions thereof; a form to consist of two pages, or fraction thereof in any one bill form.

SECOND CLASS. The second class shall consist of printing and binding of the Journals of the Senate and House of Representatives, and the annual and biennial reports of the several state officers. state commissions, boards and institutions, with the exception of the reports of the Attorney General and the Governor's message to the legislature, which shall be printed and bound in the same style as heretofore. Said Journals and reports shall be printed on what is known as machine finish book paper weighing not less than fifty pounds to the ream of  $25 \times 38$  inches, and set in brevier, or what is known as eight point type, with a six to pica lead between each line, and without unnecessary blanks, broken pages or paragraphs. All communications, resolutions, reports of committees, messages and similar documents making up a part of said Journals to be set in nonpareil or what is known as six point type, with a six to pica lead between each line. All tabular matter to be set in nonpareil or what is known as six point type; the type matter for a page to be  $4\frac{1}{2} \times 7\frac{1}{2}$  inches. which is to include all running heads and foot notes. All reports are to be  $6 \times 9$  inches when trimmed. The general style of all reports are to be the same as those printed in 1918, and the general style of the Journals of the House and Senate of the session of 1917 shall be followed in the printing and binding of the Journals hereafter. There shall be no duplicates of reports or parts of reports printed except by permit of the Governor. The compensation to be paid for printing of the second class shall be as follows:

Composition, 72 cents per one thousand ems, which shall include proof reading, make up and lockup of forms ready for the press, and there shall be no extra charge made therefor unless alterations are made from original copy.

Presswork, 55 cents for the first one hundred impressions of a form, which shall include all make ready, and 18 cents for each subsequent one hundred impressions thereof, a form to consist of eight pages.

THIRD CLASS. The third class shall consist of all reports, communications, and all other documents that may be ordered printed in book form by the legislature or either branch thereof, and all reports, books, pamphlets, and other like matters printed in book form required by all state officers, boards, commissions and institutions shall be printed in such form and style, and set in such size type, and printed on such grade of paper as may be desired by the state officer, board, commission or institutions ordering same, and which they think will best serve the purpose for which said work is intended. The compensation to be paid for printing of the third class shall be as follows:

Composition, 72 cents per one thousand ems, which shall include proof reading, make up and lockup ready for the press, and there shall be no extra charge made therefor unless alterations are made from original copy.

Presswork, 55 cents for the first one hundred impressions of a form, which shall include all make ready, and 18 cents for each additional one hundred impressions thereof. When a form in any class contains fifty per cent or more of half-tones or engravings, and same are printed on enamel book paper, there shall be an allowance of thirty per cent additional to the above presswork scale. A form to Ch. 37.]

consist of eight standard size pages, or a sheet  $19 \ge 25$  inches.

FOURTH CLASS. The fourth class shall consist of the Session Laws, and shall be printed and bound in the same style, size of page and form as the Session Laws published by this state heretofore, with similar marginal notes; the size of the type to be eleven point for the laws or body of the book and six point for the marginal notes and index, and shall be printed on machine finish book paper weighing not less than 60 pounds to the ream of  $25 \times 38$  inches. The compensation to be paid for printing for the fourth class shall be as follows:

Composition, 72 cents per one thousand ems, with marginal notes measured in the type in which they are set separate from the body of the page, said price shall include proof reading, make up and lockup ready for the press, and there shall be no extra charge made therefor unless alterations are made from the original copy.

Presswork, 55 cents for the first one hundred impressions of a form, which shall include all make ready, and 18 cents for each subsequent one hundred impressions thereof, a form to consist of eight pages.

Reprints of the Session Laws, when authorized by law, shall be printed and paid for as fourth class printing.

FIFTH CLASS. The fifth class shall consist of the printing of all stationery, blanks, record books and circulars, and all printing and binding required by the respective state officers, boards, commissions and institutions not covered by classes one, two, three and four, and the rate and compensation to be paid therefor shall be as follows:

Composition, 75 cents per one thousand ems, with a minimum charge of 75 cents for each individual job which shall cover proof reading, make up and lockup ready for the press, and there shall be no extra charge made therefor unless alterations are made from original copy: *Provided*, that all job work set in larger than eleven point type shall be measured and charged for as eleven point type.

Presswork, 50 cents for the first one hundred impressions of a form, and 15 cents for each subsequent one hundred impressions thereof, a form to consist of one side of the sheet on which the job is printed and delivered.

SEC. 2. That section 86221/2 of Rem. & Bal. Code be amended to read as follows:

Section 86221/2. Whenever required by law or by the legislature, or either branch thereof, or by any state officer, board, commission or institution the public printer shall keep the type used in printing any matter forming a part of classes one, two, three and four standing for a period not exceeding sixty days for use in reprinting such matter, and in case a reprint is had shall charge not to exceed 25 cents per one thousand ems for the use of the type so kept standing.

SEC. 3. That section 8624 of Rem. & Bal. Code be amended to read as follows:

Section 8624. Compensation for binding on all classes of work shall be under and according to the following schedule:

Standard size pages shall be 6x9 inches. A signature shall consist of sixteen pages or necessary fraction thereof.

For pamphlets containing one signature or less, including folding, gathering, stitching, covering and trimming, for one thousand finished pamphlets \$4.75, and for each additional signature or fraction thereof \$1.60 for each one thousand finished pamphlets.

For pamphlets containing more than twelve and

Reprinting from standing type, rates.

Rates for binding.

not more than eighteen signatures, including item as above, for one thousand finished pamphlets, \$35.00.

For case covered bound books, cloth or full sheep or skiver, including folding, gathering, sewing on three bands, forwarding and finishing, stamping and trimming complete and finished as follows:

Per volume of not over six signatures. 30 cents.

Per volume over six sections and not over twelve sections. 35 cents.

Per volume over twelve sections and not over eighteen sections, 40 cents.

Per volume over eighteen sections and not over twenty-four sections, 45 cents.

Per volume over twenty-four sections. 5 cents for each additional six sections or fraction thereof.

For gathering inserts to be bound in, per thousand inserts 50 cents; inserts in closed folds, per thousand inserts \$1.50.

Tipping: On outside of section, per one thousand \$1.25; on center of section, per one thousand \$1.50; cut in on section, per one thousand \$2.00.

Gathering miscellaneous items not covered in Miscellanebinding schedule as above, 25 cents for each one thousand sections or pieces.

Miscellaneous items of work not covered in schedule to be charged for at current commercial rates less a discount of 25 per cent.

All time work not covered by the above described work shall be paid for at the rate of \$1.25 per hour.

All ruled work to be paid for at the rate of \$1.75 per hour for time of machine and attendants.

SEC. 4. This act is necessary for the immediate Emergency. support of the existing public institutions of the state and shall take effect immediately.

Passed the House February 3, 1919.

Passed the Senate February 10, 1919.

Approved by the Governor February 18, 1919.

ous items.

#### CHAPTER 38.

#### [H. B. 6.]

#### RELATING TO PUBLIC SCHOOL TEACHERS.

AN ACT prohibiting certain persons from teaching in the public schools of this state and providing punishment for the violation thereof.

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

SECTION 1. No person, who is not a citizen of the United States of America, shall teach or be permitted or qualified to teach in any common school or high school in this state: *Provided, however*, That the superintendent of public instruction may grant to aliens a permit to teach in the common and high schools of this state; providing such teacher has all the other qualifications required by law, has declared his or her intention of becoming a citizen of the United States of America, and that five years and six months have not expired since such declaration was made. Such permits shall at all times be subject to revocation by and at the discretion of the superintendent of public instruction.

SEC. 2. No person, whose certificate or diploma authorizing him or her to teach in the public schools of this state shall have been revoked on account of his or her failure to endeavor to impress on the minds of his or her pupils the principles of patriotism, or to train them up to the true comprehension of the rights, duty and dignity of American Citizenship, shall teach or be permitted or qualified to teach in any public school in this state, and no certificate or diploma shall be issued to such person.

SEC. 3. Any person teaching in any school in violation of this act, and any school director knowingly permitting any person to teach in any school

Right restricted to citizens.

Permits to aliens.

Want of patriotism ground for debarring teachers.

Violations of act. Ch. 39.]

in violation of this act, shall be guilty of a misdemeanor.

Passed the House February 3, 1919. Passed the Senate February 11, 1919. Approved by the Governor February 20, 1919.

#### CHAPTER 39.

#### [H. B. 56.]

#### DEFICIENCY APPROPRIATION FOR STATE LIBRARY.

- AN ACT making an appropriation for the state library for capital outlays, and declaring that this act shall take effect immediately.
- Be it enacted by the Legislature of the State of Washington:

SECTION 1. That there be and hereby is re-appropriated out of the unexpended funds of the appropriation for the state library for supplies, material and service, appropriated by chapter 171 of the Laws of 1917, the sum of nine hundred dollars (\$900.00), to be expended in the current biennium for capital outlays: Books, magazines, etc.

SEC. 2. This act is necessary for the support of Emergency. the state government and its existing public institutions, and shall take effect immediately.

Passed the House January 28, 1919.

Passed the Senate February 11, 1919.

Approved by the Governor February 20, 1919.

Appropriation, \$900.00.

## CHAPTER 40.

[H. B. 83.]

#### APPROPRIATION FOR EXPENSES OF LIEUTENANT GOVERNOR.

AN ACT making an appropriation for the office of lieutenant governor for the current biennium, and declaring that this act shall take effect immediately.

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

SECTION 1. That there be and hereby is appropriated from the general fund the sum of five hundred dollars, or so much thereof as may be necessary, for the lieutenant governor's office, for hotel bills while acting governor and during sessions of the legislature, and traveling expenses for the current biennium.

Emergency.

Appropriation, \$500.00.

> SEC. 2. This act is necessary for the support of the state government and shall take effect immediately.

Passed the House January 30, 1919. Passed the Senate February 11, 1919. Approved by the Governor February 20, 1919.

## CHAPTER 41.

#### [H. B. 96.]

#### APPROPRIATION AND DELIVERY OF PUBLIC WATERS FOR USE BEYOND STATE BOUNDARIES.

AN ACT authorizing the location, appropriation, diversion and delivery of water for domestic, manufacturing and irrigation purposes and in interstate transportation to be used at or by incorporated and unincorporated cities, towns, villages and hamlets situated partly within and partly without the State of Washington and requiring reciprocal rights from adjoining states receiving the benefits of this act.

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

SECTION 1. That whenever the use of water shall be necessary for domestic, manufacturing, irrigation, or in interstate transportation at or for any incorporated or unincorporated city, town, village or hamlet situated partly in Washington and partly in an adjoining state or where any city, town, village or hamlet is incorporated on one side of the state line and there are inhabitants living in adjacent and contiguous territory on the other side, it shall be lawful for any person, association or corporation to locate, appropriate, divert and deliver any of the Use for unappropriated public waters of this state necessary for the use of such city, town, village or hamlet and the inhabitants thereof and those residing in and embracing such contiguous territory both within this state and such adjoining state; and locations may be made and authority is hereby granted for such purpose the same as for any other appropriation within the state and a diversion and delivery for such purpose shall have the same force and effect as if made for use wholly within this state and any appropriation, diversion or use heretofore made for such purpose shall be deemed as valid and legal as if made for a use wholly within this state and

Authority to locate and divert waters.

cities and towns extending across state lines. the priority thereof shall date from the appropriation and diversion the same as if it had been made for use wholly within this state.

Dependent on reciprocal grants by adjoining states. SEC. 2. The provisions of this act shall not apply to any territory or the inhabitants thereof situated or located in any adjoining state which does not by its laws, usages or legal regulations grant similar or reciprocal rights, privileges and opportunities to this state and its inhabitants and adjacent and contiguous territory whether incorporated or unincorporated as in this act specified.

Passed the House February 3, 1919. Passed the Senate February 13, 1919. Approved by the Governor February 20, 1919.

#### CHAPTER 42.

#### [H. B. 97.]

#### RELATING TO WATER USERS' ASSOCIATIONS.

- AN ACT to provide for the dissolution of water users' associations and amending section 6414 of Remington & Ballinger's Annotated Codes and Statutes of Washington.
- Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 6414 of Rem. & Bal. Code be amended to read as follows:

Exemption from taxes.

Section 6414. Any water users' association which is organized in conformity with the requirements of the United States under said act of Congress, and which under its articles of incorporation is authorized to furnish water only to its stockholders, shall be exempt from the payment of any incorporation tax, and from the payment of any annual franchise tax; but shall be required to pay, as preliminary to its incorporation, only a fee of twenty dollars for the filing and recording of its articles of incorporation and the issuance of certificates of incorporation. Whenever, with the consent of the Secretary of the Interior of the United States, the stockholders of any such association shall adopt any other form of organization to manage the affairs of Dissolution such reclamation project in connection with which any such water users' association has been organized, such association may dissolve or disincorporate itself by the procedure and subject to the laws relating to the disincorporation of corporations in this state when such dissolution is authorized by a vote of two-thirds of all the stockholders represented at a meeting of the stockholders called for such purpose.

Passed the House January 31, 1919. Passed the Senate February 13, 1919. Approved by the Governor February 20, 1919.

## CHAPTER 43. [H. B. 119.]

#### RESERVATION OF STATE LANDS FOR PARK PURPOSES.

AN ACT authorizing the commissioner of public lands to reserve certain lands for park purposes.

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

SECTION 1. The commissioner of public lands Authority is hereby authorized to reserve from sale, for parks for general public use, not to exceed five (5) acres of land from any tract of land belonging to the state, including tide and shore lands, adjoining or lying near any public highway within the state.

Passed the House February 3, 1919. Passed the Senate February 13, 1919. Approved by the Governor February 20, 1919.

to reserve lands.

Corporate filing fee.

87

of associations.

Ch. 43.]

## CHAPTER 44.

[H. B. 120.]

#### DEDICATION OF TIDE LANDS TO MASON COUNTY.

An Act dedicating to Mason county all the right, title and interest of the State of Washington in and to Tract C of the Supplemental Maps of the Shelton Tide Lands for park purposes.

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

SECTION 1. That Tract C of the Supplemental Maps of the Shelton Tide Lands be and the same is hereby dedicated to the County of Mason to be used for purposes of a public park: *Provided*, That if said Mason County shall ever use or permit the use of said lands for any purposes other than a public park, the same shall at once revert to the State of Washington without any suit or action in any court and without any action on the part of the State whatsoever.

Passed the House February 3, 1919. Passed the Senate February 13, 1919. Approved by the Governor February 20, 1919.

#### CHAPTER 45.

[S. S. B. 41.]

#### APPORTIONMENT OF SCHOOL FUNDS WHERE SCHOOLS CLOSED BY HEALTH OFFICERS.

AN ACT relating to the apportionment of school funds to school districts and amending Section 4573 of Remington & Ballinger's Annotated Codes and Statutes of Washington, and declaring an emergency.

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

SECTION 1. That section 4573 of Remington & Ballinger's Annotated Codes and Statutes of Wash-

Dedication.

Reversion on abandonment. Ch. 45.1

ington be and the same is hereby amended to read as follows:

Section 4573. When the school board of any dis- credit trict is obliged to close the schools by order of the ance during board of health or health officer on account of the prevalence of influenza or other contagious or infectious disease, or when it is impossible to maintain the schools on account of any circumstances over which the school board has no control, the state superintendent of public instruction and the county superintendent shall allow such district its regular apportionment of funds without deduction for the time so lost, the amount to be determined on the basis of the total days' attendance in the district for the last prior year in which no such interruption occurred: Provided, That in all districts holding Computaschool during the school year of 1918-1919 and subsequent years whose enrollment shows an increase over that of the preceding year, the days' attendance for the school year 1918-1919 and subsequent years shall be ascertained for the purpose of the apportionment of school funds, by multiplying the average daily attendance of the school month showing the highest attendance by the number of days in the school session of the preceding year.

Sec. 2. [Vetoed.]

Passed the Senate January 30, 1919.

Passed the House February 6, 1919.

Section 1 approved by the Governor February 14. 1919.

Section 2 vetoed by the Governor February 14, 1919.

tion of at-

#### CHAPTER 46.

[S. B. 139.]

#### COLLECTION AND DISBURSEMENT OF MOTOR VEHICLE LICENSE FEES.

AN Act relating to the use of public highways, providing for the licensing of motor vehicles and the collection and disbursement of fees therefor, and amending sections 15, 17 and 18 of chapter 142 of the laws of 1915.

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

SECTION 1. That section 15 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 15. All fees herein authorized to be collected shall be as follows:

## ANNUAL FEES.

### Motor Cycles.

All ...... \$6.00

#### Automobiles.

Automobiles for Private Use.

Weighing 1500 pounds or less.....\$10.00

Weighing 1500 pounds or more \$10.00, and, sixty cents per hundred weight for all excess over 1500 pounds.

Automobiles for Hire.

- Weighing 1500 pounds or less \$20.00, and, in addition thereto at the rated passenger capacity, per passenger \$3.00.
- Weighing more than 1500 pounds \$20.00, and, sixty cents per hundred weight for all excess over 1500 pounds, and in addition thereto, at the rated passenger capacity, per passenger \$3.00.

Schedule of fees. Ch. 46.]

Auto Stages.

Weighing 1500 pounds or less \$25.00, and in addition thereto, at the rated passenger capacity, per passenger \$3.00.

Weighing more than 1500 pounds \$25.00, and, sixty cents per hundred weight for all excess over 1500 pounds, and in addition thereto at the rated passenger capacity, per passenger \$3.00.

Auto Stage Trailers.

- Weighing 1500 pounds or less \$10.00, and, at the rated passenger capacity, per passenger \$3.00.
- Weighing 1500 pounds or more \$10.00, and sixty cents per hundred weight for all excess over 1500 pounds, and in addition thereto at the rated passenger capacity, per passenger \$3.00.

Motor Trucks.

Weighing 1500 pounds or less......\$10.00 Weighing more than 1500 pounds and not

to exceed 6,500 pounds \$10.00, and forty

- cents per hundred weight for all in excess of 1,500 pounds and in addition thereto forty cents per hundred weight at the rated capacity load.
- Weighing more than 6,500 pounds \$10.00, and fifty cents per hundred weight for all in excess of 1,500 pounds and in addition thereto fifty cents per hundred weight at the rated capacity load.
- Trailers used as trucks shall be classified and rated as, and shall pay the same fee as hereinbefore provided for motor trucks of like weight and capacity.

It shall be unlawful to operate a truck or trailer Limitation on the public highways in the State of Washington of loads.

with a load greater than 10,000 pounds: Provided, however, That this load limitation shall not apply to trucks or trailers operating entirely within the city limits of a city of the first or second class, if permitted so to do by ordinance, and no motor truck shall be driven over or along any public highway with a load exceeding its licensed capacity. And. no three or four wheeled logging truck shall be driven over or along any public highway loaded with logs exceeding 2,000 feet; and no logging truck with a trailer or other six wheeled logging truck shall be driven over or along any public highway with a load of logs exceeding 3,000 feet as calculated by Scribner's Log Scale, and for the purposes of this act the weight of the load shall be calculated at five pounds per foot, log scale.

## Dealers' Licenses.

Dealers in motor cycles	\$10.00
Dealers in all other motor vehicles regardless	3
of weight	50.00
Additional dealers' license plates, bearing	<b>,</b>
same number except motor cycle dealers	,
licenses	10.00

## General Fees.

Duplicates of number plates except dealers'	
duplicate, each	\$1.00
Duplication of year plates, each	.50
Dealers' duplicate year plates, each	5.00
Duplication of motor cycle license plates, each	1.50
Transfer of motor vehicle licenses, each	<b>1.00</b> ·

Carriage for hire by private cars. *Provided*, It shall be unlawful for any private or corporation car to carry passengers for hire, except that this provision shall not apply to private automobiles that shall be operated for hire for a period of one week or less, and for which a special permit so to operate shall have been obtained from the Ch. 46.1

county auditor. The fee for any such permit shall be for each automobile the sum of five dollars (\$5.00).

SEC. 2. That section 17 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 17. Motor trucks and trailers owned by any county in the State of Washington and operated exclusively for the use of said county and motor vehicles owned by any city for the police or fire department, or any apparatus not suitable for the carrying of persons, used in cleaning, sprinkling or flushing of streets or in the transportation of refuse, or of the crematory, lighting or water department thereof, and used exclusively in these departments; and all motor vehicles owned by the United States Government and used exclusively in its service, shall be exempt from payment of license fees as herein provided: Provided, however, Such vehicles must be registered as provided for in this act and display the number assigned by the secretary of state upon the machine; and, except in case of the federal government shall pay for such number a fee of one dollar (\$1.00), nor shall said fire or police apparatus or any motor ambulance for the relief of sick or injured persons, when the emergencies of the occasion demand, be limited to the speed regulations authorized in this act. Any motor vehicle except trucks belonging to any city or town found operating outside such city or town shall be required to take out license for said motor vehicle as a privately owned motor vehicle in the class to which it belongs.

SEC. 3. That section 18 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 18. There is hereby created a state fund Motor Vehicle to be known as the "Motor Vehicle Fund."

All fees collected by the secretary of state as herein provided shall be paid into the state treasury

Fund.

Credits to, and disposition of, fund.

Distribution of \$1,-000,000.00 to

cities and

counties

as other funds are paid and placed to the credit of the motor vehicle fund, from which shall be paid annually:

First: One-half of the amount appropriated for the biennium for the motor vehicle department in the secretary of state's office for issuing licenses and enforcing the law.

Second: One million dollars (\$1,000,000.00) annually to be distributed as follows: To the various counties of the state in which are located primary highways and to the various cities and towns in the state in which are any streets forming a part of the route of any primary highway for the maintenance of such primary highways and of such streets a sum equaling two hundred dollars (\$200.00) per mile for such highwavs which have been or may hereafter be constructed along permanent location and established grades therein, and for such streets which are or may hereafter form a part of the route of such highways. All sums distributed to counties shall be placed in the permanent highway maintenance fund for such county. All sums distributed to cities shall be remitted by the state auditor to the cities entitled thereto and shall be expended by such cities only for the maintenance or improvement of such streets. The primary highways and streets, in order to come under the provisions of this act for maintenance purposes, must be of character equal and up to the standard of permanent highway construction. The state highway commissioner shall determine what streets in cities and towns form a part of the route of any primary highway and shall, between the fifteenth day of February and the fifteenth day of March of each year, certify in triplicate, one copy to the state treasurer, one copy to the county commissioners of each such county and one copy to the clerk of each city affected by the provisions of this act, the number of miles of such constructed primary

highways within such county or such streets so forming a part of the route of a primary highway: the remainder of said one million dollars (\$1,000.000.00) shall go to the permanent highway maintenance fund of the respective counties, in addition to the amounts heretofore provided by law to be distributed in accordance with the amount of money paid into the permanent highway fund by the various counties of the state.

Third: The balance paid into said motor vehicle fund annually shall be applied to general road construction or paving as provided for by appropriations.

SEC. 4. If any section, sub-division, sentence or Partial inclause of this act is for any reason held to be void or unconstitutional such decision, shall not affect the validity of the remaining portion of this act.

SEC. 5. This act is necessary for the immediate Emergency. preservation of the public safety and the support of the existing institutions of the state and shall take effect immediately.

Passed the Senate February 18, 1919. Passed the House February 20, 1919. Approved by the Governor February 27, 1919.

validity.

95

#### CHAPTER 47.

#### [S. S. B. 109.]

#### CAPITAL STOCK REQUIREMENTS FOR INSURANCE COMPANIES.

AN ACT relating to insurance and amending Section 6059-84 of Remington and Ballinger's Annotated Codes and Statutes of Washington, and declaring that this act shall take effect immediately.

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

SECTION 1. That section 6059-84 of Remington and Ballinger's Annotated Codes and Statutes of the State of Washington be and the same is hereby amended to read as follows:

Section 6059-84. Class or Classes of Insurance Permitted.

Any insurance company having the required amount of capital, or assets, when permitted by its articles of incorporation or charter, may be authorized and licensed by the commissioner to make insurance in this state under one or more of the classes prescribed in the several paragraphs in section 6059-83 of this act, as follows:

(1) No stock company shall make insurance in this state under class one of section 6059-83 of this act, without having capital stock of at least two hundred thousand dollars (\$200,000.00), of which not less than one-half must be paid in cash or like securities authorized by this act, and the remainder, in cash or like securities, paid within one year after the company is incorporated, and a surplus of not less than fifty thousand dollars (\$50,000.00), nor shall such company make insurance in this state, in any other of said classes of insurance specified in said section, except in classes two, seven, ten and thirteen and one-half, five as it relates to the insuring the performance of automobile contracts of sale

Business permitted various classes.

Fire and inland marine companies.

and or chattel mortgages and fourteen; such company is not to make insurance in class two, nor in class thirteen and one-half covering all hazards. without having additional capital of at least one hundred thousand dollars (\$100,000.00) for each of said classes: Such company is not to make insurance in classes seven, ten, and thirteen and one-half excepting against the hazard of injury to persons, without having additional capital of at least fifty thousand dollars (\$50,000.00): Such company is not to make insurance in class fourteen without having additional capital of at least two hundred thousand dollars (\$200,000.00).

(2) No stock insurance company shall make in- Marine surance in this state under class two of section insurance companies. 6059-83 without having a capital stock of at least two hundred thousand dollars (\$200,000.00) fully paid and a surplus of not less than fifty thousand dollars (\$50,000.00), nor shall such company make insurance in this state in any other of said classes of insurance excepting in classes one, thirteen and one-half, and fourteen: Such company is not to make insurance in class one, nor in class thirteen and one-half covering all hazards, without having additional capital of at least one hundred thousand dollars (\$100,000.00) for each of said classes: Such company is not to make insurance in class thirteen and one-half excepting against the hazard of injury to persons, without having additional capital of at least fifty thousand dollars (\$50,000.00): Such company is not to make insurance in class fourteen without having additional capital of at least two hundred thousand dollars (\$200,000.00).

(3) No stock insurance company shall make in- Life surance in this state under class three of section companies. 6059-83 without having a capital stock fully paid of at least one hundred thousand dollars (\$100,000.00) ----4

insurance

Ch. 47.1

with a surplus of not less than fifty thousand dollars (\$50,000.00), nor shall such company make insurance in this state in any other of said classes of insurance except in classes four and six; nor to make insurance in class four without having additional capital of at least fifty thousand dollars (\$50,000.00); nor to make insurance in class six without having additional capital of at least two hundred thousand dollars (\$200,000.00) nor to make insurance in classes four and six without having additional capital of at least two hundred and fifty thousand dollars (\$250,000.00).

Title insurance companies.

Capital dependent on county population. (4) No company shall issue contracts of guaranty or title insurance in this state, under class twelve of section 6059-83, until and unless it deposit and maintain on deposit through the office of the insurance commissioner, with the state treasurer, a guaranty fund in securities authorized by this act as legal investments for the capital or funds of insurance companies, in amounts as follows:

(a) In counties having a population of five hundred thousand or more as evidenced by the last official census of the United States or of the State of Washington, the guaranty fund shall not be less than two hundred thousand dollars (\$200,000.00); (b) In counties having a population of not less than three hundred thousand nor more than five hundred thousand as evidenced by said census, the guaranty fund shall not be less than one hundred and fifty thousand dollars (\$150,000.00); (c) In counties having a population of not less than one. hundred and fifty thousand nor more than three hundred thousand, as evidenced by said census, the guaranty fund shall not be less than one hundred thousand dollars (\$100,000.00); (d) In counties having a population of not less than one hundred thousand nor more than one hundred and fifty thousand. as evidenced by said census, the guaranty fund shall

not be less than seventy-five thousand dollars (\$75,000.00): (e) In counties having a population of not less than sixty thousand nor more than one hundred thousand, as evidenced by said census, the guaranty fund shall be not less than fifty thousand dollars (\$50,000.00): (f) In counties having a population of not less than thirty-five thousand nor more than sixty thousand, as evidenced by said census, the guaranty fund shall not be less than twenty-five thousand dollars: (g) In counties having a population of not less than fifteen thousand nor more than thirty-five thousand, as evidenced by said census, the guaranty fund shall be not less than fifteen thousand dollars (\$15,000.00); (h) And in counties having a population of less than fifteen thousand, as evidenced by said census, the guaranty fund shall be not less than ten thousand dollars (\$10,000.00). Any company authorized to issue contracts of guaranty, Business or title insurance in any county of this state shall in other be permitted and authorized to issue contracts of guaranty and title insurance in one or more other counties of this state: *Provided*, Its guaranty fund on deposit with the state treasurer is equal to the maximum amount hereinbefore required of a company issuing contracts of guaranty or title insurance in any of such counties: Provided. further. If any company shall have complied or shall thereafter comply with the provisions of this act for the county in which it has its principal place of business no other company authorized to issue contracts of guaranty or title insurance in any other county of this state shall be permitted to issue contracts of guaranty or title insurance therein after the expira- Additional tion of its certificate of authority then held unless it required. has deposited or shall thereafter deposit with the state treasurer through the office of the insurance commissioner securities in addition to those then required of such company in the same amount as re-

counties.

securities

quired for such county: Provided, further. That when any company authorized to issue contracts of guaranty or title insurance in any county of the state shall have and maintain on deposit with the state treasurer a guaranty fund in securities authorized by this act in the total amount of two hundred thousand dollars (\$200,000.00), such company shall be permitted and authorized to issue contracts of guaranty and title insurance in all of the counties of this state: Provided, further, That nothing herein contained shall prevent any company authorized to issue contracts of guaranty or title insurance in any county of this state from underwriting or re-insuring in whole or in part contracts of guaranty or title insurance by any other company. The provisions of this act shall in no wise be interpreted to apply to persons, co-partnerships, or corporations engaged in the business of preparing and issuing abstracts of, but not guaranteeing or insuring, title to property and certifying to the correctness thereof.

Fidelity and surety insurance companies.

Reinsurance permitted.

Act inapplicable to

abstractors.

(5) No stock insurance company shall make insurance in this state under class five of section 6059-83 without having a capital stock fully paid of at least two hundred thousand dollars (\$200,000.00) and a surplus of not less than one hundred thousand dollars (\$100,000.00), nor shall such company make insurance in this state in any other of said classes of insurance specified in section 6059-83, excepting classes four, six, seven, eight, nine, ten, eleven, thirteen, thirteen and one-half, and fourteen; and it shall not make insurance in classes six or thirteen and one-half without having additional capital of at least one hundred thousand dollars (\$100,000.00) for each of said classes; such company may make insurance in classes four, seven, eight, nine, ten, eleven, thirteen, thirteen and onehalf (excepting against the perils of fire), when it has additional capital of at least fifty thousand dollars (\$50,000.00); Such company may make insurance in class fourteen when it has additional capital of at least two hundred thousand dollars (\$200,000.00).

(6) No stock insurance company shall make in- Liability surance in this state under class six of section companies. 6059-83 without having a capital stock of at least two hundred thousand dollars (\$200,000.00) fully paid and a surplus of not less than one hundred thousand dollars (\$100,000,00): nor shall such company make insurance in this state in any other of said classes of insurance specified in this section except in classes four, five, seven, eight, nine, ten, eleven, thirteen and one-half and fourteen; and it shall not make insurance in classes five or thirteen and one-half without having additional capital of at least one hundred thousand dollars (\$100,000,00) for each of said classes. Such company may make insurance in one or all of the following classes: four, seven, eight, nine, ten, eleven, thirteen, thirteen and one-half (excepting against the perils of fire), when it has additional capital of at least fifty thousand dollars (\$50,000.00); Such company may make insurance in class fourteen when it has additional capital of at least two hundred thousand dollars (\$200,000.00).

(61/2) No stock insurance company shall make Motor vehicle insurance in this state under class thirteen and one- companies. half of section 6059-83 without having a capital stock of at least two hundred thousand dollars (\$200,000.00) fully paid and a surplus of not less than one hundred thousand dollars (\$100,000,00).

(7) No stock insurance company shall make in- Companies surance in this state in either of the following classes classifica-tions. specified in section 6059-83: four, seven, eight, nine, ten, eleven, and thirteen without having a capital stock of at least one hundred thousand dollars

insurance

(\$100,000.00) fully paid and a surplus of not less than twenty-five thousand dollars (\$25,000.00), nor shall such company make insurance in more than one of said classes unless it shall have additional capital of not less than fifty thousand dollars (\$50,-000.00): *Provided, however*, that the requirement of a surplus as provided in this section shall only apply to domestic insurance companies organizing and commencing to transact the business of making insurance and that such companies may use such surplus in establishing the company in business without impairment of the company.

Mutual and fraternal companies exempt. (8) The provisions of this section shall not apply to life or fire insurance companies operating on the mutual, or assessment or the fraternal plan.

Emergency.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately.

Passed the Senate February 17, 1919. Passed the House February 24, 1919. Approved by the Governor February 27, 1919.

#### CHAPTER 48.

[S. B. 82.]

## EMINENT DOMAIN FOR AERIAL TRANSPORTATION PURPOSES.

AN ACT relating to facilities for aerial transportation, authorizing cities and counties to acquire, maintain and operate lands and other property therefor, and declaring the same to be a county and city purpose and a public use.

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

SECTION 1. That all cities and counties are authorized and empowered by and through their appropriate corporate authorities to acquire, maintain and operate sites and other facilities for landings,

Cities and counties vested with power. Ch. 49.]

terminals, housing, repair and care of airplanes and seaplanes for the aerial transportation of persons, property or mail; and to acquire by purchase, condemnation or lease all lands and personal property necessary therefor; and the same is hereby declared to be a city and county purpose and a public use. Cities and counties are hereby empowered to acquire lands and other property for said purpose by the exercise of the power of eminent domain under the same procedure as is or shall be provided by law for the condemnation and appropriation of private property for any of their respective corporate uses.

Passed the Senate February 7, 1919.

Passed the House February 21, 1919.

Approved by the Governor February 28, 1919.

### CHAPTER 49. [S. B. 94.]

#### ROAD SUPERVISORS FOR COUNTIES.

AN ACT relating to the appointment and compensation of road supervisors, and amending section 5578 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 5578 of Rem. & Bal. Code be amended to read as follows:

Section 5578. The board of county commissioners may appoint from among the qualified electors compensain each county for such time as they may determine. with per diem compensation, to be fixed by the board. for time and labor actually performed, a sufficient number of road supervisors, to be determined by the board, who shall enter into bonds satisfactory to the commissioners: Provided, however, that in counties wherein any road district has a good roads association, the membership of which shall own not less

Appointtion

than seventy-five per cent in area of the land contained within the district, then the road supervisor, for such district, shall be appointed from a list of not less than four names furnished by such association.

Passed the Senate February 3, 1919. Passed the House February 21, 1919. Approved by the Governor February 28, 1919.

## CHAPTER 50. [S. B. 111.]

#### SUPERINTENDENT OF CAPITOL BUILDINGS AND GROUNDS.

- An Act creating the office of superintendent of capitol buildings and grounds, providing for his compensation and prescribing his powers and duties.
- Be it enacted by the Legislature of the State of Washington:

Appointment.

Salary and expenses.

Duties of superintendent. SECTION 1. Upon the taking effect of this act, the governor shall appoint a suitable person as superintendent of capitol buildings and grounds, who shall hold office for a term of four years or until his successor is appointed and qualified. Such superintendent may be removed at the pleasure of the governor. Said superintendent of capitol buildings and grounds shall receive an annual salary of two thousand dollars (\$2,000.00) together with his necessary traveling expenses.

SEC. 2. It shall be the duty of said superintendent of capitol buildings and grounds to supervise and direct the proper care, heating, lighting and repairs of all capitol buildings now in use or hereafter erected and occupied by state offices at the state capitol, and keep in charge the property of the senate and house chambers during the recess of legislative sessions, and he shall have the power to appoint assistants and employes required for the management of buildings placed in his charge and may at his pleasure discharge any person so employed.

Passed the Senate February 14, 1919. Passed the House February 21, 1919.

Approved by the Governor February 28, 1919.

#### CHAPTER 51.

#### [S. B. 81.]

#### STATE GRANTS TO UNITED STATES FOR WAR EMERGENCIES.

AN ACT relating to the lands of the state, granting rights of way thereon to the United States, and ratifying all action heretofore taken by the board of state land commissioners and the commissioner of public lands in permitting the United States to go upon the lands of the state and build railroads thereon and remove timber therefrom.

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

SECTION 1. Whereas, on account of the recent Rights of emergencies of war it was necessary that the United state lands. States be permitted to go upon the lands of the State of Washington and build railroads thereon and remove timber therefrom; and whereas there was no authority in law for the State of Washington to grant such rights to the United States: all action heretofore taken by the board of state land commissioners and the commissioner of public lands in permitting such acts by the United States is hereby ratified and confirmed, and the commissioner of public lands is hereby authorized to grant to the United States such rights of way over and across Confirma-United States such rights of way over and across tion of the lands of the state, including tide and shore lands, action of land officers. as may be made necessary by the military necessi-

ties of the present war; and the consent of the State of Washington is hereby given to the United States, upon the termination of the present war, to transfer such easements to such persons, firms, or corporations as it may desire.

SEC. 2. The said rights of way shall be of such width or widths as shall appear to the commissioner of public lands to be necessary, together with such additional lands as are required for excavations, embankments, depot and station grounds, passing tracks, or borrow pits.

SEC. 3. In order to obtain the benefits of this grant the United States shall file with the commissioner of public lands a map or maps of the rights of way desired, together with the field notes of the survey thereof, and shall pay to the state the amount of the appraised value of the lands affected by, used for, or included within the said rights of way and extra widths, together with the appraised value of the timber thereon.

Passed the Senate February 5, 1919. Passed the House February 21, 1919. Approved by the Governor February 28, 1919.

#### CHAPTER 52.

[S. B. 79.]

#### VALIDATING ERRONEOUS SALE OF SCHOOL LAND IN COWLITZ COUNTY.

AN ACT authorizing the issuance of a deed to lot six (6) of section thirty-six (36), township six (6) north, range three (3) east, W. M., Cowlitz County, Washington, and validating an erroneous sale of the same.

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

SECTION 1. That the commissioner of public lands be and he hereby is authorized to certify to

Maps and field notes

to be filed.

Extent of grant.

Payment for land and timber.

106

Governor authorized to execute deed. the governor of the State of Washington for the issuance of a deed, and the governor of the State of Washington be and he hereby is authorized to issue to Albert S. Wells and W. V. Green a deed to lot six (6), section thirty-six (36), township six (6) north, range three (3) east, Willamette Meridian, containing twenty-eight and seventy-five hundredths (28.75) acres, more or less, which said lot was erroneously sold under Application No. 5742 on August 1, 1908, by the county auditor of Clarke County, Washington, the said land being actually located in Cowlitz County, Washington; and the said sale of the said lot six (6) by the county auditor of Clarke County is hereby validated.

Passed the Senate February 5, 1919. Passed the House February 21, 1919. Approved by the Governor February 28, 1919.

## CHAPTER 53.

#### [H. B. 150.]

#### DEFICIENCY APPROPRIATION FOR INDUSTRIAL INSUR-ANCE DEPARTMENT.

An Act making an appropriation for the Industrial Insurance Department, and declaring that this act shall take effect immediately.

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

SECTION 1. That there be and hereby is appro-Appropriapriated out of the general fund, for the Industrial \$6,000.00. Insurance Department, to be expended during the current biennium, the following sums: For salaries and wages: Clerk hire, traveling auditors, adjusters, and other assistants, four thousand dollars (\$4,000.00); for supplies, material, and services, two thousand dollars (\$2,000.00). Emergency.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety, and the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House February 6, 1919. Passed the Senate February 19, 1919. Approved by the Governor February 28, 1919.

#### CHAPTER 54. [H. B. 63.]

#### CREDITS ALLOWED ISLAND COUNTIES AGAINST PERMA-NENT HIGHWAY FUND.

An Act providing for the disposition of motor vehicle license fees collected in counties composed entirely of islands.

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

Motor vehicle license fees of island counties. SECTION 1. All fees collected for motor vehicle licenses in counties composed entirely of islands shall be paid into the state treasury as other funds are paid, and, after deducting therefrom the expenses of issuing such licenses, the same shall be placed in the permanent highway fund to the credit of the county from which such fees came; such money shall be expended on permanent highways under the provisions of Chapter 35 of the Laws of 1911, and laws amendatory thereof or supplemental thereto.

Passed the House, February 5, 1919. Passed the Senate, February 19, 1919. Approved by the Governor February 28, 1919.

#### CHAPTER 55.

#### [H. B. 149.]

#### DEFICIENCY APPROPRIATION FOR CHENEY NORMAL SCHOOL.

AN ACT making an appropriation for the State Normal School at Cheney, and declaring that this act shall take effect immediately.

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

SECTION 1. That the sum of eight thousand dol- Approprialars (\$8,000.00), or so much thereof as may be nec- \$8,000.00. essary, of the unexpended appropriation from the Cheney Normal School fund for salaries and wages, appropriated by Chapter 172 of the Laws of 1917, be and the same is hereby re-appropriated for the Cheney Normal School for supplies, material and service.

SEC. 2. This act is necessary for the immediate Emergency. support of the existing public institutions of the state and shall take effect immediately.

Passed the House, February 6, 1919.

Passed the Senate, February 19, 1919.

Approved by the Governor February 28, 1919.

#### CHAPTER 56.

#### [H. B. 137.]

#### REVOLVING FUND FOR HIGHWAY CONSTRUCTION UNDER FEDERAL AID ROAD ACT.

AN ACT appropriating one million dollars (\$1,000,000.00) from the public highway fund, creating a revolving fund, to be applied in payment of federal proportion of cost of federal aid road construction, providing for payment of federal contributions into public highway fund, and declaring an emergency.

WHEREAS, under provisions of Chapter 76, Laws Preamble. of 1917, the State of Washington assented to the purposes, provisions, terms and conditions of the

grant of money provided in an Act of Congress entitled "An act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes", approved July 11th, 1916, and commonly known as the Federal Aid Road Act; and

WHEREAS, under Section 6 of said Chapter 76, Laws of 1917, the state treasurer is made the recipient and custodian of such federal funds or warrants drawn by the secretary of agriculture and made available for payment by the secretary of the treasury under the provisions of such Federal Aid Road Act; and

WHEREAS, the federal regulations and procedure makes such federal funds or warrants available only in reimbursement of the amounts thereof which must previously have been made by the state authority on approved vouchers for construction cost actually done in accordance with federal aid project agreements, and such reimbursing federal funds are placed by the state treasurer in the public highway fund; now therefore

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

Federal aid funds, disposition of. SECTION 1. That the state treasurer be and is hereby authorized and directed to place in the state public highway fund any and all federal funds or warrants received as custodian under the operation of the Federal Aid Road Act and the state act assenting thereto, to be held in said public highway fund subject to disbursement therefrom only in accordance with the authority and appropriation set forth in Section 2 of this act.

SEC. 2. That the sum of one million dollars (\$1,000,000.00), or so much thereof as may be necessary, but not in excess of the amount of federal funds or warrants paid or pledged to be paid or

reimbursed on account of lawfully obligated federal Appropriacontributions under specific project agreements, be and the same is hereby appropriated from any moneys available in the public highway fund, the Revolving same to constitute a revolving fund to be used for created. the purposes specified in this act. The state auditor shall draw the necessary warrants and the state treasurer pay the same from this appropriation, only upon vouchers and estimates approved by the state highway commissioner for work actually done warrants on. upon federal aid projects and only to the extent thereof charged to the federal contributing fund under specific project agreements executed by state and federal authority.

SEC. 3. This act is necessary for the immediate Emergency. support of the state government and its existing institutions and shall take effect immediately.

Passed the House, February 5, 1919.

Passed the Senate, February 24, 1919.

Approved by the Governor February 28, 1919.

#### CHAPTER 57.

#### [H. B. 36.]

#### LOCATION OF PACIFIC HIGHWAY BETWEEN CITIES OF EVERETT AND MARYSVILLE.

AN ACT to locate the Pacific Highway between the city of Everett. in Snohomish county and the city of Marysville in said county, and directing the state highway commissioner to survey and definitely locate the same.

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

SECTION 1. That that portion of the Pacific High- Description way established by section 5878-2 of Remington & Ballinger's Annotated Codes and Statutes of Washington lying between the city of Everett in Sno-

of route.

\$1,000,000.00

fund

#### SESSION LAWS, 1919.

homish county and the city of Marysville in said county be located as follows: Beginning in section 16, township 29 north, range 5 east W. M. at the north end of the Snohomish county bridge number 29 over the Snohomish river; thence in a northerly direction to the present Pacific Highway at the east town limits of the town of Marysville in Snohomish county, section 33, township 30 north, range 5 east W. M.

SEC. 2. The state highway commissioner is hereby directed to survey and definitely locate the route for said highway.

Passed the House, February 5, 1919. Passed the Senate, February 19, 1919. Approved by the Governor February 28, 1919.

## CHAPTER 58.

#### [H. B. 86.]

#### DEFICIENCY APPROPRIATION FOR AUTOMOBILE DEPART-MENT OF SECRETARY OF STATE.

AN ACT making an appropriation for the automobile department of the Secretary of State, and providing when this act shall take effect.

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

SECTION 1. There is hereby appropriated out of the general fund twenty-four thousand five hundred sixty-seven and 07/100 dollars (\$24,567.07), or so much thereof as may be necessary for the use of the automobile department of the Secretary of State for the purchase of number plates of autos, trucks and motorcycles, deputy, clerk hire, traveling expenses, supplies, postage and incidentals.

Survey and definite location.

112

Appropriation, \$24,567.07. Ch. 59.1

SEC. 2. This act is necessary for the immediate Emergency. support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House. January 31, 1919. Passed the Senate, February 11, 1919. Approved by the Governor February 28, 1919.

#### CHAPTER 59.

[S. B. 221.]

#### AMENDMENTS OF MOTOR VEHICLE LAWS.

AN ACT relating to the use of the public highways, and the rights and remedies of persons thereon, and fixing penalties for a violation of the conditions imposed; and providing for the licensing of motor vehicles and the collecting of fees therefor; amending sections 5, 14 and 26, of chapter 142, Laws of 1915, and sections 2, 3, 4, 8, 11, 12, 19, 21, 30 and 34 of chapter 142, Laws of 1915, as amended by chapter 155, Laws of 1917, and repealing section 6, chapter 142, Laws of 1915 as amended by chapter 155, Laws of 1917, and section 21, chapter 155, Laws of 1917.

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

SECTION 1. That section 2 of chapter 142, Laws of 1915, as amended by chapter 155, Laws of 1917, be amended to read as follows:

Section 2. The words and phrases herein used. Definitions. unless the same be clearly contrary to or inconsistent with the context of the act or section in which used, shall be construed as follows:

(1) "Motor vehicle" shall include all vehicles Motor or machines propelled by any power other than muscular, used upon the public highways for the transportation of persons, freight, produce or any commodity, except traction engines temporarily upon the public highway, road rollers or road making ma-

vehicle.

chines, and motor vehicles that run upon rails or tracks;

(2) "Automobile" shall mean the ordinary Automobile. four-wheeled motor vehicle, and shall be synonymous with the term "motor vehicle" except as otherwise herein provided;

> (3) "Motor cycle" shall mean a motor vehicle of two or three wheels intended for the carrying of one, two or three persons, or operated by one person for the carrying of small parcels or packages;

(4) "Auto stage" as distinguished from "automobile" shall mean a motor vehicle used for the purpose of carrying passengers, baggage and freight on a regular schedule of time and rates: *Provided, however,* that no motor vehicle shall be considered an auto stage where the whole route traveled by such vehicle is within the corporate limits of any incorporated city;

(5) "Motor truck" shall mean any motor vehicle designed or used for the transportation of commodities, merchandise, produce, freight or animals;

(5a) "Trailer" shall mean any vehicle which is attached to a motor vehicle for the purpose of being drawn or propelled by such motor vehicle;

(6) "Public highway" or "public highways" shall include any highway, state road, county road, public street, avenue, alley, driveway, boulevard or other place built, supported, maintained, controlled or used by the public or by the state, county, district or municipal officers for the use of the public as a highway, or for the transportation of persons or freight, or as a place of travel or communication between different localities or communities;

(7) "Local authorities" shall include the officers of counties, cities or towns or other municipal subdivisions of the state having control, power or

Motor truck.

Trailer.

Public highway.

Local authorities.

Motor cycle.

authority over any of the subject matter embraced in this act;

(8) "Peace officer" or "peace officers" shall be Peace officer taken to mean any officer or officers authorized by law to execute criminal process or to make arrests for the violation of the statutes generally or of any particular statutes relative to the public highways of the state:

(9) "Dealer" shall be taken to mean any per- Dealer. son, firm or corporation engaged in the sale of new or second-hand motor vehicles:

(10) "Privately owned" shall include all motor Privately vehicles not offered for hire:

(11) "For hire" shall be taken to mean all mo- For hire. tor vehicles, other than auto stages, used for the transportation of persons, for which transportation remuneration of any kind is received, either directly or indirectly and shall include motor hearses, dead wagons and ambulances.

SEC. 2. [Vetoed.]

SEC. 3. That section 4, chapter 142, Laws of 1915, as amended by chapter 155, Laws of 1917, be amended to read as follows:

Section 4. No person under fifteen years of age Minors as shall operate or drive a motor vehicle upon a public highway unless such person is accompanied by his or her parent, guardian, or the owner of such vehicle; no motor vehicle shall be operated upon a public highway without a license having been first obtained therefor, excepting as hereinafter provided: Provided, however, no motor vehicle for hire or auto stage shall be operated by any person under the age of twenty-one years.

SEC. 4. That section 5, chapter 142, Laws of 1915 is hereby amended to read as follows:

Section 5. Application for a motor vehicle li- Applications for license. cense shall be made to the secretary of state on blanks to be furnished by him.

drivers.

Ch. 59.]

Such application shall be made by the owner of the vehicle, or his duly authorized agent, over the signature of such owner or agent, and he shall certify that the statements therein are true to the best of his knowledge.

The application must show:

(1) The name of the owner, with the business or residence address thereof, or both if there be such;

(2) The nature of the license required; whether a license has heretofore been issued for such vehicle, and if so, the number of such license;

(3) The trade name of such vehicle, the factory number thereof and the name and address of the manufacturer;

(4) The kind of vehicle, whether a motor cycle, automobile, auto stage, auto truck or other motor vehicle;

(5) The rated carrying capacity of such vehicle;

(6) The purpose for which the same is to be used, and whether for public or private use; if for public, the nature of the same and the city or community to be served;

(7) The power to be used, whether electric, steam, gas or other power;

(8) The weight of all automobiles for private use which shall be determined by the shipping weight thereof as given by the manufacturer: *Provided, however,* that if the secretary of state is unable to obtain such shipping weight on any particular make or model of automobile the owner of any such automobile when making application for license thereon shall cause said vehicle to be duly weighed upon a public scale and attach the certificate of weight to his application for license, which certificate must accompany such application for license when the same is forwarded to the secretary of state and the owner of the vehicle shall pay the

Weight of vehicles, determination.

Contents.

license fee in accordance with weight shown on such certificate.

The weight of all automobiles For Hire, Auto Stages and Motor Trucks which shall be determined by the weighing of such vehicles upon a public scale and the owner of any such automobile For Hire, Auto Stage or Motor Truck shall furnish to the sec- Certification retary of state at the time application for license is made certificate of weight of such vehicle, said certificate to be signed by the person in charge of such public scale, his agent or employes.

The certificate of weight herein provided for must be attached to and accompany the application for license which is forwarded to the secretary of state.

The secretary of state is hereby forbidden to accept application for license unless such certificate of weight as provided for herein is furnished him at the time the application is made and the fee paid in accordance with weight given upon such certificate: Provided, however, that in determining the weight of vehicles as provided for in this section that no fraction of 100 pounds shall be taken into consideration but where such fractions occur the fee shall obtain upon the next lowest hundred pounds;

(9) Such other information as shall be required by the secretary of state.

SEC. 5. That section 8 of chapter 142, Laws of 1915, as amended by chapter 155, Laws of 1917, be amended to read as follows:

Section 8. No license shall be transferred from Transfer of one person to another person, but may be transferred from one vehicle to another vehicle, when duly authorized by secretary of state on application therefor, accompanied by the proper fee, and in case such vehicle to which it is desired to have such license transferred is of greater weight than the vehicle for which the original license was issued, the

licenses

of weight.

#### SESSION LAWS, 1919.

applicant shall accompany such application with the additional amount required to cover the difference between the license fees for the two ratings. A license may be transferred from one classification to a different classification upon application to the secretary of state and the payment of the difference between the license fee originally paid and the fee provided by this act for the class to which the transfer is made, together with an additional transfer fee of one dollar (\$1.00): *Provided*, that no refund shall be made if the fee fixed by this act for the class to which such transfer is made be less than the fee originally paid: *Provided*, however, the original license and the number plates must be returned at the time application for transfer is made.

SEC. 6. That section 11 of chapter 142 of the Laws of 1915 be amended to read as follows:

Any person resident of another Section 11. state or country may bring into this state any motor vehicle and operate the same without obtaining a license therefor: Provided, such person has complied in all respects with the laws of his own state or country as to the registration or licensing of motor vehicles, and: Provided, further, that such a motor vehicle is not used in this state for hire, and: Provided, further, that any owner of a motor vehicle who resides in this state for a period exceeding ninety days shall not come under the exemption provided for herein and any motor vehicle used in this state for a continuous period exceeding ninety days shall be subject to the license fees as provided for in this statute.

SEC. 7. That section 12 of chapter 142, Laws of 1915, as amended by chapter 155, Laws of 1917, be amended to read as follows:

Section 12. On and after March 1, 1920, the secretary of state shall furnish to each licensee of a

Nonresidents exempt from license.

Number plates, how marked. motor vehicle two number plates containing the number to be displayed on such vehicle as hereinafter provided. The number shall be in block numerals and of such size as the secretary of state may determine, and shall be preceded by the letters "Wn" and by the last numeral of the year in which such license shall expire, and such number plate if issued to a dealer, shall contain the word "Dealer." The secretary of state may put such other mark or character on such plates or fix the color of same as he may determine, to properly identify the kind of license issued. Such plates shall be obtained by the secretary of state on competitive bids.

The size of the numerals for motor cycles shall be  $2\frac{1}{2}$  inches high and  $\frac{3}{6}$  inch stroke,

Provided, however, that the secretary of state Renewal of may, at his option, accept prior to March first of any year applications for renewal of licenses expiring on the last day of February of that year, and may issue licenses in renewal thereof which licenses shall expire on the last day of February of the year following, but no cancellation of licenses so issued shall be made and no fees paid therefor shall be refunded.

SEC. 8. That section 14 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 14. Upon the loss of any number plate Duplicate or the defacement or destruction thereof, or when, plates, issuance. for any reason, the letters or figures upon any number plate become illegible or in such condition as to be difficult to distinguish, application for a duplicate thereof must be made to the secretary of state. The application shall be accompanied by the requisite fee and upon receipt of the same the secretary of state shall issue a duplicate of such plate, and in case such duplication cannot be furnished at once the secretary of state shall furnish to such person a certificate stating therein the loss or destruction of such plate and authorizing the applicant to use a

licenses

temporary number plate until the receipt of such duplicate from the secretary of state, which shall be immediately placed on such vehicle.

SEC. 9. That section 19 of chapter 142, Laws of 1915, as amended by chapter 155, Laws of 1917, be amended to read as follows:

Section 19. The authorized number plates of each motor vehicle shall be attached conspicuously to both front and rear of such vehicle and in such manner that they can be plainly seen and read at all times. Each number plate shall hang in a horizontal position at a distance of not less than one foot nor more than four feet from the ground, and each number plate shall be kept clean so as to be plainly seen and read at all times.

It shall be unlawful to display upon the front or rear of any motor vehicle any number plate other than those furnished by the secretary of state or to display upon any motor vehicle any such number plates which have in any manner been changed, altered or disfigured, or have become illegible.

SEC. 10. That section 21 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 21. Every motor vehicle operated or driven upon the public highways of the state shall exhibit during the period from one-half hour after sunset to one-half hour before sunrise and at all times when fog or other atmospheric conditions render the operation of said vehicle dangerous to traffic or the use of the highways at least two headlamps, one on each side of said vehicle, showing white or yellow tinted lights visible at least five hundred feet or more in advance of said vehicle. Such motor vehicle or any trailer attached thereto shall have attached to the rear not less than one lamp showing a red light visible at least two hundred feet in the rear of such vehicle, and the same light or additional light casting white rays of sufficient

Number plates, how attached.

Illegal plates.

Lights to be exhibited.

Ch. 59.1

strength on the rear number plate thereof, so that such number plate may be easily read at a distance of at least sixty feet: *Provided*, that motor cycles shall be required to carry only one light in the front thereof, which shall show white or vellow tinted rays visible at least five hundred feet in advance of such motor vehicle: Provided, further, that it shall be unlawful to display any light showing red to the front of any motor vehicle. Every motor truck, the body of which exceeds six (6) feet in width shall exhibit during the hours of darkness, in addition to the above required lights, a white light on the left side of the machine defining the limit of the body of the machine or the overhanging load, if any there be, and beyond the outside thereof, and said light shall be so fixed or carried that the light therefrom may be seen both from the front and rear of said motor truck. Every motor truck, automobile or Display of trailer carrying a load which projects over the rear end three feet or more shall be required to display loads. a red flag by day and a red light by night, on the extreme end of such overhanging load. No person shall install or use a light of more than twenty-seven candle power in any motor vehicle headlamp equipped with a reflector. It shall be unlawful to use on a motor vehicle of any kind operated on the public highways of this state any lighting device of over four candle power equipped with a reflector, Character of lighting unless the same shall be so designed, deflected or arranged as to deflect or diffuse the light and to produce sufficient light to reveal objects at least one hundred and fifty feet ahead thereof and ten feet on either side of the center line of said vehicle measured at a distance of ten feet in front thereof and in such manner that the beam of light therefrom, when measured seventy-five feet or more ahead of the lamps shall not rise above forty-two

flags and lights for

devices.

inches from the level surface on which the vehicle stands under all conditions of road.

The term "beam of light" shall be construed to mean the reflected rays of light which are projected approximately parallel to the optical axis of the reflector.

A light shall be deemed "diffused" when produced by a headlamp which has the entire surface of the glass front etched, ground, sand blasted or so formed that the light emitted therefrom is entirely dispersed.

The above provisions of this act shall not apply to spot lights but all spot lights shall, while in use upon the highways of this state, be so directed that the beam of light therefrom shall strike the roadway at a point at least six (6) feet to the right and not more than seventy-five feet in front thereof when approaching a vehicle.

<sup>5</sup> In any prosecution under this act, the candle power indicated on the headlight bulb from any electric headlamp shall be and constitute *prima facie* evidence of the light candle power of such headlamp.

From and after the first day of July, 1918, it shall be unlawful to sell or offer for sale, or have in possession with intent to sell, any vehicle of any kind for operation on the public highways of this state equipped with any lighting device of over four candle power with a reflector unless such lighting device shall conform to the provisions of the preceding paragraphs of this section.

SEC. 11. That section 26 of chapter 142, Laws of 1915, be amended to read as follows:

Section 26. It shall be the rule of the road that every person driving a motor or other vehicle or riding or driving any animal or animals upon the public highway or in any other similar use of such highway shall, upon meeting any other person so

"Beam of light" defined.

"Diffused" defined.

Spot lights.

Evidence of candle power.

Rule of the road.

using such highway, seasonably turn to the right of the center of the highway so as to pass without interference, and any person so using the highway shall, upon overtaking any other person so using the highway, pass to the left side thereof and the person so overtaken shall as soon as practicable turn to the right so as to allow free passage on the left. Any person operating a motor or other vehicle shall, at the intersection of public highways, keep to the right of the intersections of the centers of such highways when turning to the right and pass to the right of such intersection when turning to the left: Provided, however, a variance, in good faith, from the rules herein relating to the turning to the left of a vehicle when overtaking another going in the same direction where the exigencies of the situation permit shall not subject the offender to arrest under the criminal provision of this act.

SEC. 12. That section 30 of chapter 142, Laws of 1915, as amended by chapter 155, Laws of 1917, be amended to read as follows:

Section 30. Any person who shall make falsely Violations any statement herein required to be made or who shall obtain any license by any misrepresentation or deceit, or who shall display any number or license not authorized by law to be used, or who shall loan or permit to be used any license or number whether issued to him or to any other person, firm or corporation or who shall in any manner violate the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished accordingly, either by a fine or imprisonment or both such fine and imprisonment: Provided, that in no event shall the minimum fine be less than fif- Penalty. teen dollars (\$15.00).

SEC. 13. That section 34 of chapter 142, Laws of 1915, as amended by chapter 155, Laws of 1917, be amended to read as follows:

Local regulations restricted.

The local authorities shall have no Section 34. power to pass or enforce any ordinance, rule or regulation governing the speed of any motor vehicle in conflict with the provisions of this act or requiring of the owner or operator of any motor vehicle, any license other than an occupation license or a tax which may be levied in only one city or town when such motor vehicle is engaged in inter-city service. or permitted to use the public highways except as herein provided or to exclude or to prohibit any motor vehicle whose owner has complied with the provisions of this act from the free use of the public highways, and all such rules, ordinances, and regulation's now in force are hereby declared to be of no validity or effect: Provided. however. that nothing herein shall be construed as limiting the power of the county commissioners or local authorities to make, enforce, and maintain ordinances, rules and regulations governing traffic in addition to the provisions of this act affecting motor vehicles, but not in conflict therewith.

Extension of licenses.

Nonconflicting local

regulations.

SEC. 14. All licenses expiring on the last day of February, 1919, are hereby continued in full force and effect up to and including the last day of March, 1919.

SEC. 15. [Vetoed.] SEC. 16. [Vetoed.]

Emergency.

SEC. 17. This act is necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 25, 1919.

Passed the House February 27, 1919.

Approved by the Governor with the exceptions of sections 2, 15 and 16, which were vetoed, February 28, 1919.

#### CHAPTER 60.

#### [S. H. B. 3.1

#### COLUMBIA BASIN IRRIGATION PROJECT.

- AN ACT providing for the survey of the Columbia Basin Irrigation Project, creating a commission therefor, defining its powers and duties, and making an appropriation and declaring that this act shall take effect immediately.
- Be it enacted by the Legislature of the State of Washington:

SECTION 1. There is hereby created a commis- Commission sion. to be known as the "Columbia Basin Survey Commission". to consist of the state hydraulic engineer ex-officio, as chairman, and four members who shall be appointed by and removable at the pleasure of the governor. Each commissioner shall serve as such without compensation but shall be allowed his actual necessary expenses incurred in the performance of his duties. The governor shall appoint the members of said commission and the commission shall organize and select one of their number as secretary and enter upon the performance of their duties within thirty days after the taking effect of this act.

SEC. 2. It shall be the duty of said commission survey and to make or cause to be made a survey of the Columbia Basin Irrigation Project and to prepare a compilation and report of the result of such survey and present the same to the proper department or departments of the federal government for consideration, and to recommend and urge the appropriation of funds for the carrying out of the project for the improvement of the Columbia River Basin by irrigation. The commission shall have the power to employ such persons as may be necessary to assist them in their work, and to expend such of the funds appropriated by this act as they may deem necessary for such purposes.

created.

report to Federal government. Appropriation, \$100,000.00. SEC. 3. For the purpose of carrying out the provisions of this act there is hereby appropriated out of the general fund the sum of one hundred thousand dollars (\$100,000.00), or so much thereof as may be necessary.

Emergency.

SEC. 4. This act is necessary for the immediate preservation of the public peace, health and safety and the support of the state government and its existing public institutions and shall take effect immediately.

Passed the House February 11, 1919. Passed the Senate February 19, 1919. Approved by the Governor March 1, 1919.

### CHAPTER 61.

#### [H. B. 61.]

#### DEFICIENCY APPROPRIATION FOR NATIONAL GUARD AND NAVAL MILITIA.

AN ACT appropriating the sum of thirty-eight thousand dollars (\$38,000.00) for the support of the National Guard and Naval Militia of Washington, and declaring that this act shall take effect immediately.

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

SECTION 1. That there be and hereby is appropriated out of the military fund the sum of thirtyeight thousand dollars (\$38,000.00) or so much thereof as may be necessary for the support of the National Guard and Naval Militia of Washington, for supplies, material and services, during the current biennium.

SEC. 2. This act is necessary for the support of state government and shall take effect immediately.

Passed the House January 28, 1919. Passed the Senate February 19, 1919. Approved by the Governor March 3, 1919.

Appropriation, \$38,000.00.

Emergency.

#### CHAPTER 62.

#### [H. B. 18.]

#### COMPENSATION AND EXPENSES OF LABOR COMMIS-SIONER AND ASSISTANTS.

AN ACT relating to the compensation and expenses of the commissioner of labor and assistants, providing for the appointment of a female assistant, defining her duties and fixing her compensation, and amending sections 6551 and 6552 of Remington & Ballinger's Codes and Statutes of Washington.

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

SECTION 1. That section 6551 of Remington & Ballinger's Codes and Statutes of Washington be amended to read as follows:

Section 6551. The salary of the commissioner of labor, provided for in this act, shall be three missioner thousand dollars (\$3,000.00) per annum, and shall assistants. be allowed his actual and necessary traveling and incidental expenses; and any assistant of said commissioner of labor shall be paid for each full day service rendered by him, such compensation as the commissioner of labor may deem proper, but such assistant shall be paid not less than six dollars (\$6.00) per day, and his actual necessary traveling expenses.

That section 6552 of Remington & Bal-Sec. 2. linger's Codes and Statutes of Washington be amended to read as follows:

Section 6552. The commissioner of labor shall Female appoint one female as assistant commissioner of labor comlabor, and such female assistant shall have charge, under the direction of the commissioner of labor, of the enforcement of all laws relating to the health, sanitary conditions, surroundings, hours of labor and all other laws affecting the employment of female wage-earners. She shall receive a salary of Duties and compensaeighteen hundred dollars per annum and shall be

Compensation of comand

assistant

compensation.

allowed her actual and necessary expenses in the performance of her duties as such assistant. Such salary and expenses to be paid in the same manner as other expenses of the office of commissioner of labor.

Passed the House February 10, 1919. Passed the Senate February 26, 1919. Approved by the Governor March 3, 1919.

## CHAPTER 63.

#### UNIVERSITY OF WASHINGTON STUDENT FEES.

An Act relating to a system of student fees in the University of Washington and providing for the collection and disposal of the same and amending sections two, three, four, five and six of chapter 66 of the Laws of 1915.

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

SECTION 1. That section 2 of chapter 66 of the Laws of 1915 be amended to read as follows:

SEC. 2. The board of regents of the University of Washington is hereby authorized to establish a system of student fees in the university and to modify the same from time to time, and to charge and collect the fees so established from students registering in the university. Said fees, so established, charged and collected to consist of the following: (a) General tuition fees to be paid by each student registering in the university. (b) Special tuition fees to include: law, short course, marine station, correspondence or extension, special or individual instruction, fees and such other special tuition fees as may be established by said board from time to time. These special tuition fees to be paid by each student registering for the special studies for which

Student fees.

such special tuition fees are established. (c) Registration fees. (d) Student deposit, disciplinary, library, gymnasium, hospital or health fees, and such other fees as may be established by said board from time to time. These fees to be deposited or paid by each student required to deposit or pay same under rules to be prescribed by said board: Provided. That any honorably discharged soldier, Exemption sailor, marine or nurse who served during the war service. with Germany, shall be entitled to register and attend courses without the payment of any fees. except those in class (d) and special or individual instruction fees in class (b).

SEC. 2. That section 3 of chapter 66 of the Laws of 1915 be amended to read as follows:

Section 3. All general tuition and registration Fees fees mentioned in subdivision (a) and (c) of section one of this act shall within sixty-five days from the collection thereof be paid into the state treasury and by the state treasurer shall be credited to the "University of Washington Building Fund" to be used exclusively for the purpose of erecting, altering, maintaining, equipping, or furnishing buildings constructed under said act of March 15, 1915, and acts amendatory thereto.

SEC. 3. That section 4 of chapter 66 of the Laws of 1915 be amended to read as follows:

Section 4. Said special tuition fees mentioned Fees in subdivision (b) and the fees mentioned in sub- revolving division (d) of section one of this act, shall be held by the board of regents as a revolving fund and expended by it for the purposes for which collected and be accounted for in accordance with existing law.

That section 5 of chapter 66 of the SEC. 4. Laws of 1915 be amended to read as follows:

Section 5. Fees mentioned in subdivision (c) Refunding of section one of this act are not returnable to the ---5

fund

of fees.

student in whole or in part. Fees mentioned in subdivision (a) of said section one are not returnable except in case of sickness or causes entirely beyond the control of the student. No portion of the returnable fees shall be returned for voluntary or enforced withdrawal after sixty days from the date of registration of the student. Students withdrawing under discipline forfeit all rights to the return of any portion of the fees. In no case shall more than one-half of the fee be refunded.

SEC. 5. That section 6 of chapter 66 of the Laws of 1915 be amended to read as follows:

Section 6. The board of regents may appoint to free scholarships those deserving students who after a term in residence have shown a marked capacity for the work done by them in school. The number of free scholarships shall not in any term exceed ten per centum of the attendance. The appointment of a free scholarship shall release the student appointed from the payment of fees mentioned in subdivision (a) of section one of this act.

Passed the House February 3, 1919.

Passed the Senate February 19, 1919.

Approved by the Governor March 3, 1919.

Free scholarships.

### CHAPTER 64.

#### [H. B. 43.]

## CRIME OF WRONGFULLY USING ANOTHER'S MOTOR VEHICLE.

- An Acr providing for the punishment of persons intentionally taking, riding in or upon, or driving away the automobile or motor vehicle of another without the permission of the owner or person entitled to the possession thereof, and amending section 1 of chapter 155 of the Laws of 1915.
- Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 1 of chapter 155 of the Laws of 1915 be amended to read as follows:

Section 1. Every person who shall without the permission of the owner or person entitled to the possession thereof intentionally take or drive away any automobile or motor vehicle, whether propelled by steam, electricity or internal combustion engine, the property of another, shall be deemed guilty of a felony, and every person voluntarily riding in or upon said automobile or motor vehicle with knowledge of the fact that the same was unlawfully taken shall be equally guilty with the person taking or driving said automobile or motor vehicle and shall be deemed guilty of a felony.

Passed the House February 17, 1919.

Passed the Senate February 26, 1919.

Approved by the Governor March 3, 1919.

#### CHAPTER 65.

#### [H. B. 185.]

#### MANAGEMENT OF STATE FAIR BUILDINGS AND GROUNDS.

AN ACT relating to State Fair, and amending Section 3005 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That Section 3005 of Rem. & Bal. Code be amended to read as follows:

Section 3005. Immediately after their organization the state fair commission shall take and have full control and management of the state fair as a state institution, and shall have care of its property and be intrusted with the entire direction of its business and financial affairs; shall, in conformity with the provisions of this chapter, prepare, adopt, publish and enforce all necessary rules for the management of the state fair, its meetings and exhibitions or the guidance of its officers or employees: shall determine the duties, responsibilities, compensation and tenure of office of all officers or other employees, as may be deemed necessary, and may remove from office any person appointed by it to any office for any inefficiency, neglect of duty or malfeasance in office; shall have power to appoint all necessary marshals to keep order on the grounds and in the buildings of the state fair during all annual exhibitions, and the marshals so appointed shall be vested with the same authority, for such purposes, as executive peace officers are vested by law; shall have power to charge entrance fees, gate money, lease stalls, stands, restaurant sites, give prizes and premiums and do all things which by said commission may be considered proper to conduct in connection with a state fair not otherwise pro-

Powers of commissioner of agriculture. hibited by law. And while said state fair is not in annual session, the Commissioner of Agriculture shall have power and authority to lease and let said Lease of premises to any firm, person or corporation for U.S. veterans. picnics. Grand Army meetings. Spanish War Veteran meetings, veterans of the war with Germany and her allies, fraternal organization meetings and for any other purpose in the discretion of said Commissioner of Agriculture.

Passed the House February 24, 1919. Passed the Senate February 26, 1919. Approved by the Governor March 3, 1919.

#### CHAPTER 66.

#### [H. B. 66.]

#### COURT AMANUENSIS IN CERTAIN COUNTIES.

AN ACT relating to official court reporters, and amending Sections 42-13 and 42-9 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 42-13 of Rem. & Bal. Code be amended to read as follows:

Section 42-13. This act shall not apply to any Application county having a population of two hundred and eighty thousand, or over.

SEC. 2. That section 42-9 of Rem. & Bal. Code be amended to read as follows:

Section 42-9. In all counties or judicial districts, Court amanuensis. except counties of the first class and class "A" counties, having a regularly appointed official reporter, such official reporter shall act as amanuensis to the court where he is appointed, and the court shall allow per diem therefor as provided in this act:

*Provided*, That in no event shall the per diem for such work exceed ten days in any one calendar month: *And provided further*, That said official reporter shall be allowed at least ten days' per diem for his services as reporter and amanuensis in each calendar month that the court where he is appointed is in session.

Passed the House January 28, 1919. Passed the Senate February 11, 1919. Approved by the Governor March 3, 1919.

#### CHAPTER 67.

#### [H. B. 47.]

#### COMPENSATION OF INJURED RAILWAY AND MARITIME WORKMEN.

AN ACT relating to the compensation of injured workmen and their dependents, providing for the liability of employers in certain cases, amending section 6604-18 of and adding sections 6604-18a and 6604-18b to Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 6604-18 of Rem. & Bal. Code be amended to read as follows:

Section 6604-18. Inasmuch as it has proved impossible in the case of employes engaged in maintenance and operation of railways doing interstate, foreign and intrastate commerce, and in maintenance and construction of their equipment, to separate and distinguish the connection of such employes with interstate or foreign commerce from their connection with intrastate commerce, and such employes have, in fact, received no compensation under this act, the provisions of this act shall not apply to work performed in the maintenance and

Intrastate and interstate railway employees. Ch. 67.1

operation of such railroads or performed in the maintenance or construction of their equipment, or to the employes engaged therein, but nothing herein shall be construed as excluding from the operation of this act railroad construction work, or the emploves engaged thereon: *Provided*, however, That common carriers by railroad engaged in such inter- Liability state or foreign commerce and in intrastate com- of Federal legislation. merce shall, in all cases where liability does not exist under the laws of the United States, be liable in damages to any person suffering injury while employed by such carrier, or in case of the death of such employe to his surviving wife and child, or children, and if no surviving wife or child or children, then to the parents, sisters, or minor brothers, residents of the United States at the time of such death. and who were dependent upon such deceased for support, to the same extent and subject to the same limitations as the liability now existing, or hereafter created, by the laws of the United States governing recoveries by railroad employes injured while engaged in interstate commerce: Provided further, however, That if any interstate common carrier by railroad shall also be engaged in one or State indusmore intrastate enterprises or industries (including interstate carriers. street railways and power plants) other than its railroad, the foregoing provisions of this section shall not exclude from the operation of the other sections of this act or bring under the foregoing proviso of this section any extra hazardous work of such other enterprise or industry, the payroll of which may be clearly separable and distinguishable from the payroll of the maintenance or operation of such railroad, or of the maintenance or construction of its equipment.

SEC. 2. That there be added to Rem. & Bal. Code a new section, to be known as section 6604-18a. as follows:

tries of

#### SESSION LAWS, 1919.

Application of act to maritime occupations. Section 6604-18a. The provisions of this act shall apply to employers and workmen engaged in maritime works or occupations only in cases where and to the extent that the payroll of such workmen may and shall be clearly separable and distinguishable from the payroll of workmen employed under circumstances in which a liability now exists or may hereafter exist in the courts of admiralty of the United States: *Provided*, That as to workmen whose payroll is not so clearly separable and distinguishable, the employer shall in all cases be liable in damages for injuries to the same extent and under the same circumstances as is specified in the case of railroads in the first proviso of section 6604-18.

SEC. 3. That there be added to Rem. & Bal. Code a new section, to be known as section 6604-18b, as follows:

Section 6604-18b. The provisions of this act shall apply to employers and workmen (other than railways and their workmen) engaged in intrastate and also in interstate or foreign commerce. for whom a rule of liability or method of compensation now exists under or may hereafter be established by the congress of the United States, only to the extent that the payroll of such workmen may and shall be clearly separable and distinguishable from the payroll of workmen engaged in interstate or foreign commerce: Provided, That as to workmen whose payroll is not so clearly separable and distinguishable, the employer shall in all cases be liable in damages for injuries to the same extent and under the same circumstances as is specified in the case of railroads in the first proviso of section 6604-18.

Passed the House January 31, 1919. Passed the Senate February 26, 1919. Approved by the Governor March 3, 1919.

Applicability of act to intrastate and interstate commerce.

#### CHAPTER 68.

#### [H. B. 91.]

#### GRANT OF TIDELANDS TO PORT OF VANCOUVER.

AN ACT granting certain tidelands to the Port of Vancouver for port purposes only and providing for its reversion to the state if not used for such purposes.

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

SECTION 1. There is hereby granted to the Port Lands of Vancouver, a Port District incorporated under the provisions of Chapter 92 of the Laws of 1911, all the tidelands bordering on Vancouver Lake in Clarke County remaining unsold.

SEC. 2. The Commissioner of Public Lands of Certification the State of Washington is hereby authorized and directed to certify in the manner provided by law in other cases to the Governor for deed to the Port of Vancouver in the State of Washington all of said described tidelands.

SEC. 3. The Governor is hereby authorized and Deed by directed to execute and the Secretary of State to attest a deed conveying to the said Port of Vancouver all of said tidelands.

SEC. 4. All of the tidelands described in section Reversion one of this act are hereby granted to the said Port of Vancouver to be used for port purposes only and for no other purposes and in case the said Port of Vancouver shall attempt to use or permit the use of said tidelands or any portion thereof for any other purpose the same shall forthwith revert to the State of Washington without suit, action or other proceeding whatsoever or the judgment of any court forfeiting the same.

Passed the House February 18, 1919.

Passed the Senate February 26, 1919.

Approved by the Governor March 3, 1919.

granted.

of lands to governor.

governor.

to state.

#### CHAPTER 69.

#### [H. B. 105.]

#### FEDERAL AND STATE COOPERATION IN CONSTRUCTION OF RURAL POST ROADS.

AN ACT relating to public highways and rural post roads, and amending Section 4 of Chapter 76, of the Laws of 1917.

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

SECTION 1. That Section 4 of Chapter 76 of the Laws of 1917 be amended to read as follows:

The good faith of the State of Wash-Section 4. ington is further pledged to make available funds at least sufficient, when combined with funds made or to be made available by the several counties, to equal the sum apportioned to the state by the secretary of agriculture under the rules and regulations approved by him for carrying out the provisions of section eight (8) of said act of Congress: Provided, That funds made so available by the state shall be spent only upon the highways comprising the system of state roads, and the good faith of the State of Washington is further pledged to maintain such roads and to make adequate provisions for carrying out such maintenance: And provided further, That nothing herein shall be construed as preventing the several counties from entering into cooperative agreements with the secretary of agriculture for the construction and maintenance of county roads.

Passed the House February 3, 1919. Passed the Senate February 26, 1919. Approved by the Governor March 3, 1919.

State pledge to equal Federal contributions.

Joinder of counties with Federal government.

#### CHAPTER 70.

#### [H. B. 84.]

#### LOCAL IMPROVEMENT ASSESSMENTS IN CITIES AND TOWNS.

AN ACT relating to local improvements in cities and towns, and amending Section 7892-35 and Section 7892-36 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 7892-35 of Rem. & Bal. Code be amended to read as follows:

When the assessment upon Enforcement Section 7892-35. property is payable in installments, the enforcement assessment. of the lien of any installment by any method herein authorized, shall not prevent the enforcement of the lien of any subsequent installment by any method herein authorized, when the same may become delinquent. Any such city or town may provide by general ordinance, that upon failure to pay any installment when due, the entire assessment shall become due and payable and the collection thereof enforced in the manner prescribed: Provided. however, that payment of such delinquent installment or installments due, together with interest, penalty and costs, at any time before entry of judgment in foreclosure as herein provided, shall extend the time of payment on the remainder of the assessments the same as if there had been no delinquency or foreclosure.

SEC. 2. That section 7892-36 of Rem. & Bal. Code be amended to read as follows:

Section 7892-36. Any city or town may, by gen- Delinquency eral ordinance, provide for the issuance of certificates of delinquency for any and all delinquent assessments, or installments thereof, heretofore or hereafter levied, and any penalty and interest

of entire

certificates.

Such certificates of thereon to date of issuance. delinquency shall constitute a lien against the property upon which such assessments were levied, and shall bear interest from the date of issuance thereof at the rate of twelve (12%) per centum per annum, and may be foreclosed after two years from the date of their issuance in the same manner and with the same effect as mortgages upon real estate are fore-Such certificates may be issued to the city, closed. or may be sold to any person applying therefor. They may be assigned in writing, and the city may sell and assign any and all certificates which may be issued to it upon the payment of the value thereof in principal and accrued interest, in cash. Such certificate shall be *prima facie* evidence that the land against which the same was issued was subject to the assessment at the time the same was assessed, that the property was assessed as required by law, and that the assessment, or installment thereof, was not paid prior to the issuance of such certificate.

Issuance unauthorižed pending court proceedings. No such certificate of delinquency shall be issued upon any property for any assessment or installment thereof during the pendency of any proceedings in court affecting such assessment or installment thereof.

Passed the House January 31, 1919. Passed the Senate February 11, 1919. Approved by the Governor March 3, 1919.

Sale and assignment.

Certificate as evidence.

## CHAPTER 71.

### [H. B. 165.]

## AMENDING WATER CODE AND PROVIDING FOR MAINTE-NANCE OF JOINT DITCHES.

AN ACT relating to the use of water in the State of Washington. amending sections 11 and 21 of Chapter 117 of the Session Laws of 1917, and further amending said chapter by adding thereto certain sections to be designated sections 42a, 42b and 42c, providing for the joint maintenance of partnership ditches, conferring upon the state hydraulic engineer jurisdiction thereof in certain cases, and creating liens for labor and material furnished in the operation and maintenance thereof.

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

SECTION 1. That section 11 of Chapter 117 of the Session Laws of 1917 be amended to read as follows:

Section 11. Any person, corporation or associa- Appeals to tion feeling aggrieved at any order, decision, or de- court. termination of the state hydraulic engineer, or of any assistant or deputy, or any water master, affecting his interests, may have the same reviewed by a proceeding for that purpose, in the nature of an appeal, initiated in the superior court of the county in which the matter affected, or a portion thereof is situated. The proceedings in every such appeal shall be heard and tried by the court and shall be informal and summary, but full opportunity Procedure. to be heard and present evidence shall be had before judgment is pronounced. No such appeal shall be entertained unless notice of appeal containing a statement of the substance of the order, decision, or determination complained of and the manner in which the same injuriously affects the appellant's interests, shall have been served personally upon the state hydraulic engineer, or by registered mail, at his office at the state capital, within twenty days

superior

following the rendition of the order, decision or deappealed from and communication termination thereof in writing to the person affected thereby. No bond shall be required except a stay is desired and an appeal shall not be a stay, unless within five days following the service of notice of appeal a bond shall be filed in an amount to be fixed by the court and with sureties satisfactory to the court. conditioned to perform the judgment of the court. Costs shall be paid as in civil cases brought in the superior court, and the practice in civil cases shall apply. Appeal shall lie from the judgment of the superior court as in other civil cases. In all court proceedings under or pursuant to this section the decision of the state hydraulic engineer shall be prima facie correct. The attorney general shall be the legal adviser of the state hydraulic engineer and shall represent him in all proceedings whenever so requested. Wherever it shall appear to the state hydraulic engineer that any litigation, whether now pending or hereafter brought, may adversely affect the rights of the public in water, it shall be his duty to request the attorney general to appear and protect the interests of the state. He shall assign one of his assistants to perform such legal services as may be required in connection with proceedings to determine water rights and may require him to perform such other legal services for the state hydraulic engineer as may be necessary to assist him in the performance of his duties. The proportionate part of the salary and expenses of such assistant for services in connection with the determination of water rights shall be included in the statement of the state hydraulic engineer required by section The state hydraulic engineer may expend such 21. of the funds appropriated for his department for such portion of the salary and expenses of such as-

Attorney general to advise and represent engineer.

Compensation of assistant detailed to hydraulic service.

sistant as may be agreed upon between the state hydraulic engineer and attorney general.

That section 21 of Chapter 117 of the SEC. 2. Session Laws of 1917 be amended to read as follows

Section 21. At the time of filing the statement Fees. as provided in section 17, each defendant shall pay to the clerk of the superior court a fee of one dollar (\$1.00). The state hydraulic engineer shall keep a record of the expenses incurred by him in the determination of the rights on any stream, including the proportionate share of the expense of his office, such expense to date from the filing of a petition or the institution of any investigation as provided in section 14. Immediately upon receipt of a decree of the superior court determining the rights of parties as provided in section 23, the state hy- Apportiondraulic engineer shall prepare and file in the superior court a statement of such expense, showing the total expense of the determination and apportioning such expense to the various rights as determined by the court in proportion to the amount of such rights. Such records shall be subject to audit by the bureau of inspection and supervision of Audit. public offices as are other accounts of state offices. The amount of such expense apportioned to each di- certificate verter shall be paid by such diverter before he shall be entitled to receive a certificate of diversion from the state hydraulic engineer.

SEC. 3. That Chapter 117 of the Session Laws of 1917 be amended by adding a new section after section 42 thereof to be known as section 42a:

Section 42a. In all cases where irrigating ditches Partnership ditches. are owned by two or more persons and one or more of such persons shall fail or neglect to do his, her or their proportionate share of the work necessary for the proper maintenance and operation of such

ment of expenses.

of diversion.

Ch. 71.1

ditch or ditches or to construct suitable headgates or measuring devices at the points where water is diverted from the main ditch. such owner or owners desiring the performance of such work as is reasonably necessary to maintain the ditch. may, after having given ten days' written notice to such owner or owners who have failed to perform his, her or their proportionate share of such work, necessary for the operation and maintenance of said ditch or ditches, perform his, her or their share of such work, and recover therefor from such person or persons so failing to perform his, her or their share of such work in any court having jurisdiction of the matter the expense or value of such work or labor so performed: Provided. that no improvement involving an expenditure in excess of one hundred dollars (\$100.00) shall be made without the written approval of the state hydraulic engineer having first been obtained.

SEC. 4. That Chapter 117 of the Session Laws of 1917 be amended by adding thereto a new section to be known as section 42b:

Section 42b. When two or more persons, joint

Division of water between joint owners. owners in an irrigation ditch or reservoir, not incorporated, or their lessees, are unable to agree relative to the division or distribution of water received through their ditch or from their reservoir, and where there is no disagreement as to the ownership of said water, it shall be lawful for any such owner or owners, his or their lessee or lessees, or either of them, to apply to the state hydraulic engineer, in writing, setting forth such fact and giving such information as shall enable the state hydraulic engineer to estimate the probable expense of such service, asking the state hydraulic engineer to appoint some suitable person to take charge of such ditch or reservoir for the purpose of making a just

Recovery of maintenance

expenses.

Determination of disagreements. division or distribution of the water from the same to the parties entitled to the use thereof. The state hydraulic engineer shall upon the receipt of such application notify the applicant of the probable expense of such division and upon receipt of certified check for said amount, he shall appoint a suitable person to make such division. The person so appointed shall take exclusive charge of such ditch or reservoir for the purpose of dividing the water therefrom in accordance with the established rights of the diverters therefrom, and continue the said work until the necessity therefor shall cease to exist. The expense of such investigation and division shall Collection of expenses. be a charge upon all of the co-owners and the person advancing the payment to the state hydraulic engineer shall be entitled to recover in any court of competent jurisdiction from his co-owners their proportionate share of the expense.

That Chapter 117 of the Session Laws Sec. 5. of 1917 be amended by adding thereto a new section to be known as section 42c:

Section 42c. Upon the failure of any co-owner Lien for to pay his proportionate share of such expense as co-owner mentioned in section 42a within thirty days after mantenance labor receiving a statement of the same as performed by his co-owner or owners, such person or persons so performing such labor may secure payment of said claim by filing an itemized and sworn statement thereof, setting forth the date of the performance and the nature of the labor so performed, with the county auditor of the county wherein said ditch is situated, and when so filed it shall constitute a valid lien against the interest of such person or persons who shall fail to perform their proportionate share of the work requisite to the proper maintenance of said ditch, which said lien when so taken may be enforced in the same manner as provided

by law for the enforcement of mechanics' and builders' liens.

Passed the House, February 17, 1919. Passed the Senate, February 19, 1919. Approved by the Governor March 3, 1919.

## CHAPTER 72.

#### [S. S. B. 28.]

## GAME FARMS FOR PROPAGATION AND SALE OF GAME ANIMALS AND BIRDS.

An Act relating to game farming, the securing, domesticating and propagating of game animals and game birds, the possession, transportation, use and disposition of game, granting certain powers to and imposing certain duties upon the state and county game wardens, and providing penalties for violation of the provisions of this act.

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

Licenses for propagating game animals and birds.

SECTION 1. For the purpose of encouraging game farming and the domestication and propagation of game, a game farmer's license, which shall authorize the licensee to engage in the business of breeding and selling moose, caribou, elk, deer, beaver, otter, marten, mink and other wild animals or wild birds or game birds, as limited herein, shall be issued, subject to the provisions of this act, by the state game warden to any responsible resident person duly applying therefor, such licenses to expire on March 31st following the date of its issuance. The fee for such license shall be ten dollars (\$10.00). After such license has been issued, it shall be valid as long as said licensee pays the state game warden, for the benefit of the game fund, an annual fee of five dollars (\$5.00), unless otherwise determined under the provisions of this act: Provided. how-

License fees.

Ch. 72.1

ever, that this act shall not be construed to require the granting of licenses to public parks.

SEC. 2. Any responsible resident person of good Authority to domesticate, character who is the holder of such license may bring propagate and sell within the state and have the custody of, for the purpose of domestication, propagation or selling, as in this act provided, any game animals, or game birds. Any such game animals or game birds brought within the state or reared in captivity within the state may be sold or transported for propagation purposes or for food or other purposes if tagged as herein provided.

SEC. 3. Any such licensee may possess, trans- Sale reguport or sell any such wild animals or birds so brought into this state or raised in captivity within this state as hereinafter set forth. The flesh, horns, skins or carcasses of any such animals and the carcasses or plumage of such game birds may be possessed, transported or sold at any time, but only if tagged as directed by the state game warden with an indestructible tag or seal to be approved by the state game warden to the licensee upon payment of the actual cost thereof. When such game is used for food, such tags or seals shall remain attached to the carcass or parts thereof as aforesaid until the same has been consumed. In other cases, such tags or seals shall remain attached to such game or parts thereof until received by the purchaser thereof.

SEC. 4. The keeper of a hotel, restaurant, board- sale licenses ing house or club, or any retail dealer in meats, etc. may sell any such carcass or parts thereof, tagged and sealed as aforesaid, to any patron or consumer for actual consumption, after securing a license for such purposes from the state game warden, which license shall cost five dollars (\$5.00) per annum.

SEC. 5. Any common carrier may at any time Transporta-tion by transport any such carcass or part thereof if tagged common common

game.

lations.

for hotels.

or sealed as aforesaid, but to every such package containing such tagged or sealed carcass or parts thereof, shall be affixed an additional tag or label upon which shall be plainly printed or written the name of the licensee, the name of the consignee, the name of the person by whom the same was tagged or sealed, and the number of carcasses or parts thereof contained therein.

SEC. 6. Said licensee shall make quarterly reports on the first day of July, October, January and April to the state game warden on blanks to be furnished by the state game warden. Such report shall give a correct statement of the total number of such wild animals or birds owned, killed, transported or sold during said period under the provisions of this act, the names of the persons to whom the same were transported or sold, the names of the persons by whom the same were tagged and sealed. the increase of all classes of game, and such other data as the state game warden may deem necessary for the proper protection of the public. Each such report shall be verified by the affidavit of the licensee.

SEC. 7. After first having obtained a permit from the state or county game warden, it shall be lawful for any such licensee to obtain any number of wild animals or birds from the state game farms or from city park boards from another state or county, or from another licensee as herein provided.

SEC. 8. After obtaining a permit from the state game warden any such licensee may sell, give away or dispose of the eggs of any of the game birds lawfully in his possession, for propagation purposes only, and after said game animals or game birds have been taken or secured under the provisions of this act they may, with the consent of the game warden be transferred from one licensee to another.

Reports by licensees.

Sources of acquisition.

Transfers between licensees.

Disposal of eggs of game birds. Ch. 73.]

SEC. 9. Game birds or game animals maintained Game farms. upon land enclosed, upon which notice has been posted that the same is a game farm, as provided . in the preceding section, shall be the exclusive property of the licensed holder.

SEC. 10. The state game warden or his deputies Inspection by game may, at any time enter upon the game farm of said licensee for the purpose of inspection thereof, or for the purpose of enforcing this act.

wardens.

SEC. 11. Any person wilfully violating any of Penalty. the provisions of this act shall be guilty of a misdemeanor and punished as provided by law.

Passed the Senate February 7, 1919. Passed the House February 21, 1919. Approved by the Governor March 4, 1919.

## CHAPTER 73. [S. B. 88.]

#### DISPOSITION OF MONEYS OF PERMANENT HIGHWAY FUND

AN ACT relating to the improvement and maintenance of public highways, providing for the application of the permanent . highway fund to the payment of county road and bridge bonds and amending section 5879-14 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 5879-14 of Rem. & Bal. Code be amended to read as follows:

Section 5879-14. For the purpose of raising rev- Permanent enues for the improvement and maintenance of permanent highways under the provisions of this act, the proper state officers shall levy and collect a tax of one and one-half mills upon all property in the state subject to taxation for the year 1913, and for

highway

#### SESSION LAWS, 1919.

Tax levy.

Credit to counties.

Percentage for maintenance and repair.

County bonds for road improvements.

Application of county's excess credits in permanent highway fund.

each year thereafter. All moneys derived from such tax shall be paid into the state treasury and credited to a fund to be known as the "Permanent Highway The amounts received from each county Fund." shall be credited to the county paying the same, until such time as the same shall be expended on contracts for permanent highways within such county or for the maintenance of the same under the provisions of this act, or for the payment of interest on or the redemption of bonds as provided herein. Five per cent of all moneys credited to each county under this act and which shall be derived from taxes levied for the year 1912 and subsequent years shall be set aside and expended by the board of county commissioners. upon vouchers approved by such board, for maintaining and repairing roads constructed under the provisions of this act and other roads of like character, and no part of such five per cent shall be expended for any other purpose. Whenever any county shall hereafter issue bonds of the county for the making or improving of permanent highways or roads equal in character within such county, the board of county commissioners of such county may. at the time of ascertaining and levving taxes to pay the interest on such bonds or at the time of ascertaining and levying taxes to accumulate a sinking fund for the redemption of such bonds, by resolution entered upon their minutes, apply the whole or any portion of the permanent highway fund, then standing to the credit of such county on the books of the state auditor in excess of the amount necessary to pay all contracts then outstanding for the payment of which such fund is or may become liable the payment of such interest or to to such sinking fund. There shall be set forth in such resolution statements showing, first, the amount of all taxes levied in such county for the permanent highway fund which have not been remitted to the

state auditor or which remain uncollected and, second, all contracts for the payment of which the permanent highway fund credited to such county is or may become liable. The commissioners may apply such amount to the payment of interest or into the sinking fund without levving the tax required by law to be levied for such purposes, or the commissioners may, in addition to the amount so applied, levy a tax in addition thereto either to raise funds for the payment of interest or for the redemption of such bonds. A certified copy of such resolution shall be transmitted to the state auditor and upon receipt thereof, he shall transmit the amount so applied to the county treasurer who shall credit the same to the proper accounts for the purposes stated in such resolution.

Passed the Senate, February 17, 1919. Passed the House, February 27, 1919. Approved by the Governor March 4, 1919.

# CHAPTER 74.

## [S. B. 65.]

#### GRANT TO C. M. DURLAND OF STATE'S INTEREST IN CERTAIN LOTS IN CITY OF COLVILLE.

AN ACT granting to C. M. Durland all right, title and interest of the State of Washington in and to lots fifteen, sixteen, seventeen and eighteen (15, 16, 17 & 18) of block forty-two (42) of Myers Addition to the City of Colville.

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

SECTION 1. WHEREAS lots fifteen, sixteen, seventeen and eighteen (15, 16, 17 & 18) of block fortytwo (42) of Myers Addition to the City of Colville were, by decree of the superior court of Stevens county dated September 25, 1903, escheated to the State of Washington; and whereas said lots were erroneously assessed by said Stevens county, and the tax liens thereon were foreclosed and said lots were sold under foreclosure proceedings in 1900 to C. M. Durland; and whereas the said lots have since been claimed by the said Durland and his successors in interest as private property, and the State of Washington has made no attempt to assert title thereto; the State of Washington hereby grants unto the said C. M. Durland, his heirs, executors, administrators, successors and assigns, all right, title and interest of the State of Washington in and to the said lots fifteen, sixteen, seventeen and eighteen (15, 16, 17 & 18), block forty-two (42), Myers Addition to the City of Colville.

Passed the Senate, February 10, 1919. Passed the House, February 27, 1919. Approved by the Governor March 4, 1919.

# CHAPTER 75. [S. B. 108.]

#### GRANT OF SHORE LANDS TO CITY OF CLARKSTON.

An Act donating and granting to the City of Clarkston certain shore lands now belonging to the State of Washington.

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

SECTION 1. That all shore lands, now belonging to the State of Washington, on that part of Snake River lying in front of Lot One (1) of Section Twenty-eight (28) and Lot Five (5) of Section Twenty-one (21), of Township Eleven (11) North, of Range 46 East of the Willamette Meridian, in Asotin County, Washington, be, and the same are hereby donated to the City of Clarkston for park, parkway and boulevard purposes.

SEC. 2. The above grant shall never be used for any other than park, parkway or boulevard pur-

Donation for park and boulevard purposes.

Conditions of grant.

poses, including suitable street railway facilities. The City of Clarkston shall commence the improvement thereof within one year from the taking effect of this act, and within five years from that time shall expend at least twenty-five hundred dollars (\$2,500.00) in such improvements. The title to said lands shall revert to the State in case of failure of the City to comply with any of the provisions of this Reversion. section.

Passed the Senate, February 10, 1919. Passed the House, February 27, 1919. Approved by the Governor March 4, 1919.

# CHAPTER 76.

#### [S. B. 72.]

## BAIL AND RECOGNIZANCE IN JUSTICES' COURTS.

AN ACT relating to bail bonds and recognizances in Justice's Courts, and providing for the acceptance of money in lieu of other security.

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

SECTION 1. Justices of the Peace or Committing Money Magistrates may accept money as bail from persons accepted. charged with bailable offenses, and for the appearance of witnesses in all cases provided by law for the recognizance of witnesses. The amount of such bail or recognizance in each case shall be determined by the court in its discretion, and may from time to time be increased or decreased as circumstances may justify. The money to be received and accounted for in the same manner as provided by law for the Superior Courts.

Passed the Senate, February 14, 1919. Passed the House, February 27, 1919. Approved by the Governor March 4, 1919.

Ch. 76.1

### CHAPTER 77.

#### [S. B. 53.]

### SALARIES OF SUPREME AND SUPERIOR COURT JUDGES.

AN Act relating to the salaries of the judges of the supreme and superior courts and amending sections 1 and 2 of chapter 57 of Session Laws of 1907.

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

SECTION 1. That section 1 of chapter 57 of the Session Laws of 1907 be and the same is hereby amended to read as follows:

Section 1. Each judge of the supreme court shall receive an annual salary of seven thousand dollars (\$7,000.00). Each judge of the superior court shall receive an annual salary of four thousand five hundred dollars (\$4,500.00): *Provided*, that in counties of the first class each judge of the superior court shall receive an annual salary of five thousand dollars (\$5,000.00).

SEC. 2. That section 2 of chapter 57 of the Session Laws of 1907 be and the same is hereby amended to read as follows:

Section 2. This act shall take effect and be in force from and after the second Monday in January 1921: *Provided*, that the salary of all judges now elected shall remain during their present terms the same as at the time of their election.

Passed the Senate, January 29, 1919.

Passed the House, February 27, 1919.

Approved by the Governor March 4, 1919.

Time of taking effect.

Salaries.

## CHAPTER 78.

#### [S. B. 14.]

#### PROTECTION OF BEAVERS.

AN ACT relating to the protection and propagation of beavers, providing penalties, and amending Section 40 of Chapter 120 of the Laws of 1913.

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

SECTION 1. That section 40 of Chapter 120 of the Laws of 1913 be amended to read as follows:

Section 40. Beavers. No person shall in any Unlawful killing or manner hunt for, trap, take, catch or kill any beaver in this state or have in his possession alive or dead any beaver or any part thereof which has been caught or killed in this state. Nothing in this section, however, shall be construed to prevent any person residing in this state from having in his possession or from buying, selling or handling skins of beaver lawfully caught or killed outside of this state. Provided further that when any beaver skins Dealing in foreign skins are shipped into this state the consignee shall notify authorized. the state game warden of the place where said skins are stored, and said game warden shall inspect said skins and satisfy himself that they were not killed in the State of Washington and being so satisfied he shall stamp said skins with the words "Killed outside the State of Washington." Upon said skins being so stamped they may be offered for sale. Any Penalty. person who violates the provisions of this section shall be guilty of a misdemeanor.

Passed the Senate, February 17, 1919. Passed the House, February 27, 1919. Approved by the Governor March 4. 1919. possession.

## CHAPTER 79.

#### [S., S. B. 85.]

### ROOSEVELT HIGHWAY.

An Act combining state road No. 11 with state road No. 12 and establishing such combined road as a secondary state highway to be known as "Roosevelt Highway."

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

SECTION 1. That state road No. 11, as established by section 17 of chapter 164 of the Laws of 1915, from Marble Mount in Skagit county to Barron in Whatcom county, and state road No. 12, as established by section 18 of chapter 164 of the Laws of 1915, from Barron by way of Mazama, Winthrop, Twisp, Carlton and Methow, to a connection with state road No. 10 at Pateros in Okanogan county, shall constitute, and hereby is established as, a secondary state highway to be known as "Roosevelt Highway."

Passed the Senate February 17, 1919. Passed the House February 27, 1919. Approved by the Governor March 4, 1919.

Combination of state roads Nos. 11 and 12.

## CHAPTER 80.

#### [H. B. 93.]

#### PUBLIC PRINTING FOR MUNICIPAL CORPORATIONS.

AN ACT regulating the procuring of printing, binding and stationery work by counties, cities, towns, port districts and school districts, requiring that such work shall be executed within the state, except in certain instances.

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

SECTION 1. All printing, binding and stationery Work to be done work executed for or on behalf of any county, city, in state. town, port district or school district in this state shall be executed within the state, except as hereinafter provided, and all proposals, requests or invitations to submit bids, prices, or contracts for, and all contracts for such work shall so stipulate: Provided, that whenever it shall be established that any such work can not be executed within the state or that the lowest charge for which it can be procured Discretion within the state, exceeds the charge usually and outside state. customarily made to private individuals and corporations for work of similar character and quality. or that all bids for such work or any part thereof are excessive and not reasonably competitive, the officer or officers of any such municipal corporation shall have power to have said work to be executed outside the state.

SEC. 2. No bill or claim for any such work shall Allowance be allowed by any officer or officers of any such municipal corporation or be paid out of the funds thereof, unless it shall appear that such work was executed within the state or that the execution thereof within the state could not have been procured, or procured at reasonable and competitive rates, and no action shall be maintained against any such municipal corporation or its officers upon any

of claims.

contract for any such work unless it shall be alleged and proven that such work was executed within the state or that the bids received therefor were unreasonable or not truly competitive.

Conditions governing contracts outside state. SEC. 3. All contracts for such work to be executed outside the state as herein above provided, shall provide and require that such work shall be executed under conditions of labor and employment which shall substantially conform to the laws of this state respecting hours of labor and the minimum wage scale for women and minors, and the rules and regulations promulgated by the Industrial Welfare Commission of the State of Washington regarding conditions of employment, hours of labor and minimum wages, and the violation of such provision of any contract shall be ground for cancellation thereof.

SEC. 4. Nothing in this act shall be construed as requiring any public official to accept any such work of inferior quality or workmanship.

Passed the House, February 13, 1919. Passed the Senate, February 19, 1919.

Allowed to become law without the Governor's signature. I. M. HOWELL, Secretary of State.

Inferior quality.

## CHAPTER 81.

## [S. B. 36.]

#### INDEPENDENT HIGHWAY DISTRICTS.

AN ACT relating to Independent Highway Districts, equalization of assessments, levy and collection of assessments and amending Sections 8, 9, 11, 12, 13, and repealing Section 10 of Chapter 116 of the Session Laws of 1917, and further amending said act by adding thereto new sections to be known as sections 9a, 9b, 9c, 9d, 9e and 16a and declaring an emergency.

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

SECTION 1. That section 8 of chapter 116 of the Session Laws of 1917 be amended to read as follows:

Section 8. The board of directors shall have Powers of power to take conveyances or other assurances of all property acquired by it under the provisions of this act, in the name of the district, to and for the uses and purposes herein expressed, and to institute and maintain any and all actions and proceedings, suits at law or in equity necessary or proper in order to fully carry out the provisions of this act. or to enforce, maintain, protect or preserve any and all rights, privileges and immunities created by this act or acquired in pursuance thereof; and in all courts, actions, suits or proceedings, the said board may sue, appear and defend in person or by attorney, and in the name of the district. Any highway constructed under the provisions of this act may be Transfer of constructed over and upon any right of way heretofore or hereafter acquired for highway purposes dependent after securing the consent of the county commissioners of any county through which such highway may pass or into which it may extend and the county commissioners of any such county are hereby given

board.

full authority to make all necessary orders granting any right of way acquired for highway purposes to any independent highway district.

SEC. 2. That section 9 of chapter 116 of the Session Laws of 1917 be amended to read as follows:

Special election for bonding purposes.

Section 9. For the purposes of construction, reconstruction, betterment or acquisition of the necessary property and rights therefor, and to pay all necessary expenses in connection with the organization' of any highway district authorized by this act. and otherwise carrying out the provisions of this chapter, the board of directors of any such district shall, as soon after such district has been organized as may be practical and whenever thereafter the fund for any such purpose has been exhausted by, or shall appear to be inadequate to meet, the expenditures herein authorized therefrom, and the board deems it necessary or expedient to raise additional money for said purpose, estimate and determine the amount of money to be raised and shall immediately thereafter call a special election. At such election shall be submitted to the electors of said district possessing the qualifications prescribed by this act. the question whether or not the bonds of said district, in the amount so determined, shall be issued. Notice of such election shall be given by posting notices in three public places in each election precinct in said district for at least twenty days prior to the election, and also by publication of such notice in the official county newspaper published in the county where the office of the board of directors of such district is required to be kept, once a week for at least three successive weeks. Such notice must specify the time of holding the election, and the amount of bonds proposed to be issued; and said election shall he held and the result thereof determined and declared in all respects as nearly as practicable in con-

Law governing election.

Notice.

---6

formity with the provisions of this act governing the election of officers: Provided, that no informality in conducting such election shall invalidate the same if the election shall have been otherwise fairly conducted. At such election the ballot shall contain the words "Bonds-Yes", and "Bonds-No" or words equivalent thereto. If the majority of the votes cast are for "Bonds-Yes" the board of directors shall proceed to call for bids for the sale of the whole or any part of the amount of bonds so authorized. If a majority of the votes cast at any bond election are "Bonds-No", the result of such election shall be so declared and entered of record. Each issue of said bonds shall be payable in Bond requisites. gold coin of the United States, in ten series, to-wit: At the expiration of eleven years five per cent of the whole number of bonds issued; at the expiration of twelve years, six per cent; at the expiration of thirteen years, seven per cent; at the expiration of fourteen years, eight per cent; at the expiration of fifteen years, nine per cent; at the expiration of sixteen years, ten per cent; at the expiration of seventeen years, eleven per cent; at the expiration of eighteen years, thirteen per cent; at the expiration of nineteen years, fifteen per cent; at the expiration of twenty years, sixteen per cent, and shall bear interest at the rate of not to exceed six per cent per annum, to be determined by the board of directors payable semi-annually on the first day of January and July of each year. The principal and interest shall be payable at the place designated therein. Said bonds shall be each of the denomination of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00); shall be negotiable in form, signed by the president and secretary, and sealed with the seal of the board of directors. Each issue shall be numbered consecu-

161

tively as issued and the bonds of each issue shall be numbered consecutively and bear date of issue. One authority may cover one or more issues. Coupons for the interest shall be attached to each bond signed by the president of the board and the secretary. The signatures of the president and secretary may, however, appear by lithographic facsimile. Said bonds shall express upon their face that they were issued by authority of this act, stating its title and date of approval, and shall also state the number of issue of which such bonds are a part. Upon the authorization of an issue of bonds at an election held as provided in this section, the board of directors shall advertise said bonds, or any portion thereof, for sale and that the same will be sold to the best bidder therefor for cash who shall bid the highest price therefor for the whole or any portion of the issue, to be stated in the advertisement. Such advertisement shall be published once each week for four successive weeks in the official county newspaper of general circulation in the county where the district is situated and in such newspaper or financial journals as the board of directors may determine, and shall state the amount of the issue of bonds offered for sale and the respective amounts less than the whole for which bids will be received. and that sealed bids, stating the price bid and accompanied by certified checks for ten per cent of the amount of the bonds bid for, will be received by the secretary on or before, and opened by the board on a date to be fixed in said advertisement. On the date fixed in the advertisement, the board of directors shall meet at the place designated in the advertisement and shall open the bids and award the sale of the bonds to the best bidders therefor or the board may reject any and all bids and postpone or readvertise the sale of such bonds and in case any bidder or bidders shall fail, for twenty days after the open-

Award to highest bidder. ing of the bids to accept the bonds awarded and pay the price bid therefor, shall forfeit to the district the certified check accompanying the bid of such bidder and award the bonds to the next best bidder therefor, and when the bonds shall have been accepted and paid for, shall return to the unsuccessful bidders their respective certified checks accompanying their bids. The secretary shall keep a Record of sales. record of all bonds sold, their number, the date of sale, the price received and the name of the purchaser, and shall certify said record to the county treasurer who shall keep such record on the books of his office.

SEC. 3. That section 11 of chapter 116 of the Session Laws of 1917 be amended to read as follows:

Section 11. Whenever the estimated cost of the Bids for construction of any highway or portion thereof as and repairs. provided for in this act, or of any repair or betterment thereto, shall exceed the sum of one thousand dollars (\$1,000.00), bids shall be called therefor and the same may be let to the lowest and best responsible bidder therefor, after the adoption by the board of directors of plans and specifications prepared by the engineer of the district.

SEC. 4. That section 12 of chapter 116 of the Session Laws of 1917 be amended to read as follows:

Section 12. Any person to whom a contract may have been awarded for the construction or repair of any such highway, or any portion thereof, or for the furnishing of labor or material, shall enter into a bond, with good and sufficient surety to be approved by the board of directors, payable to said district for its use, for the amount of the contract price, conditioned for the faithful performance of said contract, and with such further conditions as

construction

Contractor's hond

may be required by law in the case of contracts for public work and as may be required by the resolution of the board. All work shall be done under the direction and to the satisfaction of the engineer of the district, and be approved by the board. Whenever, in the construction or repair of the highway. or any portion thereof, or the furnishing of materials therefor, the board of directors shall determine to let a contract or contracts for the doing of said work or the furnishing of said materials, a notice calling for sealed proposals shall be published in the official county newspaper in the county in which the office of the board is situated and in any other newspaper which may be designated by the board. and for such length of time, not less than two weeks. as may be fixed by the board. At the time and place appointed in the notice for the opening of bids, the sealed proposals shall be opened in public, and as soon as convenient thereafter, the board shall let said work or the contract for the purchase of materials, either in portion or as a whole, to the lowest responsible bidder or the board may reject any and all bids and readvertise, or may proceed to construct the work under its own superintendence. The board may in its call require bidders to bid separately on the basis of cash payment and on the basis of payment in bonds of the district previously authorized which bonds shall be accepted at par value plus accrued interest for any work, services or materials furnished. The board is authorized to make payment for any and all work, labor, materials, services or pay any indebtedness whatsoever against said district in bonds of the district previously authorized, at par value, plus accrued interest.

SEC. 5. That section 13 of chapter 116 of the Session Laws of 1917 be amended to read as follows:

Call for bids.

Bids on basis of cash or bond payments.

Section 13. The county treasurer of the county County treasurer in which is located the office of any highway dis- as district treasurer. trict, shall be and is hereby constituted ex-officio district treasurer of said district, and said county treasurer shall be liable upon his official bond and to criminal prosecution for malfeasance or misfeasance, or failure to perform any duty herein prescribed as county treasurer or district treasurer, as is provided by law in other cases as county treasurer. It shall be his duty to collect and receipt for all assessments levied as in this act provided. There shall be deposited with such county treasurer all sums collected for the defraying of the expenses of the district and they shall be placed by the county treasurer in the expense fund of the district. The said county treasurer shall also keep such other funds as may be required by law governing independent road districts, or provided by this act, or as required by the board of directors by resolution. and shall place therein moneys collected for said funds. The county treasurer shall pay out the moneys received or deposited with him, or any portion thereof, upon warrants drawn upon the several funds, signed by the president and countersigned by the secretary of the district, except the sums to be paid out of the bond interest and redemption fund upon the coupons and bonds presented to the treasurer. Warrants drawn upon any fund which is warrants. temporarily depleted may be stamped by the treasurer "Not paid for want of funds" with the date of presentation and shall draw interest at six per cent per annum until redeemed out of the fund upon which they are drawn, after call as provided by law for county warrants. The said treasurer shall report, in writing, on the first Monday of each month, Reports by to the board of directors of the district the amount and of money held by him, the amount in each fund, the

treasurer secretary. amount of warrants outstanding in each fund, the amount of receipts for the month preceding, in each fund, and the amount or amounts paid out of each fund, and said report shall be filed with the secretary of the board. The secretary shall also report to the board, in writing, on the first Tuesday in each month, the amount deposited with the county treasurer belonging to the district during the preceding month, the amount of receipts for the month preceding and the amount and items of expenditure during the preceding month, and said report shall be filed in the office of the board. Any bonds issued, by the district may be registered as to principal or principal and interest as provided by law for the registration of county bonds.

SEC. 6. That chapter 116 of the Session Laws of 1917 be amended by adding thereto a new section to be known as section 9a and to read as follows:

Section 9a. For the purpose of carrying out the provisions of this act and the payment of bonds and interest thereon, as the same shall fall due and warrants issued against any of the several funds of the district, and to meet maintenance charges and any necessary expenses in connection with the organization, annual assessments shall be made in proportion with benefits accruing to the lands assessed. At its meeting on the first Tuesday in March of each year the board shall determine the amount of money to be raised for the payment of any outstanding warrants, for any general expenses, maintenance charges, or principal or interest upon bonds of the district to come due during the period of collection of the next annual assessments and shall direct the secretary to prepare an assessment roll for the spreading of such assessments in proportion to benefits accruing to the lands within the district exclusive of improvements thereon. The

Registration of bonds.

Annual assessments. secretary must before the first Tuesday in June next Assessment books. following prepare an assessment book, with appropriate headings, in which must be listed all the lands within the district. In such book must be specified. in separate columns, under the appropriate headings:

The name of the person to whom the Entries required. First: property is assessed. If the name is not known to the secretary the property shall be assessed to "unknown owners."

Second: Land by township, range, section or fractional section, and when such land is not a legal subdivision, by metes and bounds or other description sufficient to identify it, giving an estimate of the number of acres, city and town lots, naming the city or town, and the number and block according to the system of numbering in such city or town, or plat recorded in the office of the county auditor.

Third: The ratio of benefits.

Fourth: The respective sums in dollars and cents to be paid as assessments on the respective parcels of land.

Fifth: Such other things as the board of directors may require.

Any property which may have escaped the pay- Omitted assessments. ment of any assessment for any year, shall, in addition to the assessment for the then current year. be assessed for such year with the same effect and with the same penalties as are provided for such current vear.

That chapter 116 of the Session Laws SEC. 7. of 1917 be amended by adding thereto a new section to be known as section 9b, and to read as follows:

Section 9b. The board of directors must allow Deputy the secretary as many deputies, to be appointed by appointment the board, as will, in the judgment of the board, pensation. enable him to complete the assessment roll within

assessors, and com-

Ch. 81.]

the time herein prescribed, compensation for such deputies to be fixed by the board for time actually engaged and only for work between the first Tuesday in March and the first Tuesday in June of each year, on or before which date the secretary must complete his assessment book and deliver it to the Thereafter the assessment book must reboard. main in the office of the secretary for the inspection of all persons interested until finally confirmed. The board shall then fix a time and place for the Equalization hearing on said roll and shall direct the secretary to give notice thereof and of the time the board acting as a board of equalization will meet to equalize the assessments, by publication once in a newspaper published in each county in which any of such independent highway may lie. The time shall not be less than twenty or more than thirty days from the date of such publication. Such published notice shall notify all persons interested that in accordance with law the secretary has prepared an assessment roll for the current year for the raising of necessary funds for the purposes of the district as directed by the board, that said roll will be open for inspection in his office that at the time and place fixed by the board, it will meet and proceed to consider said roll acting as a board of equalization and will equalize assessments, notifying any person interested therein that objections thereto must be made in writing and filed with the secretary on or before the last day of hearing thereon and that if not so filed objections cannot be heard, and that the board will consider said roll and properly filed objections thereto and will either confirm, modify or set aside said roll as shall be just and in accordance with special benefits to the land assessed. At the time and place specified in the notice for the hearing, the board, which is hereby constituted a board of equalization for that purpose, shall meet and con-

assessments.

Confirmation or modifica-tion of roll.

tinue in session from day to day as long as may be necessary, not to exceed ten days, exclusive of Sundays, to hear and determine such objections to the said assessment roll as may come before it; and the board may confirm said roll or modify the same as may be just and in accordance with special benefits or may set the same aside and order a new roll to be prepared by the secretary. The secretary shall be present during its session, and note all changes made at said hearing. In case the roll is Revised set aside or any assessments raised, a revised roll shall be prepared by the secretary, a time and place fixed for hearing and a new notice given as provided herein for the original hearing. When the board shall have confirmed the roll after hearings as herein provided the secretary shall complete the same as finally equalized.

Sec. 8. That chapter 116 of the Session Laws of 1917, be amended by adding thereto a new section to be known as section 9c and to read as follows:

Section 9c. Any person who has filed objections Appeal in writing with the secretary at the hearing on said court. assessment roll as hereinbefore provided, shall have the right to appeal from equalization as made to the superior court of the county in which the land assessed is situated. Such appeal shall be made by filing a written notice of appeal with the secretary of said board, within ten days after the equalization of said assessment roll by the board and said notice shall describe the property and the objection of such appellant to such assessment; and the appellant shall also file with the clerk of the superior court aforesaid within ten days of taking such appeal, a copy of said notice, appeal, assessment roll and proceedings therein, certified by the secretary of said board, together with a bond to such district conditioned to pay all costs that may be awarded

Ch. 81.]

against appellant in such sums, not less than two hundred dollars (\$200.00), and with such security as shall be approved by the clerk of said court, and the case shall be docketed by the clerk of such court in the name of the person taking such appeal as plaintiff, and, such district as defendant. Such cause shall then be at issue and shall be tried immediately by such court as in the case of equitable causes, except that no further pleadings shall be necessary. The judgment of the court shall be either to confirm, modify or annul the assessment in so far as the same affects the property of appellant with respect to which the appeal was taken from which judgment an appeal shall lie to the Supreme Court as in other causes.

SEC. 9. That chapter 116 of the Session Laws of 1917 be amended by adding thereto a new section to be known as section 9d, and to read as follows:

Section 9d. Whenever any such assessment roll shall have been confirmed by the board of directors as herein provided, the regularity, validity and correctness of the proceedings relating to such improvement and to the assessment therefor, including the action of the board upon such assessment roll, and the confirmation thereof, shall be conclusive in all things upon all parties, and cannot in any manner be contested or questioned in any proceeding whatsoever, by any person not filing written objections to such roll in the manner, and within the time provided in the preceding section, and not appealing from the action of the board in confirming such assessment roll in the manner and within the time in said section provided. No proceeding of any kind shall be commenced or prosecuted for the purpose of defeating or contesting any such assessment, or the sale of any property to pay such assessment, or any certificate of delinquency issued therefor,

Appeal to supreme court.

Conclusiveness of assessments. or the foreclosure of any lien issued therefor: Provided. That this section shall not be construed as prohibiting the bringing of injunction proceedings to prevent the sale of any real estate upon the grounds (1) that the property about to be sold does not appear upon the assessment roll or (2) that said assessment has been paid.

That chapter 116 of the Session Laws Sec. 10. of 1917 be amended by adding thereto a new section to be known as section 9e and to read as follows:

Section 9e. The assessment upon real property Lien of shall be a lien against the property assessed, from and after the date of the confirmation of the roll in the year in which it is confirmed, but as between grantor and grantee such lien shall not attach until the first Monday in February of the following year. which lien shall be paramount and superior to any other lien by mortgage or otherwise excepting for general taxes. On or before the first day of November, the secretary must deliver the assessment book to the County Treasurer of each county in which any land embraced within the boundaries of the district may lie, who shall immediately enter Entry on the same upon the tax rolls of his office, as provided tax rolls. by law for the entry of general taxes, against the land of each of the persons named in said assessment book, together with the amounts thereof, and the same shall be subject to the same penalties in case of delinquency as in case of general taxes, and subject to the same right of redemption and the land Redemption sold for the collection of said assessments shall be subject to the same right of redemption as in the sale of lands for general taxes.

SEC. 11. That chapter 116 of the Session Laws of 1917 be amended by adding thereto a new section to be known as section 16a, and to read as follows:

Section 16a. All acts and things of any inde- validation of organizapendent highway district heretofore organized tion and bond issues.

Injunctions, when allowed.

Ch. 81.1

under chapter 116 of the Session Laws of 1917, whether by the county commissioners or the board of directors or any officer of any such district, and which was done under and by authority of said chapter 116, and in any way relating to the organization of such district, or to the voting or authorization of bonds by its electorate, are in all respects hereby cured, validated, ratified and confirmed and declared legal and valid and such independent highway district is hereby authorized, through its board of directors and proper officers, to proceed to further carry out the object or objects of said act and all amendatory acts relating thereto from the point reached under said chapter 116.

Repealing clause.

Emergency.

SEC. 12. That section 10 of said Chapter 116 of the Session Laws of 1917 is hereby repealed.

SEC. 13. This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately.

Passed the Senate February 10, 1919. Passed the House February 27, 1919. Approved by the Governor March 5, 1919.

## CHAPTER 82.

### [S. B. 262.1

### GENERAL APPROPRIATIONS.

AN ACT making an appropriation for the purchase of land for, construction of buildings at, for maintenance of, and sundry expenses at the various State Institutions, schools and state offices, and for the sundry civil expenses of the state government, and for miscellaneous purposes for the fiscal term beginning April 1st, 1919, and ending March 31st, 1921, except as otherwise provided, and making appropriations for certain deficiencies, and declaring that this act shall take effect immediately.

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

The following sums or as much Authorizing Section 1. thereof as shall severally be found necessary, are tions. hereby appropriated out of any monies in the several funds of the state treasury hereinafter named in payment of the salaries of certain officers and employees of the state, and for the operation and maintenance of, and construction of buildings at, and other expenses for, and various state institutions and officers hereinbelow designated and mentioned, and for the other divers purposes hereinafter expressed, and for the fiscal term beginning April 1st, 1919, and ending March 31st, 1921, and as hereinafter or otherwise particularly specified the amount appropriated for all buildings for state institutions, whether penal, charitable, educational or reformatory to be expended under the direction of the board having control.

SEC. 2. The captions "Salaries and Wages" and Definitions. "Supplies. Material and Service" include all expenses incidental to the "Operation and Maintenance" of institutions and departments. Also, the term "Supplies, Material and Service" includes Pullman and parlor car fares for state officials and employees traveling on state's business. Expendi-

tures are of two classes, viz.: Outlay (new construction and equipment) and Operation and Maintenance (running expense). The first relates to the purchase of property, buildings, land and equipment and the making of new improvements. Whatever creates additional value, *i. e.*, augments the state's assets, is an "Outlay" as herein considered. The term "Operation and Maintenance" is applied to simply operating the machinery of government and keeping it in running order—any transaction which does not produce a betterment or increase over and above the original value, belongs under this head.

#### FROM THE GENERAL FUND.

FOR THE GOVERNOR'S OFFICE.

Governor.	Salary of governor	\$12,000	00
	Employees and clerk hire	15,000	00
	Supplies, material and service	6,850	00
	Capital outlays	250	00
	Purchase, maintenance and operation automobile	8,000	00
	Investigation purposes and survey of public lands	15,000	00
	Preparation of budget by board of finance	500	00
	Extradition expenses, examinations into infractions		
	of laws and rewards	15,000	00
	-	\$72,600	00
	FOR THE GOVERNOR'S MANSION.		
Governor's mansion.	Maintenance, furnishings, repairs, improvements and entertainment, to be disbursed on vouchers ap-		
	proved by the governor	\$15,000	00
	FOR THE LIEUTENANT GOVERNOR'S OFFICE.		
Lieutenant	Salary of lieutenant governor	\$2,400	00
Governor.	Hotel bills, while acting governor attending sessions,		
	and traveling expenses	1,000	00
	-	\$3,400	00
	FOR THE ATTOBNEY GENERAL'S OFFICE.		
Attorney General.	Salary of attorney general	\$6,000	00
	Assistants, clerk hire and stenographers	50,500	00
	Supplies, material and service	22,500	00
	Employment of special counsel or other assistance in		
	litigation arising out of federal control of public utilities	10,000	00
		\$89,000	00

174

FOR THE STATE AUDITOR'S OFFICE.

FOR THE STATE AUDITOR'S OFFICE.			
Salary of auditor	\$6,000	Ò0	Auditor.
Salary of assistant auditor	4,800	00	
Salary of deputy auditor	4,200		
Clerk hire	23,400		
	,		
Supplies, material and service	6,700	-	
Capital outlays	800	00	
· -			
	\$45,900	00	
FOR THE STATE BOARD OF EQUALIZATION.			
(Not to exceed \$750.00 per year)	\$1,500	00	Board of
(Not to exceed \$150.00 per year)	φ1,000	00	Equalization.
FOR THE STATE BOARD OF FINANCE.			
	<b>e</b> coo	~~	D
Salary of secretary	\$600		Board of Finance,
Expense	300	00	
-			
	<b>\$9</b> 00	00	
FOR THE COMMISSIONER OF PUBLIC LANDS.			
Salary of commissioner	\$6,000	00	Public
-	104,694		Land Com-
Employees, assistants and clerk hire			missioner.
Supplies, material and service	50,456		
Capital outlays	2,850		
Examination, appraisal and selection of lieu lands	22,500	00	
(Reappropriation) -			
	\$186,500	00	
FOR THE SECRETARY OF STATE-MAIN OFFICE			
Salary of secretary	\$6,000	00	Secretary
			of State.
Salary of assistant secretary	4,800		
Salary auditor and cashier	4,200		
Clerk hire	27,800	00	
Supplies, material and service	20,000	00	
Capital outlays	1,000	00	
- · ·			
	\$63,800	00	
FOR SECRETARY OF STATE-WEIGHTS AND MEASUR			
		00	Weights and
Salary of department superintendent	\$4,800	00	Measures.
Salary of inspector		~ ~	
	3,000	00	
Field deputies, supplies, material and service	3,000 23,200		
Field deputies, supplies, material and service Capital outlays		00	
	23,200	00	
	23,200	00 00	
Capital outlays	23,200 4,000 \$35,000	00 00	
Capital outlays	23,200 4,000 \$35,000	00 00	
Capital outlays 	23,200 4,000 \$35,000	00 00	
Capital outlays For Secretary of State—Department of Statisti Immigration, Salaries and wages:	23,200 4,000 \$35,000 CS AND	00 00 00	. *
Capital outlays For Secretary of State—Department of Statisti Immigration. Salaries and wages: Deputy commissioner	23,200 4,000 \$35,000 CS AND \$4,200	00 00 00	Statistics
Capital outlays For Secretary of State—Department of Statisti Immigration, Salaries and wages:	23,200 4,000 \$35,000 CS AND	00 00 00	and Im-
Capital outlays For Secretary of State—Department of Statisti Immigration. Salaries and wages: Deputy commissioner	23,200 4,000 \$35,000 CS AND \$4,200	00 00 00	
Capital outlays FOR SECRETARY OF STATE—DEPARTMENT OF STATISTI IMMIGRATION. Salaries and wages: Deputy commissioner Clerk hire	23,200 4,000 \$35,000 CS AND \$4,200 3,000	00 00 00	and Im-

\$15,000 00

## SESSION LAWS, 1919. [Ch. 82.

	. SECRETARY OF STATE.		
Publicity Fund.	Special publicity fund, subject to appropriations of an equal amount by Oregon and one-half of the amount by British Columbia, under direction Pa- cific Northwest Tourist Association	<b>\$</b> 50,000	00
	FOR SECRETARY OF STATE-PRINTING EXPER	r	
Printing			00
Expert.	Salary and measuring legislature printing	\$4,200	00
	FOB STATE BOARD OF CONTROL.		
Board of	Salaries of members	\$18,000	00
Control.	Clerks and stenographers	17,240	00
	Supplies, material and service	16,400	00
	-	\$51,640	00
	FOR STATE TREASURER'S OFFICE.		
Treasurer.	Salary of treasurer	\$6,000	00
110000000000	Deputy treasurer and clerk hire	14,400	00
	Supplies, material and service	5,850	00
	Capital outlays	500	00
Initiative	-	\$26,750	00
and Referendum.	For Initiative and Referendum	\$25,000	00
· .	FOR THE SUPREME COUBT.		
Supreme	Salary of judges	\$108,000	00
Court.	Salary of clerk	6,000	
	Salary of deputy	4,200	
	Salary of clerks and stenographers	21,600	
	Supplies, material and service	18,000	
	Capital outlays	110	
		\$157,910	00
.•	FOR THE COURT REPORTER'S OFFICE	ψ101,010	
Supreme	Salary of reporter	\$7,000	00
Court	Proof reader and clerk hire	8,200	
Reporter.	Supplies, material and service	5,800	
	-	\$21,000	00
	FOR THE STATE LAW LIBRARIAN.	<b>-</b> -,	
Law	Salary of librarian	\$6,000	00
Law Library.	Salary of assistant librarian	\$0,000 3,000	
	Salary of 2nd assistant librarian	2,400	
	Supplies, material and service	3,500	
	Capital outlays	12,500	

\$27,400 00

•

.

•			
FOR THE STATE BAR EXAMINERS.			
Expense	\$3,000	00	Bar Ex- aminers.
FOR SUPERIOR COURTS.			
Salary of judges (45 judges at \$1500 per annum)	\$135,000	00	Superior
Salary of judges, pro tem	1,000		Courts.
Supplies, material and service	6,000	00	
	\$142,000	00	
FOR UNIFORM LAW COMMISSION.			TIniform
Expense	\$600	00	Uniform Law Com- mission.
FOR THE PUBLIC SERVICE COMMISSION (General (	Office).		
Salaries and wages:			
Commissioners	\$30,000	00	Public
Traffic expert	10,000		Service
Chief engineer	7,200		Commission.
Tariff clerk	2,800		
Secretary			
Reporter	4,200		•
Inspector, safety appliances	6,000		
Assistant inspector safety appliances	4,800		
Extra engineers, clerks, etc	4,800 63,800		
Supplies, material and service	48,400		
Capital outlays	1,000		
-	\$183,000	00	
	,,		
FOR THE INDUSTRIAL INSURANCE COMMISSION.			
Salaries of commissioners	\$21,600	00	Industrial
Salary, chief medical adviser	6,000	00	Insurance Commission.
Clerk hire, traveling auditors, etc	235,000	00	
Supplies, material and service	116,000	00	
Capital outlays	8,800	00	
-	\$387,400	00	
For Insurance Commissioner.			
Salary of commissioner	<b>86</b> 000	00	_
	\$6,000		Insurance Commis-
Salary of deputy and other employees	47,700		sioner.
Supplies, material and service Capital outlays	22,800		
	1,250		
Examining insurance companies	9,700		
Investigation supposed incendiary fires	12,000	00	
	\$99,450	00	

.

# SESSION LAWS, 1919.

## FOR STATE TAX COMMISSIONER.

	FOR STATE TAX COMMISSIONER.		
Tax Com-	Salary of commissioner	\$6,000	00
missioner.	Clerks, stenographers, assistant commissioner	10,000	00
	Supplies, material and service	9,000	00
	Capital outlays	500	00
	Special investigations	750	00
		\$26,250	00
	FOR THE STATE LABOR COMMISSIONER.		
Labor Com-	Salary of commissioner	\$6,000	00
missioner.	Salary of dep't. commissioner	3,600	00
	Clerk hire	6,500	00
	Supplies, material and service	4,700	00
	Capital outlays	100	00
	Expense of arbitration	7,500	00
	-	\$28,400	00
	FOR THE OFFICE OF STATE LABOR COMMISSION	ER	
	(Steamboat Inspection).		
Steamboat	Salaries and wages	\$1,200	00
Inspection.	Supplies, material and service	600	
	-	\$1,800	00
	(Expenditures not to exceed collections for same.)	<i>,</i> ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
	FOR THE OFFICE OF STATE LABOR COMMISSION	ER	
	• (Factory Inspection).		
Factory Inspection.	(Expenditures for factory inspection not to exceed collections for same.)		
	Salaries of six inspectors	\$18,600	00
	Supplies, material and service	11,300	
	Capital outlays	100	
		\$30,000	00
	FOR THE OFFICE OF STATE BANK EXAMINER OR COMM	ISSIONER	<b>.</b>
	Salaries and wages	\$52,800	00
Bank Examiner.	Supplies, material and service	28,500	
	Capital outlays	1,700	
	-	\$83,000	00
	FOR THE OFFICE OF STATE MINE INSPECTOR.		
Mine	Salary of inspector	\$6,000	00
Inspector.	Salary of deputy inspector	\$6,000 4,800	
	Salary of deputy inspector	· · .	
	Supplies, material and service	2,400 7,250	
	Capital outlays	1,200	
		1,200	vv

.

Ch. 82.] SESSION LAWS, 1919. State board of examiners. Salaries (3 members at \$6 per day when employed)..... \$700 00 Meals, lodging and transportation of board..... 500 00 \$22,850 00 FOR THE OFFICE OF STATE HOTEL INSPECTOR. Salary of inspector ..... \$4,800 00 Hotel Inspection. Salary of 3 dep't. inspectors ..... 10,800 00 Clerk hire ..... 500 00 Supplies, material and service ..... 6.175 00 \$22,275 00 FOR THE STATE BOARD OF HEALTH. Salary of commissioner \$10,000 00 Board of Health. Salary of epidemiologist ..... 7.200 00 Salary of assistant registrar ..... 3,000 00 Salary of stenographers, clerks, and assistants..... 10.200 00 Salary of bacteriologist ..... 6.000 00 Salary of sanitary engineer ..... 6,000 00 Supplies, material and service ..... 24,715 00 \$67,115 00 FOR THE BUREAU OF INSPECTION AND SUPERVISION OF PUBLIC OFFICES. Salaries of members ..... \$15,000 00 Bureau of Inspection. Salary of secretary..... 3.000 00 Clerk hire and stenographer..... 2,400 00 Supplies, material and service..... 10,900 00 Capital outlays ..... 1.000 00 \$32,300 00 FOR THE STATE BOARD OF BARBER EXAMINERS. (Expenditures not to exceed collections of the board.) Salaries and per diem..... \$6.000 00 Barber Examiners. Supplies, material and service ..... 4.000 00 \$10,000 00 FOR THE STATE BOARD OF DENTAL EXAMINERS. (Expenditures not to exceed collections.) Salaries and per diem..... Dental \$1,300 00 Examiners. Supplies, material and service..... 2,800 00 Capital outlays ..... 1.200 00

\$5,300 00

179

180	SESSION LAWS, 1919.	[Ch.	82.
	FOR THE EMBALMERS EXAMINING BOARD.		
	(Expenditures not to exceed collections.)		
Embalmers'	Salaries and per diem	\$505	00
Board.	Supplies, material and service	495	
	—	\$1,000	00
	FOR THE STATE BOARD OF MEDICAL EXAMINERS.		
	(Expenditures not to exceed collections.)		
Medical	Salaries and per diem	\$2,000	00
Examiners.	Supplies, material and service	5,090	00
	. —	\$7,090	00
	FOR THE STATE BOARD OF NURSE EXAMINERS.		
	(Expenditures not to exceed collections.)	·	
Nurse	Salaries and per diem	\$1,450	00
Examiners.	Supplies, material and service	1,050	00
		\$2,500	00
	FOR THE STATE BOARD OF PHARMACY.		
	(Expenditures not to exceed collections.)		
Pharmacy	Salary of secretary	\$4,800	00
Board.	Salaries and per diem	2,900	00
	Supplies, material and service	3,500	00
		\$11,200	00
	FOR THE STATE BOARD OF OPTOMETRY.		
	(Expenditures not to exceed collections.)		
Optometry Board.	Salaries and per diem	\$600	00
Board.	Supplies, material and service	750	00
	Capital outlays	150	00
		\$1,500	00
	FOR THE STATE BOARD OF VETERINARY EXAMINED	RS.	
Totonin o	(Expenditures not to exceed collections.)		
Veterinary Examiners.	Expenses of all kinds	<b>\$</b> 500	00
	FOR THE STATE BOARD OF CHIROPODY.		
Chiropody	(Expenditures not to exceed collections.)		
Board.	Expenses of all kinds	<b>\$</b> 500	00
	FOR THE BOARD OF OSTEOPATHIC EXAMINERS.		
Osteopathic	(Expenditures not to exceed collections.)		
Examiners.	Expenses of all kinds	\$2,000	00
	FOR THE BOARD OF CHIROPRACTIC EXAMINERS.		
	(Expenditures not to exceed collections.)		
Chiropractic Examiners.	Expenses of all kinds	\$1,000	00

Ch. 82.]

.

٠

FOR THE BOARD OF DRUGLESS EXAMINERS OF THE S OF WASHINGTON.	STATE		
(Expenditures not to exceed collections.)			
Expenses of all kinds	\$1,000	00	Drugless Examiners.
FOR THE STATE NAUTICAL SCHOOL.			
Expenses of all kinds	\$50,000	00	Nautical School.
FOR THE OFFICE OF SUPERINTENDENT OF PUBLIC INST	FRUCTION.		
Salary of superintendent	\$6,000	00	Public
Salary of ass't. superintendent	4,800	00	Instruction.
Salary of dep't. superintendent	4,200	00	
Salary of executive secretary	3,000	00	
Clerk hire	6,000	00	
Supplies, material and service	25,300		
Capital outlays	250		
-	\$49,550	00	
RURAL EXTENSION DEPARTMENT.			
Salaries and wages	\$5,200	00	
Supplies, material and service	2,600	00	
- HIGH SCHOOL SUPERVISION.	\$7,800	00	
Salaries and wages	\$5,050	00	
Supplies, material and service	3,750		
-	\$8,800	00	
STATE BOARD OF EDUCATION.			
Salaries and wages	\$500	00	
Supplies, material and service	2,500	00	
	\$3,000	00	
VOCATIONAL EDUCATION.			
Salaries and wages and clerk hire	\$16,350	00	
Supplies, material and service	7,500		
Capital outlays	150	00	
•	\$24,000	00	
INDUSTBIAL AND AGRICULTURAL WORK.			
Salaries and wages	<b>\$</b> 6,300	00	
Supplies, material and service	8,700		
	\$15,000	00	
-	\$108,150	00	

TOTAL APPROPRIATION FOR SUP'T. PUBLIC INSTRUCTION...\$108,150 00

182	SESSION LAWS, 1919.	[Ch.	82.
	FOR THE STATE LIBRARY.		
State Library.	Salary of librarian Stenographer Supplies, material and service	\$3,600 1,800 2,640	00
	Binding public documents	2,040 2,000 2,000	00
	-	\$12,040	00
	FOR THE TRAVELING LIBRARY.		
Traveling Library.	Salary of superintendent Clerk hire and assistants	\$3,600 6,600	00
	Supplies, material and service Capital outlays	5,030 10,450	
	-	\$25,680	00
	FOR THE STATE HISTORICAL SOCIETY.		
Historical Society.	Salary of secretary Clerk hire and assistants	\$3,600 5,400	
-	Supplies, material and service	3,500	
	Capital outlays	10,740	
	FOR THE OFFICE DIRECTOR OF FARM MARKET	\$23,240 s.	00
Farm Markets.	Salary and expenses	\$20,000	00
	FOR THE STATE GEOLOGICAL SURVEY.		
Coologianl	Salaries and wages	\$6,900	00
Geological Survey.	Supplies, material and service	7,400	
	Investigation and surveys	5,700	
	_	\$20,000	00
Торо-	TOPOGRAPHICAL AND HYDROGRAPHICAL SURVEY		
graphical Survey.	(Conditional on U. S. Gov't. spending like sum.)	\$35,000	00
,	FOR THE STATE HYDRAULIC ENGINEER.		
Hydraulic	Salary of engineer	<sup>.</sup> <b>\$10,000</b>	00
Engineer.	Salary of assistant and clerk hire Extra field force and reporting of testimony, de-	.11,040	
	termination of water rights, etc	7,150	
	Supplies, material and service Capital outlays	13,200 1,810	
	-	\$43,200	
Criminal	FOR CRIMINAL COST BILLS	\$27,000	
Cost Bills.	FOR OMBINAL COST DILLS	φ <b>41,000</b>	00

.

Ch. 82.]

.

.

FOR THE STATE BOARD OF CONTROL.

FOR THE STATE DOARD OF CONTROL.			
Parole Department:			
Salaries and wages	\$14,880	00	Parole of
Supplies, material and service	15,120		Prisoners.
-			
	\$30,000	00	
Transportation incorrigibles, diseased persons, con- victs and insane:			
Salaries and wages	\$23,040	00	Transporta-
Supplies, material and service	42,960	00	tion of con- victs, etc.
	\$66,000	00	
FOB THE STATE PENITENTIARY.			• .
Salaries and wages, supplies, material and service	\$281,050	00	Penitentiary.
Maintenance	10,000	00	
Capital outlays	18,000		
Additional land	1,200		
	\$310,250	00	
OPEBATION JUTE MILL.			
Salaries and wages	\$29,000	00	
Supplies, material and service	240,000		
	\$269,000	00	
TOTAL FOR PENITENTIARY	\$579,250	00	
FOR THE STATE SCHOOL FOR GIRLS.			
Salaries and wages, supplies, materials and service	\$87,326	00	State School
Maintenance	4,000	00	for Girls.
Capital outlays	147,700	00	
-	\$239,026	00	
FOR THE STATE TRAINING SCHOOL.			
Gelenies and magon supplies material and contra	#171 000	00	
Salaries and wages, supplies, material and service	\$171,000		State Train- ing School.
Maintenance	15,000		mg benoot.
Capital outlays	17,500		
Gymnasium and shop row	60,000		
Instructors and equipment	10,000	00	
	\$273,500	00	
(Training school is to be paid from C. E. P. & R. I.	Fund un	til	
exhausted. Balance from General Fund.)			

# 184

# SESSION LAWS, 1919.

	FOR THE WASHINGTON STATE REFORMATORY	r <b>.</b>		
State Re-	Salaries and wages	\$60,000	00	
formatory.	Supplies, material and service	104,400	00	
	Maintenance	5,000		
	Capital outlays	3,000		
	Domestic help, superintendent's residence	1,200	00	
		\$173,600	00	
Tuberculosis.	STATE AID FOB TUBERCULOSIS HOSPITALS	\$150,000	00	
	FOR RELIEF MOUNTAIN VIEW SANITABIUM, TACOMA	\$1,771	79	
DEPORTATION OF ALIEN AND NON-RESIDENT INSA				
•	(By Board of Control.)			
Deportation of Insane.	Salaries and wages, supplies, material and service	\$25,000	00	
	FOR THE EASTERN STATE HOSPITAL.			
Hospitals	Salaries and wages, supplies, materials and service	\$517,387	00	
for Insane.	Maintenance	22,000	00	
	Capital outlays	20,800		
	Purchase of land	800	00	
		<b>\$</b> 560,987	00	
	FOR THE WESTERN STATE HOSPITAL.			
	Salaries and wages, supplies, material and service	\$534,375	00	
	Maintenance	35,000	00	
	Purchase of truck	4,000	00	
	New laundry, detached power house (reappropria-		~~	
	tions)	80,000		
	Capital outlays	11,000		
		\$664,375	00	
	FOR THE NORTHERN STATE HOSPITAL.			
	Salaries and wages, supplies, material and service	\$381,425	00	
	Maintenance	18,000		
	Capital outlays	188,600	00	
		<b>\$</b> 588,025	00	
	FOR THE STATE CUSTODIAL SCHOOL.			
Custodial School.	Salaries and wages	\$100,080		
School.	Supplies, material and service	208,200		
	Maintenance	10,000		
	Capital outlays	37,000		
	Boring for artesian water	3,500	<u>.</u>	

\$358,780 00

Ch. 82.]

FOR THE STATE SCHOOL FOR THE BLIND.

Salaries and wages Supplies, materials and service Maintenance Capital outlays	\$33,510 30,410 2,000 10,730	00 00	School for Blind.
	\$76,650	00	
FOR THE STATE SCHOOL FOR THE DEAF.			
Salaries and wages	\$54,780		School for Deaf.
Supplies, material and service	49,220		Dear.
Maintenance Capital outlays	5,000		
Expenses of students attending Gallandet College	$7,300 \\ 2,500$		
	2,500		
	\$118,800	00	
FOR THE STATE SOLDIERS' HOME AND COLON	Y.		
Salary, superintendent	\$3,600	00	Soldiers'
Salaries and wages	50,680		Home and Colony.
Supplies, material and service	55,220	00	Colony.
Maintenance	15,000	00	
Capital outlays	101,200	00	
Cottage for care taker	2,000	00	
-	\$227,700	00	
Colony:			
Salaries and wages	\$2,360	00	
Maintenance	41,640	00	
-	\$44,000	00	
- Total for Soldiers' Home and Colony	\$271,700	00	
FOR THE WASHINGTON VETERANS' HOME.			
Salaries and wages	\$85,880	00	Veterans'
Supplies, material and service	105,100	00	Home.
Maintenance	8,000	00	
Capital outlays	54,500	00	
-	\$253,480	00	
FOR THE STATE CAPITOL COMMISSION.			
Expense	\$7,500	00	
FOR CAPITOL BUILDINGS AND GROUNDS.			
Salaries and wages	\$31,500	00	Capitol
Supplies, material and service	13,800		Buildings
Maintenance	5,000	00	and Grounds
-	\$50,300	00	

.

.

186	SESSION LAWS, 1919.	[Ch.	82.
	FOR THE TEMPLE OF JUSTICE.		
Temple of Justice.	Salaries and wages Supplies, material and service Maintenance	\$14,200 9,000 1,200	00
	-	\$24,400	00
	FOR THE INDUSTRIAL WELFARE COMMISSION		
Industrial	Salary of secretary	\$3,600	00
Welfare.	Clerk hire	2,250	00
	Supplies, material and service	4,700	
	Capital outlays	300	00
		\$10,850	00
	FOR THE STATE FIRE WARDEN.		
Fire	Salary of forester	\$5,400	00
Warden.	Clerk hire	8,800	00
	Supplies, material and service	6,000	00
	Field operations	80,000	00
		\$100,200	00
Miscellan-	Bounties on wild animals	\$35,000	00
eous.	For the public archives commission	1,500	00
	For guaranteed interest on series "B" A. Y. P. E.		
	warrants For guaranteed interest on shore land improvement	2,500	00
	warrants	28,000	00
	For the Pacific Coast Rescue and Protective Society		
	of Everett, Washington	3,000	00
	For the Children's Home, Tacoma	3,000	00
	For the White Shield Home, Tacoma	3,000	
	For the Lebanon Home, Ballard	3,000	00
	For the Theodore Home, Seattle	3,000	00
	For the Florence Crittenden Home, Seattle	3,000	00
	For the Florence Crittenden Home, Spokane	3,000	00
	For the Salvation Army Home, Spokane	3,000	00
	For the Ladies G. A. R. Home, Puyallup	3,000	00
	For care of graves of Spanish-American war veterans	144	00
	FROM THE MILITARY FUND.		
National	For State Military Department:		
Guard.	Salary of adjutant general	\$7,200	00
	Employees of military department and clerk hire.	61,200	00
	Supplies, material and service Maintenance of fencing and grounds for military	304,720	00
	reservation	1,000	00
	· Relief appropriations	733	
	-	\$374,853	62

.

.

FROM THE PUBLIC HIGHWAY FUND.

	FROM THE PUBLIC HIGHWAY FUND.			
(	Office of State Highway Commissioner:			
	Salaries and wages—			
	Salary of commissioner	\$10,000	00	Highway Commis- sioner.
	and clerk hire	36,760	00	sionen
	Capital outlays	1,500	00	
	Supplies, material and service	16,560	00	
	-	· · ·		
		\$64,820	00	
	MISCELLANEOUS FUNDS.			
		\$272,000	00	Capitol
	For the Capitol Building Construction Fund, interest	\$22,000	00	Building.
]	For the Harbor Improvement Fund (To be dis-			
	tributed in accordance with chapters 168, 169 and			Harbor Im-
	170, Laws of 1913, based on receipts)	\$100,000	00	provement.
1	For the Industrial Insurance Commission, from the			
	accident fund for the payment of claims, awards, etc	4 000 000	00	Industrial
1	For the State Medical Aid Board, from the medical	4,000,000	00	Insurance.
-	aid fund, salaries, supplies, material and service,			
	medical aid awards and other expense	31.000.000	00	Medical Aid.
	-	, ,		
	FROM THE GENERAL FUND.			
1	For the relief of the city of Tacoma, account of local			
	assessment, Dist. No. 592	\$2,070	96	Relief, etc.
]	For relief, city of Kennewick, local improvement and			
	irrigation assessments and interest Districts No. 1			
	and No. 3	195	62	
I	For relief, city of Spokane, local improvement assess-			
	ments and interest Districts Nos. W 42, 611, 646,			
1	1, 459, 788, 354, 353, 14, 553, and 373 For relief, R. H., Una E. and Chas. H. Stiles, for	2,169	00	
	plowing sec. 2 and N. E. ¼ sec. 11, twp. 29, No. R.			
	28-E	690	00	
I	For relief, Ruben E. Thacker, executor estate Lillian	000	00	
	May Thacker for overpayment inheritance tax	94	58	
I	For relief, city of Port Townsend, local improvement			
	assessment against state property Dists. No. 2 and			
	No. 8	338	22	
1	For relief, Fred McGonagle, state money in Fremont			
n	bank, when it suspended	388	04	
	The Western Life and Casualty Company of Denver, Colorado (Refund license fee)	93	00	
F	Solorado (Refund Reense ree)           Hugh Barkley (Refund over-payment of land)	93 29		
Ī	Visconsin Logging & Timber Co. (Refund over-pay-	40	TO	
	ment of land)	296	26	
F	Frank P. Fisher (Refund over-payment of land)	165	60	

187

# SESSION LAWS, 1919.

FROM THE PUBLIC HIGHWAY FUND.

	FROM THE PUBLIC HIGHWAY FUND.		
	Whatcom County, Washington (Local improvement		
	assessment)	\$2,823	66
	FROM BOARD OF CHIROPODY APPROPRIATION-For bienniu	m 1919-19	21.
	For the relief of J. C. McCain	\$5	10
	For the relief of Geo. R. Davis	42	06
	For the relief of Margaret Duvall Cover	50	13
	• FOR THE DEPARTMENT OF AGRICULTURE. (General Office.)		
Agriculture,	Salary of commissioner	\$8,000	00
Department of.	Salary of chief clerk	4,800	00
	Clerks and stenographers	12,000	00
	Supplies, material and service	21,530	00
	Capital outlays	1,400	00
	Dairy and Live Stock Division:	\$47,730	00
	Salary of chief of division	\$5,000	00
	Salary of veterinary inspectors (5)	21,000	00
	Salary of dairy inspectors (5)	18,000	00
	Salary of special inspectors	2,500	00
	Supplies, material and service	36,064	00
	Capital outlays	5,000	00
	Destruction predatory animals	20,000	00
	Indemnity and expenses, re bovine tuberculosis		
	eradication work	50,000	00
		\$157,564	00
	Horticultural Division:		~~
	Salary, chief of division	\$5,000	
	Salary of inspectors (10)	36,000	
	Supplies, material and service	21,750	
	Capital outlays	5,000	
	F. F. F. & O. Division:	\$67,750	00
	Salary, chief of division	\$5,000	00
	Salaries and wages	23,280	00
	Supplies, material and service	15,600	00
	Capital outlays	1,200	00
	Seed Division:	\$45,080	00
	Seed analyst	\$3,600	00
	Supplies, material and service	2,000	00
		\$5,600	00
	Total for Department of Agriculture	\$323,724	00

.

FOR THE WASHINGTON STATE FAIR.

FOR THE WASHINGTON STATE FAIL.	
Salaries and wages\$11,400 00 StateSupplies, material and service30,000 00	ate Fair.
<b>\$</b> 41,400,00	
\$41,400 00 For the State College.	
(From the Scientific and Agricultural College Current Fund until Sta	ato
exhausted, balance from the State College Fund.)	llege.
wages, and supplies, material and service \$897,588 35	
Capital outlays 151,756 45	
\$1,049,344 80	
(At least \$75,000.00 of above to be expended at Puyallup Experi-	
ment Station.)	
From the General Fund: Dairy building and equipment at state college \$175,000 00	
Dormitory at state college	
Completion of agricultural building at state col-	
lege	
Buildings and equipment and all other expenses	
at Prosser experiment station	
Dairy barn, land and stock, Puyallup experiment	
station	
Amount required to secure Smith-Lever fund from	
United States government for co-operative agri-	
cultural extension work 61,963 34	
FOB THE UNIVERSITY OF WASHINGTON.	
(From the University Current Fund until exhausted, balance Un from the University of Washington Fund.)	iversity Wash- cton.
Operation and maintenance, including salaries and	
wages, supplies, material and service\$1,507,089 00	
Capital outlays, instructional equipment 126,400 00	
\$1,633,489 00	
FOR THE UNIVERSITY OF WASHINGTON.	
(From the University of Washington Building Fund.)	
For the erection, alteration, maintenance, equipping	
or furnishing of buildings for the University of Washington \$471,428 07	
FOR THE UNIVERSITY OF WASHINGTON.	
(From the General Fund.)	
For amount required to conduct mining research in	
connection with the United States Bureau of	
Mines experimental station (Reappropriation) \$20,000 00	

SESSION LAWS, 1919.

.

.

190		[0.1.02.			
	<ul> <li>For amount required to cruise and value the lands of the University of Washington for exchange with the state, to create a demonstration forest, to be expended by the University of Washington in conjunction with the state land department (Reappropriation).</li> <li>For amount required to duplicate fees collected from students for the University of Washington Build- ing Fund during the biennium, to be expended for the erection, alteration, maintenance, equipping, or furnishing of buildings for the University of</li> </ul>	<b>\$</b> 7,500 00			
	Washington For reconstruction and repairs of buildings, replace- ments and repairs of roadways and sanitary,	\$47,737 27			
	water, steam, gas and electric service systems For the erection, equipping and furnishing of a reci- tation building (Philosophy Hall)	\$180,000 00 \$200,000 00			
		<b>, ,</b>			
	FOR THE CHENEY NORMAL SCHOOL.				
Cheney Normal.	(\$20,000 from the Normal School Current Fund until exhausted, balance from Cheney Normal School Fund.)				
	Salaries and wages, supplies, material and service	\$245,440 00			
	Capital outlays	45,000 00			
	,	\$290,440 00			
	(From the General Fund.)				
	Dormitory building and equipment	<b>\$</b> 75,000 00			
	FOR THE ELLENSBURG NORMAL SCHOOL.				
Ellensburg Normal.	(\$16,622.00 from the Normal School Current Fund until exhausted, balance from the Ellensburg Normal School Fund.)				
	Salaries and wages, supplies, material and service Capital outlays				
		\$242,380 00			
	(From the General Fund.)	<b>,, ,</b>			
	Dormitory building and equipment	\$75,000 00			
	FOR THE BELLINGHAM NORMAL SCHOOL.				
Bellingham Normal.	(\$23,378.00 to be paid from the Normal School Curren . exhausted, balance from the Bellingham Normal School Fund.)	t Fund until			
	Salaries and wages, supplies, material and service	\$265,000 00			
	Capital outlays				
	Local improvement assessments Districts 560, 571	2,497 91			

\$349.497 91

	\$15,000 100,000	
FROM CHENEY NORMAL SCHOOL FUND.		
City of Cheney, local improvement assessment against normal school	<b>\$</b> 658	08
FROM THE ELLENSBURG NORMAL SCHOOL FUND.		
City of Ellensburg, local improvement districts No. 1918 "A," 1911 "F"	\$2,087	62
FROM THE MILITARY FUND.		

City of Seattle. local improvement district 2895..... \$96 14 City of Yakima, local improvement district No. 270.. 15 35

SEC. 3. This act is necessary for the immediate Emergency. preservation of the public peace, health and safety and for the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 27, 1919. Passed the House February 28, 1919. Approved by the Governor March 5, 1919.

# CHAPTER 83. [H. B. 42.]

#### RELIEF OF INDIGENT SOLDIERS, SAILORS AND MARINES.

AN ACT relating to the relief of soldiers, sailors and marines and their families, and amending sections 8914, 8915, 8916, 8917, 8918, 8929 and 8919 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 8914 of Rem. & Bal. Code be amended to read as follows:

Section 8914. For the relief of indigent and County aid authorized. suffering Union soldiers, sailors and marines who

Ch. 83.1

served in the Civil War, in the war of Mexico or in any of the Indian wars in the United States, the Spanish-American war and Philippine insurrection, soldiers, sailors and marines who served in the United States Army, Navy, or Marine Corps between April 6, 1917, and the date upon which peace is finally concluded with the German government and its allies, or soldiers, sailors and marines who served in the Army, Navy, or Marine Corps of the United States in any other foreign war, insurrection or expedition, which service shall be governed by the issuance of a campaign badge by the government of the United States of America, and their families, or the families of those deceased, who need assistance in any city, town or precinct in this state, the board of commissioners of the county in which said city, town or precinct is situated, shall provide such sum or sums of money as may be necessary, to be drawn upon by the commander and quartermaster of any post of the Grand Army of the Republic. camp of the United Spanish War Veterans, in said city or town upon recommendation of the relief committee of said post, or camp, in the same manner as is now provided by law for the relief of the poor: Provided. Said soldier, sailor or marine or the families of those deceased are and have been residents of the state for at least twelve months, and the orders of said commander and guartermaster shall be the proper voucher for the expenditure of said sum or sums of money.

SEC. 2. [Vetoed.]

SEC. 3. [Vetoed.]

SEC. 4. [Vetoed.]

SEC. 5. That section 8918 of Rem. & Bal. Code be amended to read as follows:

Section 8918. County commissioners are hereby prohibited from sending indigent Union, Spanish-

Prohibition against sending to almshouse.

American war soldiers, sailors and marines, soldiers, sailors and marines who served the United States in the United States Army, Navy, or Marine Corps between April 6, 1917, and the date upon which peace is finally concluded with the German government and its allies, or soldiers, sailors and marines who served in the Army, Navy, or Marine Corps of the United States in any other foreign war. insurrection or expedition, which service shall be governed by the issuance of a campaign badge by the government of the United States of America (or their families, or the families of the deceased), of the classes of persons mentioned in section 8914, to any almshouse (or orphan asylum) without the concurrence and consent of the commander and relief committee of the post of the Grand Army of the Republic, camp of the United Spanish War Veterans, having jurisdiction, as provided in sections 8914 and 8915. Indigent veterans shall, whenever practicable, be provided for and relieved at their homes in such city, town or precinct in which they shall have a residence, in the manner provided in sections 8914 and 8915. Indigent or disabled veterans of the classes specified in section 8914 who are not insane and have no families or friends with whom they may be domiciled, may be sent to any soldiers' home.

SEC. 6. That section 8929 of Rem. & Bal. Code be amended to read as follows:

Section 8929. It shall be the duty of the board Burial at of county commissioners in each of the counties in expense. this state to designate some proper authority, other than the one designated by law for the care of paupers and the custody of criminals, who shall cause to be interred at the expense of the county the body of any honorably discharged soldier, sailor or ma-

county

Ch. 83.]

-7

rine who served in the army or navy of the United States of America during the late Civil War, or in the war with Mexico, or in any of the Indian wars that occurred in the State of Washington, or the Spanish-American war and the Philippine insurrection, soldiers, sailors and marines who served in the United States Army, Navy or Marine Corps between April 6, 1917, and the date upon which peace is finally concluded with the German government and its allies, or soldiers, sailors and marines who served in the Army, Navy or Marine Corps of the United States in any other foreign war, insurrection or expedition, which service shall be governed by the issuance of a campaign badge by the government of the United States of America, and the wives or widows of such soldiers. sailors or marines when requested so to do by the commanding officer of any post of the Grand Army of the Republic or camp of the United Spanish War Veterans, or the relief committee of any of such posts or camps: Provided, however. That such interment shall not cost more than fifty dollars. If the deceased has relatives or friends who desire to conduct the burial of such deceased person, then upon request of said commander or relief committee the sum of fifty dollars shall be paid to said relatives or friends by the county upon due proof of death and burial of any person provided for by this section and proof of expenses incurred.

SEC. 7. That section 8919 of Rem. & Bal. Code be amended to read as follows:

Section 8919. The boards of county commissioners of the several counties in this state shall levy, in addition to the taxes now levied by law, a tax not less than one-fortieth of one mill, and not greater than one-fifth of one mill, upon the taxable property of their respective counties, to be levied Ch. 83.1

and collected as now prescribed by law for the assessment and collection of taxes for the purpose of creating a fund for the relief of honorably discharged soldiers, sailors and marines who served in the Civil War, in the war of Mexico or in any of the Indian wars, or the Spanish-American war or the Philippine insurrection, soldiers, sailors and marines who served in the United States Army, Navy, or Marine Corps between April 6, 1917, and the date upon which peace is finally concluded with the German government and its allies, or soldiers, sailors and marines who served in the Army, Navy or Marine Corps of the United States in any other foreign war, insurrection or expedition, which service shall be governed by the issuance of a campaign badge by the government of the United States of America, and the indigent wives, widows and minor children of such indigent or deceased soldiers, sailors and marines, to be disbursed for such relief by such board of county commissioners. The admin- Relief istration of the relief as mentioned in this act shall tration. be administered in the ways and manners aforesaid until a recognized national society of all discharged soldiers, sailors and marines who served in the United States Army, Navy or Marine Corps between April 6, 1917, and the day upon which peace is finally concluded with the German government and its allies is organized.

SEC. 8. This act is necessary for the immediate Emergency. preservation of the public peace, health and safety. and shall take effect immediately.

Passed the House January 30, 1919.

Passed the Senate February 19, 1919.

Approved by the Governor with the exceptions of Sections 2, 3, 4, which are vetoed, March 3, 1919. Veto sustained March 3, 1919.

## CHAPTER 84.

## [H. B. 55.]

#### COUNTY LAW LIBRARIES.

An Act to establish county law libraries in certain counties and to provide for their government and maintenance.

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

SECTION 1. In each county having a population of three hundred thousand or more there shall be a county law library, which shall be governed and maintained as hereinafter provided.

Sec. 2. There shall be in every such county a board of law library trustees consisting of five members to be constituted as follows: The chairman of the board of county commissioners shall be ex-officio a trustee, and the judges of the superior court of the county shall choose two of their number and two members of the bar of the county to be trustees. The term of office of a member of the board who is a judge shall be for as long as he continues to be a judge, and the term of a member who is from the bar shall be four years. Vacancies shall be filled as they occur and in the manner above directed. The office of trustee shall be without salary or other compensation. The board shall elect one of their number president and the librarian shall act as secretary. Meetings shall be held at least quarterly and as much oftener and at such times as may be prescribed by rule.

SEC. 3. The board of law library trustees shall have power:

(1) To make and enforce rules for their own procedure and for the government, care and use of the library, and for the guidance of employees.

Board of trustees.

Authoriza-

Officers and meetings.

Powers of board. Ch. 84.1

(2) To remove any trustee, except an *ex-officio* trustee, for neglect to attend the meetings of the board.

(3) To employ a librarian and assistants and to prescribe their duties, fix their compensation and remove them at will.

(4) To purchase books, periodicals and other property suitable for the library and to accept gifts and bequests of money and property for the library, and to sell property which is unsuitable or not needed for the library.

(5) To examine and approve for payment claims and demands payable out of the county law library fund.

SEC. 4. The board of law library trustees shall, Reports by trustees. on or before the first Monday in September of each year, make a report to the board of county commissioners of their county giving the condition of their trust, with a full statement of all property received and how used, the number of books and other publications on hand, the number added by purchase, gift or otherwise during the preceding year, the number lost or missing, and such other information as may be of public interest, together with a financial report showing all receipts and disbursements of money.

The board of county commissioners of County to Sec. 5. each county to which this act is applicable shall, library upon demand by the board of law library trustees. provide a room suitable for the law library, adequately heated and lighted.

SEC. 6. The use of a county law library shall be Persons enfree to the judges of the state and to state and library. county officials and to the inhabitants of the county. The board of law library trustees may prescribe uniform rules for the use of the library.

titled to use

Publications to be supplied by state officials.

State law library duplicates.

Library fund, fees credited to. SEC. 7. State officials charged with the distribution of books, reports and publications are authorized to supply to each county law library established under this act the same books, reports and publications, and in the same quantities, as they are authorized to supply to the law library of the University of Washington; and the librarian of the state law library is hereby authorized and directed to distribute among the county law libraries established under this act, such duplicates of books and publications as may be in the supreme court library not needed for its purposes.

In every civil action hereafter com-Sec. 8. menced in the superior courts of counties to which this act is applicable, there shall be paid to the clerk of the court, in addition to other fees' required by law, by the plaintiff or person instituting the action, when the case is entered in the court or when the first paper on his part is filed therein, a fee of one dollar (\$1.00), and by the defendant or other adverse party and by an intervenor, or by groups of two or more defendants or other adverse parties or intervenors appearing separately from the others, when his or their appearance is entered in the case, or when his or their first paper is filed therein, a fee of one dollar (\$1.00). Such fees shall be costs in the case and taxable as such. The clerk shall pay the same into the county treasury, where they shall go into the law library fund and be expended only for the county law library.

Passed the House, January 31, 1919. Passed the Senate, February 26, 1919.

Permitted to become law without signature of Governor.

I. M. Howell, Secretary of State.

#### CHAPTER 85.

#### [S. B. 84.]

## ELECTION OF SUPREME AND SUPERIOR COURT JUDGES.

AN ACT relating to the nomination and election of superior court and supreme court judges, and amending section 4842 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 4842 of Rem. & Bal. Code be amended to read as follows:

Section 4842. When there are to be elected at Judicial ticket. any general election one or more judges of the supreme court, or of the superior court of any county, the candidates for each respective office whose names are to be placed on the general election ticket shall be determined as follows: The number of candidates equaling the number of judicial positions to be filled who receive the highest number of votes at the primary election, and an equal number of candidates for such positions, providing there are such candidates, who receive the next highest number of votes, shall be the candidates for such respec- Ballot tive offices and their names shall appear on the genof candidates. eral election ballot under the designation of such respective offices: Provided, however, that where any candidate for any such office shall receive a majority of all votes cast at such primary election for such office, the name or names of such candidates receiving such majority shall be printed separately on the general election ballot, under the designation "Vote for ----", and the name or names of no opposing candidate or candidates shall be printed on such ballot in opposition to such candidate or candidates, but spaces equaling the number of such majority candidates shall be left following such name or names, in which the voter may insert the name of any person for whom he wishes to cast

arrangement

his ballot. Following the names of such majority candidates, under the designation "Vote for \_\_\_\_," the names of the minority candidates who have received the highest number of votes at the primary election equal to twice the number of the remaining places to be filled shall be printed: Provided, further, that the secretary of state, or other proper certifying officer, in certifying to the several county auditors of the state the names of candidates for judicial offices shall specify the names of those who have received a majority vote at such primary election, together with the names of the minority candidates who are entitled to have their names placed upon the official ballot. For the purpose of determining whether any candidate or candidates shall have received a majority of the votes cast under the provisions of this section the number of votes cast shall be determined by adding together the number of votes cast for each candidate and dividing the sum of such votes by the number of positions to be filled, and any candidate who receives a number of votes in excess of one-half of the votes cast as thus determined shall be deemed to have received a majority of the votes cast. If it shall appear that a number of candidates in excess of the number of positions to be filled shall have received a majority of votes cast, then there shall be printed upon the ballot only the names of the candidates who received the highest number of votes and equal to the number of places to be filled. The names of all such candidates for such judicial offices shall appear on the general election ballot under the heading: "Judicial Ticket." Where a vacancy or other cause shall necessitate the election of a judge for a short term, and at the same election one or more judges are to be elected for the full term candidates may announce themselves for either the short or full term, and the ballots shall be arranged accordingly.

Majority of votes cast, how determined.

Short term candidates.

There shall be a separate ballot for the candidates for nomination for such judicial offices, for use in the primary election, and such ballots shall be printed, delivered, voted and counted as hereinbefore provided for the general primary election ballot: Provided, that any voter shall have the privilege of voting this ticket alone. The form of said ballot shall be substantially as follows:

### JUDICIAL ELECTION BALLOT.

To vote for a person make a cross (X) in the Form of hallot square at the RIGHT of the name of the person for whom you desire to vote.

Judges of Supreme Court. Vote for Judges of Superior Court. Vote for

John Dos	John Doe
John Doe	 John Doe
John Doe	John Doe

Passed the Senate February 5, 1919. Passed the House February 27, 1919. Approved by the Governor March 6, 1919.

## CHAPTER 86.

#### [H. B. 314.]

## RECORDING DISCHARGE CERTIFICATES OF SOLDIERS, SAILORS AND MARINES.

AN ACT relating to the duties of County Auditors.

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

SECTION 1. It shall be the duty of County Aud- No fees chargeable. itors to record without charge, in a book kept for that purpose, the certificate of discharge of any honorably discharged soldier, sailor or marine who

201

Ch. 86.1

served with the United States forces in the war with Germany and her allies.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately.

Passed the House, March 4, 1919. Passed the Senate, March 5, 1919. Approved by the Governor March 6, 1919.

# CHAPTER 87.

## [S. B. 63.]

#### APPOINTMENT OF DEPUTY ASSESSOR.

AN ACT relating to assessment and taxation and amending section 3973 of Remington & Ballinger's Code.

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

SECTION 1. That Section 3973 of Remington & Ballinger's Code be and the same is hereby amended to read as follows:

Section 3973. Any assessor who deems it necessary, to enable him to complete the listing and the valuation of the property of his county within the time prescribed by law, may appoint one or more well qualified citizens of his county to act as his assistants or deputies and assign them to such portion of his county as he thinks proper; and each assistant so appointed shall, under the direction of the assessor, after taking the required oath, perform all the duties enjoined upon, vested in or imposed upon assessors by the provisions of this act; and each of such deputies shall receive for his services while actually employed in such work the sum which may be designated and allowed by the board of county commissioners: Provided, that no assessor shall appoint any deputy unless the same be

Deputy assessors, appointment and compensation.

Emergency.

actually necessary, and then for no longer time than may be actually needed: Provided, further, that the county commissioners may limit the number of deputies to be employed by the assessor: *Provided*. further, that the assessor may with the consent of Valuation the county commissioners appoint one or more expert assistants in the valuation of any particular class of property in the county which assistants need not be residents of said county.

SEC. 2. This act is necessary for the immediate Emergency. support of the State Government and its existing institutions and shall take effect immediately.

Passed the Senate February 17, 1919. Passed the House March 6, 1919. Approved by the Governor March 10, 1919.

# CHAPTER 88. [H. B. 44.]

#### DISBURSEMENT OF INTERSTATE BRIDGE FUND.

AN ACT relating to interstate bridges, the collection and disbursement of tolls therefrom, and amending section 7 of chapter 22 of the Laws of 1915.

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

SECTION 1. That section 7 of chapter 22 of the laws of 1915 be amended to read as follows:

Section 7. The moneys collected shall be kept Fund by the county treasurer in a separate fund and shall be known as the interstate bridge fund and shall. be used for the purpose of paying for the operating expenses of any such interstate bridge, and in case any such county is required to pay interest on any bonded indebtedness for the construction of such Disburseinterstate bridge then to be applied upon the pay- authorized. ment of such interest, the remainder of any such

ments

created.

experts.

Ch. 88.1

sum in the hands of the county treasurer may until June 1st. 1921, be expended upon the public highways of the county for the permanent improvement or hard surfacing of the highways of the county under the direction and control of the county commissioners: Provided, that the moneys collected from such tolls can only be expended upon warrants drawn by order of the county commissioners. and the money used for permanent improvement of the highways shall be expended under the direction of the county commissioners and shall be used only for permanent improvement: Provided, further, that not more than one-fourth  $(\frac{1}{4})$  of said remainder of said moneys may be expended so as to form continuous improved highways leading to the approach of the said interstate bridge and to this end such counties and the commissioners thereof are hereby authorized to use one-fourth (1/4) of the remainder of moneys aforesaid in the improvement of any arterial highway or highways leading to such interstate bridge within the limits of any incorporated city or town.

Passed the House, January 29, 1919. Passed the Senate, March 5, 1919. Approved by the Governor March 10, 1919.

Control of expenditures.

Limitation on highway disbursements.

#### CHAPTER 89.

[S. H. B. 16.]

#### PHYSICAL EDUCATION IN SCHOOLS AND COLLEGES.

AN ACT providing for courses in Physical Education, for elementary and secondary schools, for state normal schools and for the University of Washington and the State College of Washington, and prescribing special duties of the State Board of Education in the administration thereof.

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

SECTION 1. After the first day of September, 1919, during periods averaging at least twenty minutes in each school day, every pupil attending the first eight grades of the public schools of the State of Washington, shall receive as part of the required instruction therein, such courses in physical education as shall be prescribed by the State Board of Education: Provided, that individual pupils or students may be excused on account of physical disability or religious belief.

SEC. 2. All high schools of the state and all Requirement state normal schools, the University of Washington, the State College of Washington, shall, each of them, emphasize the work in physical education, and shall carry into effect all such courses provided by the State Board of Education; said courses to provide for a minimum of ninety minutes in each school week: Provided, that individual students may be excused on account of physical disability or religious belief, or because of participation in directed athletics or military science and tactics.

SEC. 3. The State Board of Education shall, on Duty of or before August 1st, 1919, prepare said courses board of education. of instruction in physical education, and shall direct and enforce the instruction in such courses throughout the state, with the assistance of the

Course for common schools.

for higher institutions.

board of

school officials, principals, county superintendents, boards of directors of the public schools, boards of trustees of the state normal schools, and boards of regents of the University of Washington, and of the State College of Washington.

Distribution of printed courses. SEC. 4. Prior to September 1st, 1919, the State Superintendent of Public Instruction shall cause to be printed and distributed to school officials, principals, county superintendents, boards of directors of public schools, boards of trustees of the state normal schools, and boards of regents of the University of Washington, of the State College of Washington, a sufficient number of copies of said courses, to supply all teachers in the state concerned in the enforcement of the provisions of this act, and shall cause any revision or revisions of said courses to be printed and distributed in like manner.

SEC. 5. It shall be the duty of school officials, principals, county superintendents, boards of directors of public schools, boards of trustees of the state normal schools, and boards of regents of the University of Washington, and of the State College of Washington, to direct and enforce said courses in physical education, or any revision or revisions thereof, as may be prescribed by the State Board of Education.

Passed the House, February 19, 1919. Passed the Senate, March 5, 1919. Approved by the Governor March 11, 1919.

Duty of school officials.

### CHAPTER 90.

#### [S. B. 93.1

#### SCHOOL CODE AMENDMENTS.

AN ACT relating to education and to the Public Schools; to the consolidation of school districts; to the powers of school directors: to the display of the United States Flag and penalty for violation; to interest of directors in contracts or purchases of district and to compensation of directors for expense of attending meetings; to approval of building plans and specifications by County Superintendent; to duties of School Secretaries; to apportionment of school funds; to holding of teachers institutes; to the issuance and sale of school bonds: to school elections in districts of the first class: to appeals; to investment of school funds and amending Sections 4445, 4470, 4481, 4482, 4487, 4493, 4494, 4500, 4509, 4569, 4575, 4580, 4607, 4609, 4667, 4668, 4669, 4670, 4671, 4672, 4675, 4694, 4685, 4707, and adding a new section thereto, to be known as Section 4482A, and repealing Sections 4674, 4676, 4677, 4679, 4680, 4681 and 4682 of Remington and Ballinger's Annotated Codes and Statutes of the State of Washington.

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

SECTION 1. That Section 4445 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 4445. All school districts formed by the Property uniting of two or more districts, as provided for in attach to this act, shall be entitled to the public property of district. school districts so united and to all current funds in excess of outstanding indebtedness, other than bonded indebtedness, and the county superintendent shall transfer all such excess funds to the new district, in accordance with this provision and shall certify such transfer to the county treasurer: Provided, that for the purpose of apportionment the Rule for consolidated district shall be considered one district: Provided, further, that for the purpose of funds. apportionment the consolidated district shall be credited with two thousand days' attendance in ad-

consolidation

dition to actual attendance for each district, less one, so consolidated: *Provided*, *further*, that in order to be entitled to apportionment when two or more districts have consolidated, the board of directors of such district shall elect a superintendent or principal who shall be subject to all conditions, duties and powers fixed by the Code of Public Instruction for superintendents or principals in districts of the second class.

SEC. 2. That Section 4470 of Remington & Ballinger's Annotated Codes and Statutes of Washington is hereby amended to read as follows:

Section 4470. In case any school district shall have less than an average daily attendance of four pupils or shall not have maintained at least the minimum amount of school required by law during the last preceding school year, or in case of territory which is not now a part of any school district, or in which there are no children of school age, the county superintendent shall have power to attach such territory to some contiguous school district or school districts without being petitioned to do so: *Provided*, that if any school district so disorganized shall have any outstanding bonds, warrants or other indebtedness the assessable property of such district shall be holden for the payment of such indebtedness.

SEC. 3. That Section 4481 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 4481. Every board of directors, unless otherwise specially provided by law, shall have power and it shall be its duty:

First: To employ for not more than one year, and for sufficient cause to discharge teachers, and to fix, alter, allow and order paid their salaries and compensation. The directors, except in districts of

Election of principal

for new district.

Disorganization of districts.

Powers of district board.

the first class, shall make with each teacher employed by them a written or printed contract, which Employment shall be in conformity with the laws of this state, charge of teachers. and every such contract shall be made in duplicate, one copy of which shall be retained by the school district clerk, and the other shall be delivered to the teacher after having been approved and registered by the county superintendent as by law required.

Second: To enforce the rules and regulations Enforcement prescribed by the superintendent of public instruc- courses of tion and the state board of education for the government of schools, pupils and teachers, and to enforce the course of study lawfully prescribed for the schools of their districts.

Third: To rent, repair, furnish and insure Care of school-houses, to employ janitors, laborers and mechanics.

Fourth: To cause all school-houses to be properly heated, lighted and ventilated, and to cause all school premises to be maintained in a cleanly and sanitary condition.

Fifth: To purchase personal property in the Purchase name of the district and to receive, lease, issue and lease of property. hold for their district any real or personal property.

Sixth: To suspend or expel pupils from school who refuse to obey the rules thereof, and they shall exclude from school all children under six years of age.

Seventh: To provide free text books and sup- Free text plies to be loaned to the pupils of the school, when in their judgment the best interests of their district will be subserved thereby, and to prescribe such rules and regulations as they shall deem necessary to preserve such books and supplies from unnecessary damage, also to provide for the expendi-

of rules and vhute

school-

Suspension. etc., of pupils.

books.

Ch. 90.1

tures of a reasonable amount for suitable commencement exercises.

Eighth: To require all pupils to be furnished with such books as may have been adopted by the lawful authority of this state, as a condition to membership in the schools.

Ninth: To exclude from schools and school libraries all books, tracts, papers and other publications of an immoral or pernicious tendency.

Tenth: To authorize the school-room to be used for summer or night schools, or for public, literary, scientific, religious, political, mechanical and agricultural meetings, under such regulations as the board of directors may adopt.

Eleventh: To provide and pay for transportation of children to and from school whether such children live within or without the district when in their judgment the best interests of their district will be subserved thereby, but the directors shall not be compelled to transport any pupil living within two miles of the school house. When children are transported from one school district to another the board of directors of the respective districts may enter into a written contract providing for a division of the cost of such transportation between the districts.

Night schools.

National flag, display and exercises. Twelfth: To establish and maintain night schools.

SEC. 4. That Section 4482 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 4482. Every board of directors of the several school districts of this state shall procure a United States flag, which shall be replaced with a new one whenever the same becomes tattered, torn or faded, and shall cause said flag to be displayed upon or near each public school building during

Pupils to procure

necessary

Exclusion of immoral publications.

Use of schoolroom for other purposes.

Transportation of pupils.

cost between districts.

Division of

school hours, except in unsuitable weather, and at such other times as to said board may seem proper, and shall cause appropriate flag exercises to be held in every school at least once in each week at which exercises the pupils shall recite the following salute to the flag: "I pledge allegiance to my flag and to the republic for which it stands. One nation indivisible with liberty and justice for all."

That Remington & Ballinger's Anno-SEC. 5. tated Codes and Statutes of Washington be amended by adding thereto a new section known as Section 4482A, and to read as follows:

Section 4482A. Any member of any board of Failure to directors of any school in the state, or any person employed by any board of directors of any school district, wilfully refusing or neglecting to comply with Section 4482, shall be guilty of a misdemeanor and upon conviction shall be fined in a sum not to exceed \$10.00. Providing that any person so convicted may be discharged from further service by Penalty. the said school board.

SEC. 6. That Section 4487 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 4487. It shall be unlawful for any direc- Pecuniary tor to have any pecuniary interest, either directly or indirectly in the purchase of school sites or in the erection of school houses, or in the warming, ventilating, furnishing, repairing or insuring of the same, or to be in any manner interested in or connected with the furnishing of supplies for the maintenance of schools, or to receive or accept any compensation or reward for services rendered as director or be employed for hire by said district or by any person having a contract with said district: Provided, that nothing in this section shall be construed to prevent a director elected as clerk from acting

discharge flag duties.

interest in contracts prohibited.

as purchasing agent for his district, or for receiving such compensation for performing the duties of school district clerk as are now or may hereafter be provided by law: Provided further, that the actual expenses of directors incurred in going to and returning from and while in attendance upon any directors' meeting or other meeting called or held in compliance with this code, also like expenses of superintendents or other school representatives. chosen by the directors attending any conferences or meetings or upon any urgent school business, called by the state superintendent or authorized by the directors, may be paid by the district.

SEC. 7. That Section 4493 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 4493. Whenever any board of directors of school districts of the third class shall be authorized, by the electors of their district, to erect a school building, it shall be the duty of such board, before entering into any contract for the erection of any buildings, to obtain the approval of the county superintendent of the county in which the building is to be erected, of the plans and specifications for the building to be erected, said superintendent to give special attention to the provisions made therein for heating, lighting and ventilation.

SEC. 8. That Section 4500 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 4500. It shall be the duty of the secretary to be present at all meetings of the board, to keep an accurate journal of the proceedings, to take charge of its books and documents, to countersign all warrants for school money drawn upon the county treasurer by order of the board; he may be authorized by the board to act as business manager,

Duties of secretary of first-class district.

Actual expenses

allowed.

Ch. 90.1

purchasing agent, superintendent of buildings and janitors, and charged with the special care of school buildings and other property of the district; he shall also perform such other duties as the board may direct.

SEC. 9. That Section 4509 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Every board of directors of a Powers of Section 4509. school district of the first class shall, in addition to districts. the general powers enumerated in Chapter XVII (XV) of this title have the power:

First: To employ for a term of not exceeding three years a city superintendent of schools of the district, and for cause to dismiss him; and to fix his duties and compensation.

Second: To prescribe a course of study and a program of exercises which shall not be inconsistent with the course of study prepared by the state board of education for the use of the common schools of this state.

Third: To make necessary by-laws for more effectively carrying out the provisions of this act and for facilitating the work of the board, as required by law.

Fourth: To adopt and enforce such rules and regulations as may be deemed essential to the well being of the schools, and to establish and maintain such grades and departments, including night, high, kindergarten, manual training and industrial schools and schools and departments for the education and training of any class or classes of defective youth, as shall, in the judgment of the board, best promote the interests of education in that district.

Fifth: To employ, and, for cause, to dismiss teachers and janitors; to determine the length of time over and above eight (8) months that school

shall be maintained: *Provided*, that for purposes of apportionment no district shall be credited with more than one hundred and eighty-three days' attendance in any school year; to fix the time for annual opening and closing of schools and for the daily dismissal of primary pupils before the regular time for closing schools.

Sixth: To employ a business manager, attorneys, an architect, inspectors of construction, superintendents of buildings and janitors, and a superintendent of supplies and other employees, and to prescribe their duties and fix their compensation.

Seventh: To employ, and for cause dismiss one or more assistant city superintendents and to define their duties and fix their compensation.

Eighth: To employ, and for cause dismiss, supervisors of instruction, and to define their duties and fix their compensation.

Ninth: To maintain a shop and repair department, and to employ a foreman and the necessary help for the maintenance and conduct thereof.

Tenth: To provide free text books and supplies for all children attending school, when so ordered by a vote of the electors; or if the free text books are not voted by the electors, to provide books for children of indigent parents, on the written statement of the city superintendent that the parents of such children are not able to purchase them.

Eleventh: To require of the officers or employees of the district to give a bond for the faithful discharge of their duties in such penal sum as may be fixed by the board with good and sufficient surety, and to cause the premium for all bonds required of all such officers or employees to be paid by the district.

Twelfth: To prohibit all secret fraternities and sororities among the students in any of the schools of the said districts.

Thirteenth: To appoint a practicing physician, resident of the school district, who shall be known as the school district medical inspector, and whose duty it shall be to decide for the board of directors all questions of sanitation and health affecting the safety and welfare of the public schools of the district; he or authorized deputies shall make monthly inspections of each school in the district and report the condition of the same to the board of education and board of health: Provided, however, that children shall not be required to submit to vaccination against the will of their parents or guardian.

SEC. 10. That Section 4575 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 4575. Whenever the number of school Teachers' districts in any county is twenty-five or more, the county superintendent must arrange for holding a teachers' institute for at least three days in any manner which he believes will be of the greatest benefit to his teachers.

SEC. 11. That Section 4580 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 4580. When the institute is held during the time when a teacher is employed in teaching, attending, institute. his pay shall not be diminished by reason of his attendance when certified by the county superintendent, and in addition to the actual attendance earned by the district, an additional attendance shall be credited to the district, determined by multiplying Attendance the average daily attendance for the term by the district. number of days the teacher attended the institute: Provided, not to exceed three days for each teacher shall be credited for attendance at institute in any one year.

institutes

Compensa-tion while

с

SEC. 12. That Section 4607 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

The board of directors of any Section 4607. school district provided for in this act, or hereafter created in this state may borrow money and issue negotiable coupon bonds therefor to any amount not to exceed five (5) per cent of the taxable property in such district, as shown by the last assessment roll for county and state purposes previous to the incurring of such indebtedness; except that in incorporated cities the assessment shall be taken from the last assessment for city purposes, for the purpose of funding outstanding indebtedness, or bonds heretofore issued, or issued under the provisions of this act, or for the purchase of a school house site or sites for buildings or playgrounds authorized by law, erecting one or more school houses, an administration building and all other buildings authorized by law and providing the same with all necessary furniture, apparatus or equipment, or for any or all of these purposes, when authorized by vote of the district so to do, as provided in the next section: Provided, that the bonds so issued shall bear a rate of interest not to exceed six (6) per cent per annum, interest payable annually or semiannually, payable and redeemable at such time as may be designated in the bonds. All school district bonds shall be payable within a period of not to exceed twenty-three years from date, except when issued by districts of the first class for the purpose of acquiring buildings or playground sites, or of erecting buildings of a permanent character, in which case they shall be made payable in semi-annual installments, beginning the third year, over any period not exceeding forty years from date. And provided further: that from and after July 1, 1919

Bond issues for borrowed money. all bonds issued by any school district shall be issued in serial form.

SEC. 13. That Section 4609 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 4609. When authorized and empowered Sale of to issue bonds as provided in Section 4607, 4608. the board of directors shall, within thirty days after the date of election, certify the result to the county treasurer of the county to which said school district belongs. With directions to sell a part or all of the bonds so authorized. The treasurer shall publish notice of the bonds so designated in at least one weekly newspaper published at the county seat. Notice. if there be one, for four consecutive issues, and publish such other notices as the board of directors may require. Said notices must give the amounts of bonds to be sold, the time to run, where payable, the option, if any, of the district to redeem, also naming the hour and day for considering bids, and asking the bidders to name price and rates of interest at which they will purchase such bonds or any of them. Such bonds shall be issued in denomi- Form of bonds. nations of not less than one hundred nor more than one thousand (\$1,000.00) dollars, and shall contain upon their faces the date and series of issue, rate of interest, where payable, time to run, option, if any, of district to redeem and the printed or lithographed statement that said bond is issued under the provisions of this act, and that the whole indebtedness of said district does not exceed the constitutional limit. Each bond so issued must be reg- Registration. istered by the county treasurer, in a book to be kept for that purpose, which must show the number and such data as is necessary to secure a complete record of such bond, the series and amount of such bond, the person to whom the same is issued, the number of the district issuing, together with the

Ch. 90.]

names of directors signing the same; and the said bond shall be indorsed by the treasurer, with his name and full statement of the person to whom sold, and when issued, together with the number and series of said bond: *Provided*, that in the case of joint school districts the bond or bonds shall be registered by the treasurer of each county in which any part of such school district shall lie.

SEC. 14. That Section 4667 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

The regular district election in Section 4667. each district of the first class shall be held upon the first Tuesday of December in each year. The board of directors shall cause written or printed notices to be posted, specifying the day and place of such election, and the time during which the ballot box will be kept open. 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 title for such election.

SEC. 15. That Section 4668 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 4668. At all elections official ballots or voting machines shall be used to record the votes of the electors, and the polls shall be opened at eight o'clock A. M. and be closed at eight o'clock P. M. The official ballot shall be printed and furnished by

Elections In first-class districts.

Notice.

Opening and closing polls.

the board of directors and shall contain the names of all candidates whose names have been presented by petitions signed by at least fifty registered voters filed with the secretary of the board not less Ballots and than ten days before the day of election. The names machines. of no other candidates shall appear upon said official ballots, nor upon the voting machines and no other ballots shall be received or counted.

SEC. 16. That Section 4669 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 4669. It shall be the duty of the board voting of directors to divide the district into suitable voting precincts the boundaries of which shall follow city and county precinct lines wherever practicable and to provide in each voting precinct a voting place, provided the number of voting precincts shall not be greater than the number of county voting precincts in such district. The board shall also appoint two judges and one clerk for each voting place. Both judges and clerk shall be qualified elec- Election tors in the precinct for which they are appointed. Should any judge or clerk be absent at the time for opening the polls, the electors present shall appoint. a legal voter to fill such vacancy. In case voting machines shall be used an inspector shall be appointed in place of the clerk, whose duties shall also include those of clerk.

SEC. 17. That Section 4670 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 4670. The qualification of electors shall Qualificabe the same as at a general state or county election. Only those electors residing within the district shall be entitled to vote and an elector may vote only at the polling place designated by the board of directors for the precinct in which the elector resides.

precincts.

electors.

Ch. 90.1

SEC. 18. That Section 4671 of Remington & Ballinger's Annotated Codes and Statutes of Washington, be amended to read as follows:

Section 4671. The city clerk, the county auditor or other municipal officer in whose custody the registration books of the general election are kept, shall furnish to the secretary of the board on the morning of the day of any school election, the registration books or a copy thereof, of said city and of all county precincts lying outside the limits of the city but being wholly or partly within the district which said registration books shall be returned within two days after such election.

SEC. 19. That Section 4672 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 4672. The board of directors shall, upon closing the polls, receive the returns at the time and place it shall direct and shall, within five days from such election meet as a canvassing board and canvass the returns and ascertain the result. The result of said election shall be certified by the board of directors to the county school superintendent, who shall preserve the certificate entering upon his record the receipt thereof, also the names of the person or persons elected as member of such board of directors for said district, together with the term for which elected.

SEC. 20. That Section 4675 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 4675. The board of directors of each district in the state shall be authorized to employ judges and clerks or inspectors of election and to provide all funds and supplies necessary for carrying out the provisions of this act.

Canvass of vote and certifying result.

Board to provide election officers and supplies.

Registration

SEC. 21. That Section 4684 of Remington & Ballinger's Annotated Codes and Statutes of Washington be hereby amended to read as follows:

Section 4684. If any person duly registered is Challenges, procedure. challenged, it shall be the duty of the judges of election to examine the challenger and any witnesses that may be produced on oath, touching the right of such elector to vote; the judges shall then, unless they dismiss said challenge, examine the proposed elector on oath, and if it appears that said elector is entitled to vote at said election his or her vote shall be received, otherwise rejected. Anv person swearing falsely before any judge of election on the hearing of any such challenge, shall be Perjury. deemed guilty of perjury, and shall be subjected to the pains and penalties of perjury.

SEC. 22. That Section 4685 of Remington & Ballinger's Annotated Codes and Statutes of Washington be hereby amended to read as follows:

Section 4685. On the morning of any general Registration or special school election, the secretary of the board shall deliver to the clerk or inspector of each voting precinct within his district the original book, or books of registration furnished to such secretary by the proper registration officers, covering the precinct or precincts for which such clerk or inspector was appointed. Each clerk or inspector of election shall return the books of registration entrusted to him, to the secretary of the board at the time of the delivery of the ballots cast in the precinct at such election, and it shall be unlawful for any clerk, inspector or any judge of election to cause or allow any marks or alterations to be made in said books while the same are in his possession. other than a proper check mark when a ballot is cast to indicate the party voting.

Ch. 90.1

SEC. 23. That Section 4707 of Remington & Ballinger's Annotated Codes and Statutes of Washington be hereby amended to read as follows:

Section 4707. Appeals from the decision or order, or from the failure to decide or order, by a board of school directors shall be taken to the county superintendent of schools in and for the county. Appeals from the decision or order, or the failure to decide or order, of a county superintendent of schools shall, when relating to the operation or management of schools or to the relation with teachers, be taken to the superintendent of public instruction. In all other cases appeal shall be taken to the superior court of the county in which the district is situated.

SEC. 24. That Sections 4674, 4676, 4677, 4679, 4680, 4681 and 4682 of Remington & Ballinger's Annotated Codes and Statutes of the State of Washington are hereby repealed.

Passed the Senate February 5, 1919. Passed the House February 21, 1919. Approved by the Governor March 12, 1919.

### CHAPTER 91.

[H. B. 116.]

# VALIDATING TAX LEVIES IN CITIES OF THE SECOND CLASS.

An Act relating to taxation, validating certain tax levies in cities of the second class and providing for their collection.

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

SECTION 1. That the tax levies made by cities of the second class for the years 1917 and 1918 are hereby ratified and validated wherever the only reason for the invalidity of such tax levy or levies is

222

Repealing clause.

that the same were made in excess of the limitations prescribed by statute. or were not apportioned according to the provisions of law, and upon the taking effect of this act the proper officers are hereby authorized and directed to proceed with the extension and collection of such taxes and to proceed with the enforcement of the lien thereof; and collections heretofore made are hereby ratified and validated.

Passed the House February 24, 1919.

Passed the Senate March 5, 1919.

Approved by the Governor March 12, 1919.

#### CHAPTER 92.

#### [S. B. 265.]

#### PUBLIC HIGHWAY APPROPRIATIONS.

AN ACT relating to the public highways and making an appropriation for the engineering, construction and improvement, and paying of the primary and secondary highways of the state and declaring an emergency.

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

SECTION 1. For the engineering, construction Appropriaand improvement, and paving of the primary and secondary highways of the state hereinafter enumerated there is hereby appropriated out of the Public Highway Fund and the Motor Vehicle Fund, the respective sums as follows:

Highway fund, \$2,-087,000.00. Motor vehicle fund, \$1,-987,000.00.

INLAND EMPIRE HIGHWAY: From north line of Spokane County,	Public High- way Fund	Motor Vehicle Fund	
north	\$60,000.00	\$100,000.00	Inland
Colfax to Dayton	250,000.00	125,000.00	Empire.
Wallula to Pasco		90,000.00	
Between Ellensburg and Yakima	275,000.00	50,000.00	
Richland Bridge	20,000.00		
Eastern Division:			
Pomeroy to Clarkston	50,000.00	80,000.00	

223

SESSION LAWS, 1919.

[Ch. 92.

		Public High- way Fund	Motor Vehicle Fund
	Eastern Route 2nd Division: From Oakesdale, south	\$25,000.00	\$25,000.00
	From Uniontown, east	20,000.00	
Central Washington.	CENTRAL WASHINGTON HIGHWAY:		
	From Cheney to Sprague	62,000.00	62,000.00
	Connell, north	50,000.00	50,000.00
Sunset.	SUNSET HIGHWAY: Between Waterville and Lincoln		
	County line Between Harrington and Wilson	75,000.00	25,000.00
	Creek (North Central Highway)	50,000.00	50,000.00
	In Blewett Pass (State Road No. 7)	• • • • • • • • • •	50,000.00
Chelan and Okanogan.	CHELAN AND OKANOGAN HIGH- WAY (State Road No. 10)		
	In Okanogan County	20,000.00	20,000.00
	In Chelan County	25,000.00	25,000.00
Roosevelt.	ROOSEVELT HIGHWAY: (State Road No. 12)		
	In Okanogan County In Skagit County (State Road No.	•••••	25,000.00
	11)	5,000.00	• • • • • • • • • • •
State Roads 4 and 22.	STATE ROAD NO. 4: Between Keller and Columbia River	•••••	10,000.00
	STATE ROAD NO. 22: In Stevens County	• • • • • • • • • • • •	10,000.00
Pacific.	PACIFIC HIGHWAY: From Salmon Creek, north (for pav-		
	ing)	•••••••••	50,000.00
	Between Pioneer and Toledo,	225,000.00	150,000.00
	From Forest, south (for paving) From overhead crossing of N. P. R.		50,000.00
	R. at Nisqually Station in Pierce		
	County south		100,000.00
	Protection of Nisqually River Bridge	20,000.00	
	From Seattle, north	50,000.00	75,000.00
	From Seattle, south (for paving) Between Everett and Stanwood, (for	• • • • • • • • • • •	100,000.00
	paving)		75,000.00
	Between Marysville and Blaine From Mt. Vernon, south (for pav-	75,000.00	50,000.00
	ing) From Bellingham, north or south,	• • • • • • • • • • •	50,000.00
	(for paving)	•••••	50,000.00

.

· Ch. 92.]

		2

OLYMPIC HIGHWAY:	Public High-	Motor Vehicle	
Between Olympia and Port Angeles	way Fund \$60,000.00	Fund \$50,000.00	Olympic.
From East Beach to Fairholm	60,000.00		
From Lake Quinault to Clearwater	00,000.00		
Post Office	50,000.00	50,000.00	
From End of 1918 improvement to			
McCleary	20,000.00		
Navy Yard Division (State Road	,		
No. 21)	75,000.00		
McCLELLAN PASS HIGHWAY:			Machallan
• From Greenwater River, east	70,000.00		McClellan Pass.
NATIONAL PARK HIGHWAY:			National
Between Tacoma and Ashford	100,000.00	75.000.00	Park.
Between Tacoma and Ashford (for		·	
paving)		50,000.00	
From Pacific Highway to Mayfield	50,000.00		٥
OCEAN BEACH HIGHWAY: (Nation-			
al Park Highway)			Ocean
From South Bend to Holman	75,000.00	75,000.00	Beach.
From Coal Creek, west (State Road			
No. 19)	20,000.00	15,000.00	
STATE ROAD NO. 5:			State Road
In Lewis County		40,000.00	No. 5.
Nesika Bridge	20,000.00		
For Preliminary Survey and Investi-			
gation	10,000.00	••••	
NORTH BANK HIGHWAY: (State			
Road No. 8)			
In Klickitat County	50,000.00	40,000.00	North Bank.
In Skamania County	50,000.00	25,000.00	<b>Multi D 1 1</b>
STATE ROAD NO. 18:	20,000.00	20,000.00	State Road No. 18.
TA 13 131			

If more than one million nine hundred eighty- contingent seven thousand dollars, (\$1,987,000.00) becomes tion, \$167,500.00. available in the motor vehicle fund during the years of 1919 and 1920, then and in that event there is hereby appropriated from the motor vehicle fund the following sums in the order named: 1st. Ocean Beach Highway (State Road No. 19) in Wahkiakum County ..... \$75,000.00 20,000.00 2nd. Olympic Highway, from Forks, south..... 3rd. For finishing work remaining incomplete by reason of the insufficiency of the appropriations hereinabove made for engineering and construction of highways in Okanogan County and the counties east of the Columbia River..... 47,500.00 ----8

[Ch. 93. .

Motor Vehicle Fund

4th. North Bank Highway, (State Road No. 8) Wash-

ougal, east ..... \$25,000.00

SEC. 2. This act is necessary for the immediate preservation of the public health, peace and safety, and shall take effect immediately.

Passed the Senate March 8, 1919. Passed the House March 10, 1919. Approved by the Governor March 12, 1919.

CHAPTER 93.

#### [H. B. 167.]

#### COUNTY TOLL BRIDGE FRANCHISES.

An Act authorizing county commissioners to grant franchises for the construction and operation of toll bridges, and to purchase same if necessary.

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

Grant of franchises. SECTION 1. Boards of county commissioners are hereby authorized to grant franchises to persons or corporations for the construction, operation and maintenance of toll bridges, outside of incorporated cities and towns, over and across streams within their respective counties, and over and across streams which are boundaries of counties.

Terms of franchise. SEC. 2. Such franchise shall be granted for any period not exceeding fifty years, and shall be upon such terms and conditions as the commissioners shall require. The franchise shall specify and require the following:

(1) The kind and character of the bridge to be erected and the time within which the work must be undertaken and completed.

(2) The tolls to be charged, which shall in all cases be reasonable and just and subject to regula-

Emergency.

Ch. 93.1

tion and change by the public service commission of the state of Washington after a hearing.

(3) That such bridge may, at the option of any county or counties, be taken over at any time after the completion thereof, upon payment to the owners of the franchise of the reasonable value of the structure at the time of the sale.

(4) That all public service corporations shall when feasible and practicable be entitled to use such bridge upon paying a reasonable fee therefor.

(5) That the person or corporation owning the bridge shall at all times keep the same and all approaches thereto in good repair and condition, and shall deposit a good and sufficient bond in a reasonable sum to be fixed in said franchise, conditioned to save and keep the county harmless from all damages by reason of the operation and maintenance of said bridge and approaches.

(6) That the franchise shall be subject to forfeiture for failure of the owners to comply with all the terms and conditions of the franchise; that upon forfeiture or termination of the franchise the bridge shall become the property of the county or counties granting the franchise.

(7) That said bridge shall be kept open at al! times for public travel.

(8) That the state military forces and United States military forces shall be privileged to use said bridge at all times free of charge.

Where the stream to be bridged is a Boundary Sec. 3. boundary between two counties, the county commissioners of both such counties shall join in granting the franchise; and where such bridge is taken over by such counties, each county shall pay for such bridge in proportion to the amount of taxable property in the respective counties.

SEC. 4. No franchise shall be granted hereunder Notice of until notice shall have been given by the county franchise.

streams, joinder of counties.

ranting

commissioners of the counties involved in the official newspaper of the county, published for four consecutive weeks, that the commissioners will on a day specified in said notice consider the proposition of granting such franchise.

Purchase by county.

Cost and maintenance accounts to be filed. SEC. 5. County commissioners are authorized to purchase a bridge constructed under the provisions of this act at any time after the completion thereof.

SEC. 6. It shall be the duty of every person, firm or corporation granted a franchise under the provisions of this act to keep an accurate account of the costs of such bridge and upon the completion thereof same shall be verified by such person or some officer of the corporation having knowledge of the facts, and filed with the county auditor. Such person or corporation shall also keep an accurate account of the amount expended in keeping such bridge in repair and for the operation and maintenance thereof and of the revenues received from the operation thereof and shall, on or before the first day of February of each year, file such statement for the preceding calendar year verified by such person, or some officer of the corporation having knowledge of the facts, with the county auditor.

Passed the House, February 27, 1919.

Passed the Senate, March 10, 1919.

Approved by the Governor March 12, 1919.

#### CHAPTER 94.

#### [H. B. 156.]

#### STATE GRANT OF ESCHEATED LANDS.

AN ACT granting to Skagit county and to J. H. Havecost all right, title and interest of the State of Washington in and to certain land situated in section 35, township 35 north, range 1 east. Willamette Meridian.

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

SECTION 1. WHEREAS, upon the decease of Wil- Grant to liam Alexander intestate, lot 1 and the northeast county and J. H. Havequarter of the southeast quarter of section 35, township 35, north, range 1 east, Willamette Meridian, escheated by operation of law to the State of Washington, but whereas no order of escheat was ever entered in his estate: and whereas the state has made no attempt to assert title to the said described land but the county of Skagit, on May 9, 1902, sold ' the northwest quarter of the southeast quarter for taxes and the same has by mesne conveyances passed to J. H. Havecost; and on July 18, 1902, sold lot 1 and the northeast quarter of the southwest quarter for taxes and Skagit county is now the record owner thereof, the State of Washington hereby grants unto J. H. Havecost, his heirs, executors, administrators, successors, and assigns, all right, title and interest of the State of Washington in and to the northwest quarter of the southeast quarter of section 35, township 35, north, range 1 east; and to Skagit county and its assigns all right, title and interest of the State of Washington in and to lot 1 and the northeast quarter of the southwest quarter of section 35, township 35, north, range 1 east. Willamette Meridian.

Passed the House, February 26, 1919. Passed the Senate, March 11, 1919. Approved by the Governor, March 12, 1919.

#### CHAPTER 95.

#### [H. B. 175.]

# PAYMENT OF LOCAL ASSESSMENTS FOR HIGHWAY IMPROVEMENTS.

AN ACT relative to the payment of highway assessments and amending Section 5761 of Remington and Ballinger's Code.

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

SECTION 1. That Section 5761 of Rem. & Bal. Code be amended to read as follows:

Section 5761. When the petition shall so request, the improvements provided for under this chapter shall be paid for in annual installments by an annual tax levied upon the property assessed for ben-The petition shall set forth "that the imefits. provement be paid for on the ..... years installment plan", and the number of years shall not be more than ten. When the improvement is done under the provisions of this section the clerk of the board of county commissioners shall divide the total estimated cost of the improvement, including interest on deferred payments, into as many equal parts as there are installments, and shall each year when an installment is payable, enter the amount of the same upon the duplicate assessment-roll against the persons and property assessed for benefits, and it shall be the duty of the county treasurer to collect the same the same as other taxes are collected. In the event that the entire assessment upon any single tract or parcel of land, or contiguous tracts or groups of tracts belonging to the same owner is twenty-five dollars (\$25.00) or less, such assessment shall become due and payable at the time the first general taxes next after the date of the levy shall become due, and the terms of this act relating to

Payment in annual instalments.

Lump sum payments, when required. Ch. 96.1

the payment of assessments in installments shall not apply to such assessments.

Passed the House, February 21, 1919. Passed the Senate, March 10, 1919. Approved by the Governor March 12, 1919.

#### CHAPTER 96.

#### · [H. B. 196.]

#### CONSTRUCTION OF DAM AT FIVE MILE RAPIDS, SNAKE RIVER.

- AN ACT providing for an investigation of the feasibility of the construction of a dam in the Snake river at Five Mile Rapids and making an appropriation.
- Be it enacted by the Legislature of the State of Washington:

SECTION 1. The state hydraulic engineer shall, Investigain cooperation with the United States, cause a survey and diamond drill borings to be made to determine the foundation for, and the feasibility of constructing, a dam in the Snake river at Five Mile Rapids for the purpose of developing hydraulic power and the storage of water for irrigation purposes.

For the purposes of this act there is Appropria-Sec. 2. hereby appropriated from the general fund the sum \$10,000.00. of ten thousand dollars (\$10,000.00), or so much thereof as may be necessary: *Provided*, that no part of such sum shall be expended unless and until the United States shall provide a like sum to be expended for the same purpose.

Passed the House, March 8, 1919.

Passed the Senate, March 10, 1919.

Approved by the Governor March 12, 1919.

#### CHAPTER 97.

#### [S. B. 154.]

#### RIGHTS OF WAY OVER STATE LANDS.

An Act relating to the public lands of the state, granting rights of way thereon, and amending sections 6848, 6849, and 6852 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 6848 of Rem. & Bal. Code be amended to read as follows:

Section 6848. A right of way through, over and across the public lands of the State of Washington is hereby granted to any municipal corporation, or to any electric light, power or street railway company, telephone company, association, or individual, constructing or proposing to construct any ditch, flume or pipe line or transmission line for the purpose of generating or transmitting electricity for light, heat or power, or telephone line.

SEC. 2. That section 6849 of Rem. & Bal. Code be amended to read as follows:

Section 6849. In order to obtain the benefits of this grant the municipal corporation, company, association or individuals constructing or proposing to construct such ditch, flume, pipe line, telephone line or transmission line, for the purpose of generating or transmitting electricity, shall file with the board of state land commissioners a map, accompanied by the field notes of the survey and location of the proposed ditch, flume, pipe line, transmission line, or telephone line, and shall pay to the state as hereinafter provided the amount of the appraised value of said lands and improvements, if any, used for or included within said right of way. The land within said right of way shall be limited to an

Purposes for which grants authorized.

Procedure to obtain right of way.

Width.

amount necessary for the construction of said ditch, flume, pipe line, transmission line or telephone line sufficient for the purpose required, together with sufficient land on either side thereof for ingress and egress to maintain and repair the same, and shall include the right to cut all standing timber within a radius of 200 feet on either side of said Right to cut ditch, flume, pipe line, transmission line, or telephone line, which shall be dangerous to the operation and maintenance of the same.

SEC. 3. That section 6852 of Rem. & Bal. Code be amended to read as follows:

Section 6852. Nothing contained in the four preceding sections shall be deemed to in any way conflict with any existing laws of this state relating to the methods of acquiring rights of way for ditches, flumes, pipe lines, transmission lines or telephone lines for the purposes therein specified.

Passed the Senate February 17, 1919. Passed the House March 10, 1919. Approved by the Governor March 12, 1919.

#### CHAPTER 98.

#### [S. B. 44.]

#### EMINENT DOMAIN BY PUBLIC WAREHOUSE AND ELE-VATOR COMPANIES.

AN ACT to extend the right of eminent domain to warehouse and elevator companies.

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

SECTION 1. The right of eminent domain is Right hereby extended to corporations incorporated or that may hereafter be incorporated under the laws of this state, or of any other state or territory and

extended.

233

Ch. 98.1

qualified to transact business in this state for the purpose of acquiring, owning or operating public warehouses or elevators for storing and handling grain, produce and other agricultural commodities which may desire to secure warehouse or elevator sites or rights of way for roadways leading to and from the same or for wharves or boat landings on navigable waters and all other purposes incident to and connected with the business conducted by such warehouse or elevator.

SEC. 2. Every corporation incorporated or that may hereafter be incorporated under the laws of this state or of any other state or territory, and qualified to transact business in this state for the purpose of acquiring, owning or operating public warehouses or elevators for storing and handling grain. produce and other agricultural commodities. which may desire to erect and operate any such public warehouse or elevator, or to erect and operate tramways or cable tramways for the purpose of carrying, conveying or transporting such grain, produce or commodities to or from such warehouse or elevator or to acquire rights of way for roadways to and from such warehouse or elevator or to acquire boat landing or wharving facilities in connection with such warehouse or elevator shall have the right to enter upon any lands proposed to be used for any such purpose for the purpose of examining, locating and surveying the lines and boundaries thereof, doing no unnecessary damage thereby.

Right of appropriation. SEC. 3. Every such corporation shall have the right to appropriate real estate and other property for any or all of the said purposes and under the same procedure as now is or may be hereafter provided by law, in the case of other corporations authorized by the laws of this state to exercise the right of eminent domain.

Entry upon lands for

location and survey.

SEC. 4. The right hereby granted shall not be Right denied exercised within the limits of any regularly organized port district, nor against the right of way of rights of any railroad company within the vard limits thereof. nor unless and until the public service commission after a full hearing shall have determined that existing facilities are inadequate and that a public necessity exists for the construction of additional Public. facilities and shall specify what additional facilities determinaare necessary and shall have further determined that the facilities contemplated to be established will be a public benefit. Such hearing shall be initiated and conducted in accordance with the statutes, rules and regulations relating to public hearings before the public service commission.

necessity.

Passed the Senate January 31, 1919. Passed the House March 10, 1919.

Approved by the Governor March 12, 1919.

#### CHAPTER 99.

#### [S. B. 240.1

#### BONDING ACT FOR STATE SYSTEM OF TRUNK LINE HIGHWAYS.

AN ACT providing for the construction of a state system of trunk line hard surface highways, providing for the issuance, sale and redemption of state bonds to create a fund for such purpose, and for the submission of this act to a vote of the people.

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

SECTION 1. A state system of trunk line hard Highways surface highways shall be acquired and constructed by the State of Washington as soon as practicable, upon the highways of the state along the routes herein described, so as to connect with each other

specified.

the different communities and principal cities of the state as near as may be, to-wit:

(1) The Pacific Highway from Blaine to Vancouver; also a highway running from Seattle to Des Moines and thence by the most feasible route to Tacoma.

(2) The Sunset Highway from Renton to Spokane and thence east to the Idaho state line.

(3) The Inland Empire Highway.

(4) The Olympic Highway.

(5) The National Park Highway from Tacoma to Ashford and thence by the most feasible route to the Rainier National Park; also from Elbe to the Pacific Ocean at Holman.

SEC. 2. The highways constructed or improved under the provisions of this act shall be finished with a wearing surface of Portland cement concrete, bituminous concrete, asphalt, brick, wood block, stone, or other material equally permanent and durable, not less than eighteen feet in width, laid upon Portland cement concrete base of a minimum thickness of five inches: *Provided*, that if the state highway commissioner shall deem it impracticable to improve any portion of any highway herein described by paving as herein provided, the state highway board may provide for the improvement of such portion of the highway in such manner as in its judgment will best accommodate travel thereon.

Royalties and premiums. No part of the money apportioned under this act shall be used, directly or indirectly, to pay any premium or royalty on any patented or property material, specifications, process or type of construction, unless purchased or obtained on open actual competitive bidding at the same or a less cost than unpatented articles, or methods equally suitable for the same purpose.

Eminent domain by highway board.

SEC. 3. Whenever the making of any part of any road to be improved or constructed under the pro-

Class of paving required. visions of this act, or the locating of a route or any part thereof, or the obtaining of road building materials for such work, requires that private property be taken or damaged, the state highway board shall have the right to acquire any such property by purchase or by condemnation in the manner prescribed by law for the acquirement or condemnation of lands necessary for the public uses of the state.

SEC. 4. The state highway board shall divide the sectional state highways into convenient sections for construction purposes, and shall make diligent effort to have the entire trunk line system of hard surface highways completed within six years after the taking effect of this act. The construction work shall, so far as possible, be commenced in different sections of the state at approximately the same time and carried on continuously until all work is completed.

SEC. 5. The funds provided by this act for the Expenditure of funds. acquisition, construction and improvement of the state system of trunk line hard surface highways shall be expended only for surfacing and the construction of the necessary subgrade therefor including the purchase of machinery or supplies. All construction work shall be done under the supervision of and upon plans and specifications prepared by the state highway commissioner. Contracts for the construction and improvement of said trunk line Bids for highways shall be let by the state highway board to construction work. the lowest and best responsible bidder, or bidders, on such terms and conditions and on open competitive bidding after public advertisement in such manner and for such times as may be prescribed by said state highway board.

The state highway board shall have power to Purchase of provide for the furnishing by the state of any tools, and supplies.

construction.

machinery, supplies or materials needed for such work, and in the event the state highway board undertakes to furnish tools, machinery, supplies, or materials, such tools, machinery, supplies and materials shall be purchased by the state highway board on open competitive bidding.

SEC. 6. The state highway board is authorized to cooperate with the proper authorities of any city or town of the third or fourth class and expend moneys for the improvement of any portion of any highway herein described which may pass into or through any such city or town.

SEC. 7. All highways herein described when constructed along permanent grades and alignment shall be permanently controlled and maintained by the State of Washington.

SEC. 8. For the purpose of providing means for the payment of the cost of construction of said state system of trunk line highways there shall be issued and sold bonds of the State of Washington for an amount not exceeding thirty million dollars (\$30,-000,000.00), to bear interest at a rate not to exceed five per cent (5%) per annum, payable semi-annually.

The issuance, sale or retirement of said bonds shall be under the general supervision and control of the state highway board. Such board may in its discretion provide for the issuance of coupon or registered bonds, to be dated, issued and sold from time to time as the construction work progresses, in such amounts as may be necessary to provide money to pay for said work and the expenses incidental thereto. All of the bonds issued hereunder shall mature at the rate of one million five hundred thousand dollars (\$1,500,000.00) principal each year, commencing in the year 1922 and ending in the year 1941. Such bonds shall be signed by the

Co-operation with third and fourth class cities.

Permanent control of highways.

Bond issues.

238

governor and the state auditor under the seal of the state, and any interest coupons attached to such bonds shall be authenticated by the fac-simile signatures of the same officers. Any bonds may be registered in the name of the holder on presentation to Registration. the state treasurer or at the fiscal agency of the State of Washington in New York, as to principal alone or both principal and interest, under such regulations as the state highway board may prescribe. Said bonds shall be in such denominations as may be prescribed by the state highway board and embody an absolute promise of the State of Washington to pay both principal and interest in gold coin of the United States of the present standard of value and fineness, at such place or places as the state highway board may provide, and to levy sufficient taxes each year to pay the interest and principal of said bonds as they become due. All bonds issued under the provisions of this act shall be sold Sale terms. to the highest and best bidder or bidders, on such terms and conditions and on open competitive bidding after public advertisement and at such times as may be prescribed by the state highway board, but not for a sum so low as to make the net interest returned to the purchaser exceed five per cent per annum, payable semi-annually, as computed by standard tables, upon such sum.

The money arising from the sale of state trunk Sec. 9. each issue of bonds shall be deposited in the state way fund. treasury to the credit of a special fund to be known as the "State Trunk Line Highway Fund", which shall be used in carrying out the provisions of this act.

SEC. 10. All moneys paid to the state under the Bond reprovisions of chapter 142 of the session laws of fund, 1915, commonly known as the Motor Vehicle Code, payable into. and all acts amendatory thereof, over and above

such moneys as shall be estimated by the secretary of state to be necessary for the purpose of administering said chapter 142, shall be first appropriated and used for the purpose of paying and discharging annually the principal and interest on such bonded indebtedness then due and pavable, and shall from time to time be deposited in a special fund to be known as the "State Trunk Line Highway Bond Redemption Fund." Each year after this act becomes effective, and until all of said bonds have been retired, it shall be the duty of the state board of equalization to include in the tax levied for state purposes a direct annual tax for such amount as shall be necessary and sufficient, in addition to the moneys collected under said chapter 142 and paid into the said state trunk line highway bond redemption fund, to pay the interest annually as it shall accrue on each and every bond issued under the provisions of this act and also to pay and discharge the principal of such bonds at par value as such bonds shall respectively fall due: Provided. that no such direct annual tax shall be levied for any year in which sufficient money is collected under said chapter 142 and paid into said bond redemption fund to pay the interest as it shall accrue on said bonds for that year and also to pay and discharge the principal of all of said bonds falling due during such year.

Maintenance fund. Any surplus of moneys collected under said chapter 142 after the payment of the expenses of administering said law by the secretary of state and providing for the payment of the principal of and the payment of the interest on bonds falling due during that year, as aforesaid, shall be paid into a fund to be known as the "State Trunk Line Highway Maintenance Fund" and used for the purpose of maintaining the roads herein described in pursuance of appropriations therefor by the legislature.

Any surplus remaining in the state trunk line Distribution of surplus. highway maintenance fund over and above that expended in pursuance of appropriations for the maintenance of roads as herein provided, shall annually be distributed to the various counties, cities and

towns of the state in the following manner: To the various counties of the state in which are located primary highways the improvement and maintenance of which is not provided for by this act, for the maintenance of such highways; and to the various cities and towns of the state in which are located streets forming a part of the route of any primary highway through such city or town. for the maintenance and improvement of such streets. a sum not to exceed two hundred dollars (\$200.00) per mile for each mile of such primary highway and streets.

Primary highways and city and town streets, in Apportion-ment to order to come under the provisions of this act for counties and cities. maintenance purposes, must be of a character equal and up to the standard of permanent highway construction. All sums apportioned to counties shall be placed in the permanent highway maintenance fund of such county. All sums distributed to cities and towns shall be remitted by the state auditor to the cities and towns entitled thereto and shall be expended by such cities or towns only for the maintenance or improvement of such streets. The state highway board shall determine what streets in cities and towns form a part of the route of any primary highway through such city or town, and what primary highways the improvement and maintenance of which is not provided for by this act, and shall between the 15th day of February and the 15th day of March of each year certify in triplicate, one copy to the state treasurer, one copy to the county commissioners of each of such counties, and one copy to the clerk of each city or town affected by the pro-

visions of this act, the number of miles of primary highway, or city and town streets entitled to apportionments as provided by this act. Any surplus remaining in the state trunk line highway maintenance fund after the making of such apportionments shall be distributed to the various counties of the state in proportion to the amounts paid into the permanent highway fund by the various counties of the state and placed in the permanent highway maintenance fund.

SEC. 11. Whenever any county shall have expended any moneys from the road and bridge fund or from the proceeds of bonds in the improvement or construction of any of the highways described in this act by paving such highway, the state highway board shall, if such payed highway is of proper and durable hard surface type to make it practicable to do so, utilize such paved highway in the system of state trunk line highways provided for in this act. If any highway so paved by any county be so utilized, the state highway board shall determine the amount by which the utilization of such paved highway lessens the cost of improving and constructing the state trunk line system of highways provided for in this act, and such amount (in no event to exceed the actual amount of the first cost of construction paid from the funds of such county) shall be placed to the credit of such county in the permanent highway fund in six annual installments, beginning on the first day of January, 1922, or, if the board of county commissioners of any county so elect, such payment, instead of being credited to such county in the permanent highway fund. shall be paid to such county to be used in the payment of any county bonds issued by said county for the improvement of any such highway.

Utilization of county highway improvement.

Credit extended to county.

Referendum to people. SEC. 12. This act shall be submitted to the people for their ratification at the next general election Ch. 100.1

in accordance with the provisions of section 3 of article VIII of the state constitution; and in accordance with the provisions of section 1 of article II of the state constitution, as amended at the general election held in November 1912, and the laws adopted to facilitate the operation thereof.

Passed the Senate March 3, 1919. Passed the House March 8, 1919. Approved by the Governor March 12, 1919.

### CHAPTER 100.

#### [S. B. 50.]

AMENDING ACT REGULATING THE PRACTICE OF LAW.

AN ACT relating to admission to the practice of law, amending sections 1, 10, 11, 12, 17 and 18 of chapter 115 of the Laws of 1917, and adding thereto a new section to be known as section 121%.

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

SECTION 1. That section 1 of chapter 115 of the Laws of 1917 be amended to read as follows:

Section 1. No person shall be permitted to practice as an attorney or counselor at law, or to commence, conduct or defend any action or proceeding in which he is not a party in interest in any of the courts of this state either by using or subscribing his own name or the name of any other person, or to give advice on legal matters or to do work of a legal nature for a fee or as a business, or to solicit business or to advertise or represent himself in any way, as an attorney or counselor at law, unless he is a citizen of the United States and a resident of this state and he has been previously admitted to practice law in the courts of this state, and is in good standing therein: Providing, however, attor-

neys who are residents of other states may appear in the courts of this state without formal admission upon satisfying the courts before which they appear that their respective states grant the same rights to attorneys from this state.

SEC. 2. That section 10 of chapter 115 of the Laws of 1917 be amended to read as follows:

Section 10. The board shall examine from time to time the courses of study of and the work done by the various law schools, whether within or without the state, and determine what schools shall be deemed approved law schools as specified in this act: *Provided*. No school shall be so approved unless the board shall determine that such school is at least equal in student qualification and hours of work required to that of the University of Washington school of law, or to that required by the American Association of Law Schools. All applicants who have completed the course in an approved law school within this state with a record of excellent work done, or who have grades equal to or above such standard as may be set by the board, may, in the board's discretion, be recommended for admission without further examination. The board shall fix the credits of time that shall be allowed for study in any other than an approved law school, or for study in an approved law school less than a full course, or for office study or other method that may be pursued, before an applicant may be admitted to an examination, with a view of equalizing as nearly as practicable the different methods of qualifying the applicant for the practice of the law and the intelligent handling of business of clients and of the public generally.

SEC. 3. That section 11 of chapter 115 of the Laws of 1917 be amended to read as follows:

Section 11. The board shall provide for a registration of students other than those in approved law

Approved law schools.

Credits for studies.

schools and shall outline a course of study for such students, dividing the course into yearly periods and designating the subjects for each year's course. Examinations shall be held on each year's course, and no person shall be permitted to take an examination on the second year's course, nor to take the examination in any other year's course until one year after he shall have completed the preceding year's course: *Provided*, however, that applicants under subdivision "a", "b", "d", "i" and "j" of section 7 may be permitted to take the examination on all the subjects at the same time, and that applicants "e", "f", "g", "h" and "k" may take examinations on all but the last year's subjects at the same time: *Provided*, these applicants shall be otherwise qualified as in this act required, and shall have complied with the rules of the board in relation thereto.

SEC. 4. That section 12 of chapter 115 of the Laws of 1917 be amended to read as follows:

Section 12. Upon successfully passing a final Certificates of admission. examination the applicant's name shall be certified to the supreme court for a permanent certificate. which court, unless objection be raised thereto or if raised and the court find same to be insufficient, shall issue a certificate admitting the applicant to practice at the bar of the courts for the State of Washington. An applicant on an accredited certificate from another state shall, upon approval of Temporary admission of his application, be admitted temporarily for one attorneys from other year, at the end of which time, the board being satisfied that such applicant is of good moral character and a proper person to practice law in this state, shall, if requested, certify his name to the supreme court for a permanent certificate, which court, unless objection be raised thereto, or if raised

attorneys states. .

and the court shall find the same to be insufficient, shall issue a permanent certificate.

SEC. 5. That chapter 115 of the Laws of 1917 be amended by adding thereto after section 12 a new section to be known as section  $12\frac{1}{2}$ , as follows:

Section  $12\frac{1}{2}$ . The clerk of the supreme court, ex-officio secretary of the board, shall immediately after the taking effect of this act certify to the supreme court the names of all prior applicants for admission to the bar who have successfully passed the final examination and who hold certificates as law clerks, and the supreme court shall upon such certification, unless objection be raised thereto or if raised and found to be insufficient, issue a permanent certificate which will entitle the holder of such certificate to immediately begin the practice of the law at the bar of the courts of the State of Washington.

SEC. 6. That section 17 of chapter 115 of the Laws of 1917 be amended to read as follows:

Section 17. The board shall enforce all the laws and ethics relating to the duties of attorneys, or other persons practicing or claiming the right to practice law within this state. All complaints alleging acts of immoral or unprofessional conduct, or conduct in violation of the purpose and spirit of this act shall be filed with the board by any person knowing of such acts or conduct, or by the board itself Upon the presentation of upon its own motion. such complaint if deemed by the board sufficient a notice shall be sent to the person complained of, giving the time and place for such hearing, at which time and place such hearing shall be conducted. The board may continue or adjourn such hearing from time to time and may delegate the taking of testimony or the making of any investigation to any one or more members of the board.

Enforcement of law and ethics.

Hearing of complaints.

Law clerks, admission to practice.

SEC. 7. That section 18 of chapter 115 of the Laws of 1917 be amended to read as follows:

Section 18. For the purposes of this act the Power to board or any member thereof shall have the power to issue subpoenas for the attendance of witnesses or the production of books or documents. Such subpoenas shall be served in the manner of serving subpoenas in civil cases in the superior courts of this state and the person so served shall comply with the requirements of such subpoena. The defendant shall be allowed the usual defenses and the issuance of such subpoenas as he may desire and as the board or member or members conducting such hearing may deem necessary. Witnesses shall testify under oath, which oath may be administered by any member of the board, and testimony shall be taken in writing or by deposition under such rules as the board may provide. The prosecuting attorney of the county in which the defendant resides shall assist the board in the conduct of its hearings, or the board may request the attorney general to assist in such hearings, and when so requested it shall be his duty to so assist. When feasible the court reporter Assistance of public or stenographers authorized to report the proceeding in courts within the county where the defendant resides shall be the reporter for hearings conducted by the board, or the members thereof, as in this act provided; and such county, upon the approval by the court or presiding judge thereof, shall be liable for the witness and stenographer fees and other like expenses incurred in the conduct of such hearings. The board shall make findings upon the evidence produced, and shall, if deemed justified, suspend or annul the license of such person to practice law. If the board shall find that the person complained of has no lawful license issued by the authority of this state it shall report the same to the prosecuting at- Suspension and annultorney of the county where the party complained of license.

subpoena witnesses,

law officers

resides and it shall be the duty of such prosecuting attorney to file an information and to prosecute the same against such accused.

Passed the Senate January 31, 1919.

Passed the House March 10, 1919.

Approved by the Governor March 13, 1919.

# CHAPTER 101.

#### CONCENTRATED COMMERCIAL FEEDING STUFFS.

- AN Act to provide for registration and guarantee of composition of concentrated commercial feeding stuffs, providing against the adulteration of such feeding stuffs, declaring violation of its provisions to be a misdemeanor and providing a penalty therefor, and requiring the attorney general and prosecuting attorneys to prosecute violations thereof.
- Be it enacted by the Legislature of the State of Washington:

Term defined. SECTION 1. The term "concentrated commercial feeding stuffs" as used in this act shall include linseed meals, cocoanut meats, gluten feeds, sugar feeds, dried brewer's or distiller's grains, malt sprouts, feeds made from ground cereals or byproducts therefrom, including slaughter-house waste products when sold as feeds, mixed feeds, and mixed meals made from seeds or grains, and all materials of similar nature used for food for domestic animals, condimental feeds, stock feeds, and all patented proprietary or trade stock and poultry feeds for which nutritive value is claimed, but it shall not include hay or whole seeds, or unmixed meals made from entire grains of wheat, rye, barley, oats, corn, or other cereals, nor wheat flour or other flours.

SEC. 2. Before any concentrated commercial feeding stuff is sold, offered or exposed for sale in

Washington, the manufacturer, importer, dealer, agent, or person who causes it to be sold or offered and confor sale, by sample or otherwise, within this state, shall file with the Commissioner of Agriculture a statement that he desires to offer such concentrated commercial feeding stuff for sale in this state, and also a certificate, the execution of which shall be sworn to before a notary public, or other proper official, for registration, stating the name, brand or trade-mark under which the concentrated commercial feeding stuff will be sold, and the minimum percentage of crude fat and crude protein and maximum per cent of crude fibre (allowing 1 per centum nitrogen to equal 6.25 per centum of protein) which the manufacturer or person offering the concentrated commercial feeding stuff for sale guarantees it to contain, these constituents to be determined by the methods recommended by the association of official agricultural chemists of the United States.

SEC. 3. Any person, company, corporation or agent, that shall sell, offer or expose for sale, any agent, that shall sell, offer or expose for sale, any showing concentrated commercial feeding stuff in this state analysis. shall state in the invoice of every bulk shipment. shall affix or cause to be affixed to every package or sample of such concentrated commercial feeding stuff, in a conspicuous place on the outside thereof, a tag or label, which shall be accepted as a guarantee of the manufacturer, importer, dealer, or agent, and which shall have plainly printed thereon, in the English language, the number of net pounds of concentrated commercial feeding stuff in the package or bulk shipment, the name, brand or trademark under which the concentrated commercial feeding stuff is sold, the name and address of the manufacturer, importer, dealer or agent, the guaranteed analysis stating the minimum percentage of

Packages to be labeled

249

Statement of brand

crude fat and crude protein and maximum per cent of crude fibre, which shall not exceed ten per cent (10%), determined as described in section 2, and the ingredients from which the concentrated commercial feeding stuff is compounded. The agency distributing to users of such feed in less than carload lots shall deliver to the purchaser of each lot regardless of quantity sold a bill showing current analysis of such feeding stuffs.

SEC. 4. Any person, company, corporation, or agent, that shall offer or expose for sale, or sell, any package or sample or any quantity of any concentrated commercial feeding stuff which has not been registered with the Commissioner of Agriculture, as required by section 2, or which does not have affixed to it the tag or label required by section 3, or which is found by analysis made by or under the direction of the chemist of Washington Agricultural Experiment Station to contain a smaller percentage of crude fat or protein or larger percentage of crude fibre than stated in the guarantee, or who shall affix a tag or label which is false or inaccurate in any respect, or who shall adulterate any concentrated commercial feeding stuff, or who shall adulterate with any substance injurious to the health of domestic animals, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in the sum of one hundred dollars (\$100.00) for the first offense, and in the sum of five hundred dollars (\$500.00) for each subsequent offense. In all litigation arising from the purchase or sale of any concentrated commercial feeding stuff, in which the composition of the same may be involved, a certified copy of the official analysis, signed by the chemist of the Washington Agricultural Experiment Station, shall be accepted as prima facie evidence of the composition of such con-

Violations of act.

Penalty.

Official analysis as prima facie evidence.

centrated commercial feeding stuff: *Provided*, that nothing in this act shall be construed to restrict or prohibit the sale of concentrated commercial feed- Parties ing stuff in bulk to each other by importers, manu- from act. facturers or manipulators who mix concentrated commercial feeding stuffs for sale, or as preventing the unrestricted shipment of these articles in bulk to manufacturers or manipulators concentrated commercial feeding stuffs for sale, or to prevent the State Experiment Station, or any person or persons authorized by the State Experiment Station, from making experiments with concentrated commercial feeding stuffs for the advancement of science in agriculture.

SEC. 5. It shall be unlawful to sell, offer or ex- Depleted pose for sale in this state, any corn, barley, oats or to be shown. any other grain from which the heart, or any of the food value has been extracted, without such statement being shown on each package or bulk shipment, and on the invoice covering such grain.

SEC. 6. It shall be unlawful to include in any Deleterious concentrated commercial feeding stuff, any buck- prohibited. wheat hulls, rice hulls, cottonseed hulls, peanut hulls, oat hulls, peanut shells, corn cobs, cocoanut shells, ground or shredded straw, sawdust, cellulose, dirt, damaged or decayed feed, mill, elevator or other sweepings or dust, marble dust, or any injurious, deleterious, or, for feeding purposes, worthless or damaged ingredient.

Sec. 7. The Commissioner of Agriculture, or any person deputized by him, is hereby empowered offered to procure from any lot, parcel or package of concentrated commercial feeding stuff offered for sale or found in Washington, a sample quantity thereof, not to exceed two pounds, the sample to be divided in two approximately equal parts, each to be sealed, and one part to be delivered promptly to the manu-

excepted

substances

Samples of feeds for sale.

facturer: *Provided*, that such sample shall be drawn during reasonable business hours, or in the presence of the owner of the concentrated commercial feeding stuff, or some person claiming to represent the owner.

SEC. 8. Any person who shall prevent, or strive to prevent, the Commissioner of Agriculture, or

any person deputized by him, from inspecting and

obtaining samples of concentrated commercial feeding stuffs, as provided for in the preceding section, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in the sum of one hundred dollars (\$100.00) for the first offense, and

in the sum of five hundred dollars (\$500.00) for each

hereby empowered to prescribe and enforce such

rules and regulations relating to concentrated commercial feeding stuffs as he may deem necessary to carry into effect the full intent and meaning of this act, and to refuse the registration of any feeding stuff under a name which would be misleading as to the materials of which it is made, or when the percentage of crude fat or crude protein is below or the percentage of crude fibre is above the standards adopted for concentrated commercial feeding stuffs.

The Commissioner of Agriculture is

subsequent offense.

Sec. 9.

Interference with procurement of samples.

Penalty.

Rules and regulations.

Assistance by public law officers.

Repealing clause.

SEC. 10. It shall be the duty of the state attorney general or the prosecuting attorneys of the several counties of this state, to cause proceedings to be commenced against any person or persons whom the Commissioner of Agriculture shall report to have violated any section of this act, and to prosecute the same in the manner required by law.

SEC. 11. All acts and parts of acts in conflict with the provisions hereof are hereby repealed.

SEC. 12. In case any section or portion of this Partial invalidity. act shall be held to be unconstitutional. or invalid, it shall not affect the remainder of this act.

Passed the Senate February 10, 1919. Passed the House March 8, 1919. Approved by the Governor March 13, 1919.

## CHAPTER 102.

[S. B. 166.]

#### REGULATION OF CRANBERRY SALES.

AN ACT regulating the sale of cranberries, fixing standard packages thereof, and providing penalties for violation thereof.

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

SECTION 1. A standard package or container for standard cranberries in this state shall contain one thousand nine hundred forty-two (1,942) cubic inches and be equivalent to one-third of a United States cranberry barrel, and need have no statement of its cubical contents but shall be marked in plain letters, not less than one-quarter inch in height, "ONE-THIRD UNITED STATES CRANBERRY BARREL". or the net weight of the contents thereof.

SEC. 2. All cranberries offered for sale at whole- Marking sale in this state, in packages or containers, the less than standard cubical contents of which are less than the standard wholesale. above defined, shall be marked in plain letters and figures, not less than one-quarter inch in height, with the cubical contents in inches or the net weight of the contents.

SEC. 3. Cranberries sold at retail shall be sold standard by dry measure quarts containing sixty-seven and sales. two tenths (67.2) cubic inches, or dry measure pints containing thirty-three and six tenths (33.6) cubic inches or by weight.

for retail

containers.

Ch. 102.1

Penalty.

SEC. 4. Every person violating any provision of this act shall be deemed guilty of a misdemeanor.
Passed the Senate February 21, 1919.
Passed the House March 11, 1919.
Approved by the Governor March 13, 1919.

## CHAPTER 103.

#### [S. S. B. 26.]

#### MOTHERS' PENSIONS.

- An Act relating to the support of mothers, who by reason of destitution, insufficient property or income, or lack of earning capacity, are unable to support their children under the age of fifteen years, and amending section 1 of Chapter 135 of the laws of 1915.
- Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 1 of chapter 135 of the Laws of 1915 be amended to read as follows:

Counties to provide moneys. Section 1. In every county it shall be the duty of the county commissioners to provide out of the moneys of the county treasury an amount sufficient to meet the purposes of this law for the support of mothers who, by reason of destitution, insufficient property or income, or lack of earning capacity, are unable to support their children under the age of fifteen years.

Passed the Senate March 10, 1919. Passed the House March 11, 1919. Approved by the Governor March 13, 1919.

## CHAPTER 104.

[H. B. No. 255.]

#### PIERCE'S OFFICIAL CODE OF WASHINGTON.

AN ACT relating to the publication of an official code and amending Chapter 34, Session Laws 1917.

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

SECTION 1. That Section 1 of Chapter 34 of the Session Laws of 1917 be amended to read as follows:

Section 1. That a joint committee consisting of supervision three members of the Senate and three members of legislative the House be appointed by the presiding officers thereof, with powers and duties as follows:

Said committee shall have authority to prescribe or approve an editorial plan of a complete annotated compilation of the laws in force in the State of Washington, including the laws of 1919, to be made and published by Mr. Frank Pierce; said committee shall prescribe or approve the manner and kind of mechanical execution of said compilation, including also kind and style of binding, paper, type and general make-up of the compilation.

The said committee shall undertake said work as soon as practicable and upon its acceptance by said publisher, said plan and acceptance shall be filed with the secretary of state.

After the filing of said acceptance with the sec- Comparison retary of state, the secretary of state is hereby au- with orig-inal rolls. thorized and directed to compare the laws in said compilation with the original rolls and when completed certify the same without fee as session laws are certified which certificate shall be published in said compilation.

SEC. 2. Said code when so certified shall be re- code declared ceived as evidence of the laws published therein, declare official.

of joint committee. to the same effect as session laws are received in evidence.

SEC. 3. This act is a continuation of said Chapter 34 Session Laws of 1917, and the work heretofore done on said code is to be continued to include the Session Laws of 1919.

Passed the House, March 3, 1919. Passed the Senate, March 11, 1919. Approved by the Governor March 13, 1919.

## CHAPTER 105.

[H. B. No. 223.]

#### INTERSTATE BRIDGE COMMISSION.

AN ACT relating to interstate bridges and providing for the creation of a commission to regulate and control the same.

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

How constituted. SECTION 1. That whenever any bridge has been or may hereafter be constructed over any navigable river, stream or body of water which constitutes or forms the boundary line of this state or any county therein jointly with any state or county of an adjoining state, the county commissioners and prosecuting attorney of the county of this state which has joined in the construction or has control over any such interstate bridge shall have power and authority to act concurrently and jointly with the public authorities having such matters in charge in any such adjoining county or state, and such joint body shall constitute an interstate bridge commission.

SEC. 2. Such interstate bridge commission shall have all of the powers now conferred upon county commissioners under the laws of the state of Wash-

Act cumu-

lative

Powers conferred. ington for the control of interstate bridges, the granting of franchises thereon and the collection and expenditure of tolls.

SEC. 3. Such interstate bridge commission shall Rules and have power to prescribe rules and regulations for its own government, and times and places of meeting, and may make such provision as it may deem necessary for the keeping of records of its meetings and actions; shall have power and authority to pay all expenses of operation, repair and maintenance, and whatever power and authority may be necessarv for the control and operation of any such interstate bridge and the payment of claims for the operation and repair of the same from the interstate bridge fund.

SEC. 4. The net proceeds collected on account of Disposition the operation of any such interstate bridge shall be collected. paid over monthly to the county auditor and by him transmitted to the county treasurer and shall be expended as provided by law.

Passed the House, March 3, 1919.

Passed the Senate, March 10, 1919.

Approved by the Governor March 13, 1919.

<u>\_9</u>

Operation and maintenance.

regulations.

of moneys

## CHAPTER 106.

#### [H. B. No. 252.]

## TRAVELING EXPENSES OF PUBLIC OFFICERS.

AN Act relating to accounts of expenditures of state and county officers and the allowance of same by the state auditor, board of county commissioners or any other officer or board charged with the auditing of accounts, prescribing form or oaths required, and amending Section 8341, Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That Section 8341 of Rem. & Bal. Code be amended to read as follows:

Certified vouchers to be filed.

Section 8341. Hereafter no state or county officer shall be allowed by the state auditor, or board of county commissioners, or any other officer or board charged with the auditing of accounts, any sum or sums of money whatsoever for railroad or steamboat transportation, horse hire or other conveyance, hire of any kind whatsoever, or for hotel or restaurant subsistence, or any other expense, unless the same shall be presented in an account duly sworn to before some officer authorized to administer oaths, and, also attested by a voucher or vouchers duly and regularly signed by the person or agent furnishing said railroad, steamboat, horse or other conveyance hire, hotel or restaurant subsistence for all items of expenditure exceeding fifty cents which said voucher or vouchers must, before the signing thereof by said proprietor or authorized agent, be first written out in full, plainly giving the date of the same, the amount paid, and for what purpose so paid, and in case the same is paid for railroad or steamboat hire at an office which has a regular dater-stamp used in the stamping of railroad or steamboat tickets, then in addition to the signature of the agent thereof, said dater-stamp

shall be impressed thereon. *Provided*, that, it shall not be necessary for any state officer, his deputies or assistants, to accompany said account with signed vouchers for items of expenditure, but it shall be sufficient if the accounts presented by such persons shall show in detail such items of expenditure on forms prescribed by the Bureau of Inspection and Supervision of Public Offices and sworn to before some officer authorized to administer oaths. Such accounts together with all vouchers, shall, upon approval and allowance of the officer or board charged with that duty, be plainly marked or stamped with the date of allowance, and duly filed in a safe place in such office, and safely kept for the period of at least three years: Provided, the same shall be at all times open to public inspection. Any person or Penalty, persons violating any of the provisions of this section shall be deemed guilty of a misdemeanor.

Passed the House, March 4, 1919.

Passed the Senate, March 11, 1919.

Approved by the Governor March 13, 1919.

### CHAPTER 107.

[H. B. No. 315.]

#### UNIFORM FLAG LAW.

AN ACT to prevent the desecration, mutilation or improper use of the flag of the United States of America or of this state, or of any flag, standard, color, ensign or shield authorized by law; repealing Section 2675 of Remington & Ballinger's Codes and Statutes of Washington, and providing penalties for the violation thereof.

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

SECTION 1. The words flag, standard, color, en- Definition of flag, etc. sign or shield, as used in this act, shall include any flag, standard, color, ensign or shield, or copy, pic-

ture or representation thereof, made of any substance or represented or produced thereon, and of any size, evidently purporting to be such flag, standard, color, ensign or shield of the United States or of this state, or a copy, picture or representation thereof.

SEC. 2. No person shall, in any manner, for exhibition or display:

(a) place or cause to be placed any word, figure, mark, picture, design, drawing or advertisement of any nature upon any flag, standard, color, ensign or shield of the United States or of this state, or authorized by any law of the United States or of this state; or

(b) expose to public view any such flag, standard, color, ensign or shield upon which shall have been printed, painted or otherwise produced, or to which shall have been attached, appended, affixed or annexed any such word, figure, mark, picture, design, drawing or advertisement; or

(c) expose to public view for sale, manufacture, or otherwise, or to sell, give, or have in possession for sale, for gift or for use for any purpose, any substance, being an article of merchandise, or receptacle, or thing for holding or carrying merchandise, upon or to which shall have been produced or attached any such flag, standard, color, ensign or shield, in order to advertise, call attention to, decorate, mark or distinguish such article or substance.

Desecration of flag.

Application of act. SEC. 3. No person shall publicly mutilate, deface, defile, defy, trample upon or by word or act cast contempt upon any such flag, standard, color, ensign or shield.

SEC. 4. This statute shall not apply to any act permitted by the statutes of the United States or of this state, or by the United States Army and Navy regulations, nor shall it apply to any printed

Unlawful use in advertising. or written document or production, stationery, ornament, picture or jewelry whereon shall be depicted said flag, standard, color, ensign or shield with no design or words thereon and disconnected with any advertisement.

SEC. 5. Any violation of this act shall be a gross Penalty. misdemeanor.

SEC. 6. Section 2675 of Remington & Ballinger's Repealing clause. Annotated Codes and Statutes of Washington is hereby repealed.

SEC. 7. This act shall be so construed as to ef- construction of act. fectuate its general purpose and to make uniform the laws of the states which enact it.

SEC. 8. This act may be cited as the Uniform How cited. Flag Law.

Passed the House, March 4, 1919.

Passed the Senate, March 11, 1919.

Approved by the Governor March 13, 1919.

## CHAPTER 108.

#### [H. B. No. 190.]

## AMENDING TOWNSHIP ACT TO INCLUDE RIVER IMPROVEMENTS.

AN ACT providing for the levy of taxes for, and the expenditure of river improvement funds by organized townships, and amending sections 93391/2 and 9368 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 93391/2 of Rem. & Bal. Code be amended to read as follows:

Section  $93391_{2}$ . The electors of each town have power, at their annual town meeting:

First. To determine the number of poundmas- Powers of electors. ters, and location of pounds.

261

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.

Eighth. To apply such penalties, when collected, in such manner as they may deem most conducive to the interests of the town.

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 supervision of the town furnishing the same.

To vote by ballot to establish a town Tenth. 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 dollars (\$300.00) 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.

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 thereon and to establish rules for the care and management of the same.

Twelfth. To authorize the licensing of dogs.

Thirteenth. To make such by-laws and regulations as may be deemed conducive to the peace, good order and welfare of the town; to license, tax, regulate and control hawkers, peddlers, auctioneers, shows, theatricals, circuses, lawful games, merrygo-rounds, ferris-wheels, or other amusement devices or places of amusement.

Fourteenth. To acquire land containing pits of gravel or quarries of stone needed by the town for road construction, proceeding in the same manner that land is condemned for road and other public purposes.

Fifteenth. To vote to levy a tax in such an Levy of tax amount as in their judgment is necessary or advisable, but not to exceed four mills upon all taxable property in such township, for the purpose of creating a fund to be known as river improvement fund.

That Section 9368 of Rem. & Bal. Code SEC. 2. be amended to read as follows:

Section 9368. The supervisors shall have charge Powers and of such affairs of the town as are not by law com- duties of town super-

for river ment fund.

duties of visors

Ch. 108.1

mitted 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 highwavs 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 courthouse 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 expendeed 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. Whenever the electors of any township shall have River imvoted to establish a river improvement fund, such fund shall be expended by the board of township supervisors to acquire by condemnation or otherwise, any land bordering upon or in the vicinity of the banks of any river or stream to be improved. which in their judgment it is advisable to acquire, to strengthen and preserve the banks of any river or stream and prevent overflow thereof, and confine such river or stream within its proper channel, or to straighten the channel by dredging or construction of a new channel: to construct any levee, embankment, channel or other construction at such point where such land is acquired, as in their judgment they may deem necessary or advisable; to protect and render more secure the banks of any river by constructing therein stone or masonry work, contrivance or piling or such other construction as in their judgment is best adapted to accomplish such purpose; to remove log jams or obstructions that may be or hereafter form in such river, and to do any other act to prevent the formation of any obstruction in such river or stream; to employ such persons as they deem necessary and fix their compensation to patrol such rivers and streams and remove such log jams or obstructions now existing or which may hereafter form, and for the purpose of preventing the formation thereof. and who shall perform such other duties as are contemplated by this act and directed by said board

provements.

of township supervisors. And such board of supervisors shall be authorized, in the expenditure of such funds for any of the purposes aforesaid, to cooperate with the board of county commissioners of the county acting under the provisions of chapter 66 of the laws of 1907 in making new improvements and to enter into contracts with the county to pay a certain portion of the cost of any improvements made by the county.

Passed the House February 24, 1919. Passed the Senate March 10, 1919. Approved by the Governor March 13, 1919.

## CHAPTER 109.

[H. B. No. 199.]

## AMENDING RIVER IMPROVEMENT ACT SO AS TO AUTH-ORIZE NEW CHANNELS.

AN ACT providing for the condemnation or purchase of land for, and the construction of, new channels in rivers or streams, and amending Section 8121 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That Section 8121 of Rem. & Bal. Code be amended to read as follows:

Section 8121. Said fund shall be expended by such county commissioners to acquire by condemnation or otherwise, any land bordering upon, or in the vicinity of the banks of any river or stream to be improved, which in their judgment it is advisable to acquire, to strengthen and preserve the banks of any river or stream and prevent overflow thereof, and confine such river or stream within its proper channel, or to straighten the channel by dredging or construction of a new channel; to con-

Manner of improvements.

Cooperation with county.

Ch. 110.1

struct any levee, embankment, channel or other construction at such point where such land is acquired, as in their judgment they may deem necessary or advisable, to protect and render more secure the banks of any river by constructing therein stone or masonry work, contrivance or piling or such other construction as in their judgment is best adapted to accomplish such purpose; to remove log jams or obstructions that may be or hereafter form in such river, and to do any other act to prevent the formation of any obstruction in such river or stream.

Passed the House February 26, 1919. Passed the Senate March 12, 1919. Approved by the Governor March 13, 1919.

## CHAPTER 110.

## [S. H. B. No. 286.]

## AMENDING HIGHWAY CLASSIFICATION ACT.

AN ACT relating to public highways, classifying certain routes as primary state highways, amending certain previous classification sections and adding new sections, repealing designated sections in conflict therewith and declaring an emergency.

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

Section 1. That Section 5878-2a, Remington & Ballinger's Annotated Codes and Statutes of Washington as enacted in Section 2. Chapter 164. Session Laws of 1915, be amended to read as follows:

Section 5878-2a. A primary state highway is Pacific established as follows: A highway starting from the Pacific Highway at Renton, Washington; thence over the most feasible route through Snoqualmie Pass; from Snoqualmie Pass southeasterly by the

Highway.

most feasible route by way of Easton and Cle Elum and thence easterly to the vicinity of Swauk Creek; thence over the route heretofore designated as State Road No.7 through Blewett Pass and easterly by the most feasible route to Wenatchee; thence over the most feasible route through Waterville, Davenport and Spokane to the state boundary; including a southern division extending from the junction in the Swauk vicinity southeasterly by the most feasible route to Ellensburg; all to be known as the Sunset Highway.

SEC. 1½. That section 15 of chapter 164 of the Laws of 1915 be amended to read as follows:

Section 15. A primary state highway is established as follows: A highway starting from a connection with the Sunset Highway at Ellensburg; thence by the most feasible route (heretofore the Sunset Highway) to the Columbia River near Vantage; crossing the same and continuing thence northeasterly by the most feasible route (heretofore the Sunset Highway) to Quincy; thence by the most feasible route (heretofore the North Central Highway) through Ephrata, Krupp, Odessa, and Harrington to a junction with the Sunset Highway at Davenport, to be known as the North Central Highway.

SEC. 2. That Section 5878-2e, Remington & Ballinger's Annotated Codes and Statutes of Washington, as enacted in Section 8, Chapter 164, Session Laws of 1915, be amended to read as follows:

Section 5878-2e. A primary state highway is established as follows: A highway starting at a connection with the Pacific Highway at Auburn, Washington; thence along the most feasible route through Enumclaw and up the valley of White River to the vicinity of its emergence from the east side of Rainier National Park; thence continuing south-

North Central Highway.

McClellan Pass Highway.

.

erly by the most feasible route within said park or east thereof to the vicinity of Cayuse Pass, being the watershed summit whence Klickitat Creek flows northerly into White River and a creek tributary to Chanapecosh River flows southerly into Cowlitz River: thence by the most feasible route easterly over the summit of the Cascade Mountains through Chinook Pass to headwaters of American River and continuing northeasterly with the valley of American River down to its junction with that of Bumping River and thence with said vallev to its junction with that of Naches River; thence southeasterly down the valley of Naches River to a connection with the Inland Empire Highway at the city of Yakima; the said highway to be known as the McClellan Pass Highway.

SEC. 3. That Section 5878-2f, of Remington & Ballinger's Annotated Codes and Statutes of Washington, as enacted in Section 7, Chapter 164, Session Laws of 1915, be amended to read as follows:

Section 5878-2f. A primary highway is estab- National lished as follows: A highway starting from the Highway. Pacific Highway in the City of Tacoma; running thence southerly by the most feasible route, to or near the town of Elbe, where it will branch, one section connecting with the Government road in Rainier National Park, at or near Ashford, Pierce County, and the other by the most feasible route through Mineral, Morton, Klickitat Prairie, to a connection with the Pacific Highway about midway between Chehalis and Toledo; the said highway to be known as the National Park Highway.

SEC. 4. That that certain highway, being a sec-Navy Yard Highway. tion of State Road No. 21, from the vicinity of the head of Port Orchard Bay southwesterly by the most feasible route to a connection with the Olympic Highway between Shelton and Hoodsport be

and the same is hereby established as a primary state highway to be known as the "Navy Yard Highway."

Ocean Beach Highway.

SEC. 5. A primary state highway is established as follows: A highway starting from the Pacific Highway at Chehalis; thence westerly by the most feasible route through Pe Ell and Raymond to South Bend: thence southwesterly by the most feasible route to Ocean Beach at Holman in Pacific county (heretofore being a part of the National Park Highway); also from a junction point with the above described highway in the vicinity of Nasel in Pacific county southeasterly by the most feasible route (heretofore being State Road No. 19) through the town of Skamokawa in Wahiakum county to a junction with the Pacific Highway at the most feasible point in the vicinity of Kelso in Cowlitz county, all of said highway to be known as the "Ocean Beach Highway".

SEC. 6. That a new section be added to be known and cited as 5878-2j, Remington & Ballinger's Annotated Codes and Statutes of Washington, to read as follows:

Section 5878-2j. A primary state highway is established as follows: A highway starting from the Pacific Highway at Vancouver, Washington, thence by the most feasible route and so far as practicable along and on state road No. 8, through Camas and Washougal in Clarke County, thence to Stevenson in Skamania county, Lyle, Maryhill and Goldendale in Klickitat County, thence northeasterly by the most feasible route to Mabton in Yakima County, thence to the most feasible connection with the Inland Empire Highway at or near Grandview in Yakima County; the said highway to be known as the "North Bank" highway.

North Bank Highway.

SEC. 7. That a new section be added to be known and cited as 5878-2k, Remington & Ballinger's Annotated Codes and Statutes of Washington, to read as follows:

Section 5878-2k. A primary state highway is Chelan and established as follows: A highway starting from a Highway. connection with the North Central Highway at Quincy; thence westerly by the most feasible route through Trinidad and running along the northeasterly bank of the Columbia River to Wenatchee; thence northerly by the most feasible route through or near the town of Chelan, in Chelan County, and Pateros, in Okanogan County: thence over the present constructed county road as nearly as practicable through the towns of Brewster and Okanogan: and thence by the most practicable route to the north line of Okanogan County, Washington, near the town of Oroville; the said highway to be known as the Chelan and Okanogan Highway.

That a new section be added to be SEC. 8. known and cited as 5878-21, Remington & Ballinger's Annotated Codes and Statutes of Washington, to read as follows:

Section 5878-21. A primary state highway is Pend Oreille established as follows: A highway starting from the city of Spokane; thence by way of Mead to the town of Newport heretofore established as the Pend Oreille Highway.

That the following named sections, Repealing SEC. 9. clause. heretofore establishing certain roads as secondary state highways, to-wit: Section 5901, Rem. & Bal. Code, establishing State Road No. 23; Section 5901-e, Rem. & Bal. Code, also Section 1, Chapter 96, Session Laws of 1913, establishing State Road No. 8 and extensions thereof; Section 5901-f, Rem. & Bal. Code, establishing the North Central Highway; Section 5901-g, Rem. & Bal. Code, establishing

Highway.

State Road No. 10; Section 5901-j, Rem. & Bal. Code, establishing State Road No. 19; Section 5903, Rem. & Bal. Code, establishing State Roads Nos. 14, 15, 16 and 17, and that paragraph of Section 5905, Rem. & Bal. Code establishing State Road No. 7 and extensions, be and the same are hereby repealed.

Emergency.

SEC. 10. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Passed the House March 6, 1919. Passed the Senate March 11, 1919. Approved by the Governor March 14, 1919.

## CHAPTER 111.

#### [S. S. B. No. 113.]

## EMPLOYMENT OF ALIENS IN PUBLIC OFFICE OR ON PUBLIC WORKS.

AN ACT prohibiting the employment of certain aliens by public officials and on public works and providing penalties for violations thereof.

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

Employment prohibited. SECTION 1. It shall be unlawful for any officer or agent of, or any contractor with, the State of Washington, or any county, city, town or municipal corporation to knowingly employ any alien, whether a declarant or otherwise, who claimed and was granted exemption from military service in the war with Germany and her allies, under the provisions of the "Act of Congress, May 18, 1917," or any acts amendatory thereof, on the ground that he was not a citizen of the United States.

SEC. 2. It shall be unlawful for any such alien Acceptance of employto accept employment with any officer or agent of, ment proor any contractor for, the State of Washington. or any county, city, town or municipal corporation thereof.

SEC. 3. Every contractor shall, upon demand Lists of employees. of the executive officer of the state or municipal corporation with which he has contracted, furnish a list of his employes which shall set forth whether they are citizens of the United States.

SEC. 4. Every person violating the provisions Penalty. of this act shall be guilty of a misdemeanor.

Passed the Senate February 13, 1919.

Passed the House March 11, 1919.

Approved by the Governor March 13, 1919.

## CHAPTER 112.

## [S. B. No. 256.]

### CRIME AND PUNISHMENT OF MURDER IN THE FIRST DEGREE.

AN ACT relating to the crime of murder and the punishment therefor, and amending section 2392 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 2392 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 2392. The killing of a human being, Crime unless it is excusable or justifiable, is murder in the first degree when committed either-

1. With a premeditated design to effect the death of the person killed, or of another; or,

2. By an act imminently dangerous to others and evincing a depraved mind, regardless of human

life, without a premeditated design to effect the death of any individual; or,

3. Without design to effect death, by a person engaged in the commission of, or in an attempt to commit, or in withdrawing from the scent of, a robbery, rape, burglary, larceny or arson in the first degree; or,

4. By maliciously interfering or tampering with or obstructing any switch, frog, rail, roadbed, sleeper, viaduct, bridge, trestle, culvert, embankment, structure or appliance pertaining to or connected with any railway, or any engine, motor or car of such railway.

Murder in the first degree shall be punishable by imprisonment in the state penitentiary for life, unless the jury shall find that the punishment shall be death; and in every trial for murder in the first degree, the jury shall, if it find the defendant guilty, also find a special verdict as to whether or not the death penalty shall be inflicted; and if such special verdict is in the affirmative, the penalty shall be death, otherwise, it shall be as herein provided. All executions in accordance herewith shall take place at the State Penitentiary under the direction of and pursuant to arrangements made by the superintendent thereof.

Passed the Senate March 7, 1919.

Passed the House March 11, 1919.

Approved by the Governor March 14, 1919.

Death penalty.

## CHAPTER 113.

### [S. B. No. 170.]

## AMENDING ACT FOR GOVERNMENT OF CITIES OF THIRD CLASS.

AN ACT relating to the government of cities of the third class, providing for the appointment of officers and for procedure in police courts, and amending sections 6 and 29 of chapter 184 of the Session Laws of 1915.

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

SECTION 1. That section 6 of chapter 184 of the Session Laws of 1915, be amended to read as follows ·

Section 6. Any vacancy occurring in any of vacancies, how filled. the offices provided for in this chapter shall be filled by appointment by the mayor, but if such office be elective, such appointee shall hold office only until the next regular election, at which time a person shall be elected to serve for the remainder of such unexpired term. In case a member of the city council shall absent himself for three consecutive regular meetings thereof, unless by permission of the city council, his office may be declared vacant by the city council, and any vacancies in the city council or in the office of mayor shall be filled by a majority vote of such city council. A temporary va- Temporary vacancies. cancy in any of the appointive offices provided for in this chapter caused by the illness, absence from the city or other temporary inability to act of the incumbent, may be filled by appointment by the mayor; such appointee to exercise the duties of the office until the said temporary disability is removed.

SEC. 2. That section 29 of chapter 184 of the Session Laws of 1915 be amended to read as follows:

Section 29. At the time he shall make his other Police judge. appointments, the mayor shall appoint a police

judge who shall be the regular elected justice of the peace in all cities of the third class, having a population of five thousand or more, if there be any such justice of the peace present in the said city and not under any disability. Said police judge shall, before entering upon the duties of his office, give such additional bond to the city for the faithful performance of his duties as the city council may by ordinance direct, and shall receive such salary in addition to his salary as justice of the peace as the council shall by ordinance direct. The police judge so appointed, in addition to his powers as justice of the peace, shall have exclusive jurisdiction over all offenses defined by any ordinance of the city, and all other actions brought to enforce or recover any license, penalty or forfeiture declared or given by any such ordinance, and full power to forfeit bail bonds and issue execution thereon and full power to forfeit cash bail, and full power and authority to hear and determine all causes, civil or criminal, arising under such ordinance, and pronounce judgment in accordance therewith: Provided. That for the violation of a criminal ordinance no greater punishment shall be imposed than a fine of three hundred dollars (\$300.00), or imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment. In the trial of actions brought for the violation of any city ordinance, no jury shall be allowed. All civil or criminal proceedings before such police judge and judgments rendered by him shall be subject to review in the superior court of the proper county by writ of review or appeal. In actions brought before such police judge to enforce or recover any license, penalty or forfeiture declared or given by any ordinance, and in all other civil actions, the manner of commencing the same, the manner of obtaining service upon the defendants, the procedure during the

Jurisdiction.

Procedure.

pendency of the action and for the enforcement of the judgment obtained, if any, and the procedure in appeal therefrom, together with the time limitations upon such appeals, shall be as provided in the case of civil actions before justices of the peace.

Passed the Senate February 20, 1919. Passed the House March 10, 1919. Approved by the Governor March 13, 1919.

## CHAPTER 114.

#### [A. S. S. B. No. 6.]

#### CONTROL AND TREATMENT OF VENEREAL DISEASES.

AN ACT relating to the detection, control, prevention and spread of venereal diseases, and providing penalties for the violation thereof.

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

SECTION 1. That syphilis, gonorrhea and chanc- communicaroid hereinafter designated as venereal diseases are hereby declared to be contagious, infectious, communicable and dangerous to the public health. It shall be unlawful for anyone infected with these diseases or any of them to expose another person to infection.

Sec. 2. State, county and municipal health officers, or their authorized deputies, who are licensed physicians, within their respective jurisdictions are hereby directed and empowered, when in their judgment it is necessary to protect the public health, to make examination of persons reasonably suspected of being infected with venereal disease of a communicable nature, and to require persons infected with venereal disease of such communicable nature to report for treatment to a reputable physician and continue treatment until cured, or to submit

tion of venereal diseases.

Powers of health officers.

to treatment provided at public expense until cured. and also, when in the judgment of the state commissioner of health, it is necessary to protect the public health, to isolate or quarantine persons infected with venereal disease of such communicable nature. It shall be the duty of all local and state health officers to investigate sources of infection of venereal diseases, to cooperate with the proper officials whose duty it is to enforce laws directed against prostitution, and otherwise to use every proper means for the repression of prostitution: *Provided*, That any person suspected as herein set out may have present at the time of taking the blood sample or smear a physician of his or her choosing. who may satisfy himself that the blood or smear taken is that of the suspected person, and that the same shall be forwarded to the proper state authorities for laboratory tests, and: Provided, further, That the suspected person shall be informed by the health officer of his or her rights under this act.

Prisoners may be examined for disease.

Use of prisons as hospitals.

SEC. 3. Any person who shall be confined or imprisoned in any state, county, or city prison in the state and who may be reasonably suspected by the health officer of being infected with venereal disease shall be examined for and, if infected, treated for venereal diseases by the health authorities or their deputies who are licensed physicians. The prison authorities of any state, county, or city prison are directed to make available to the health authorities such portion of any state, county, or city prison as may be necessary for a clinic or hospital wherein all persons who may be confined or imprisoned in any such prison and who are infected with venereal disease, and all such persons who are suffering with venereal disease at the time of the expiration of their terms of imprisonment, and, in case no other suitable place for isolation or guarantine is available, such other persons as may be iso-

Examination, treatment and

quarantine

of infected persons. lated or guarantined under the provisions of section 2, shall be isolated and treated at public expense until cured, or, in lieu of such isolation any of such persons may, in the discretion of the board of health, be required to report for treatment to a licensed physician, or submit to treatment provided at public expense as provided in section 2. Nothing herein contained shall be construed to interfere with the service of any sentence imposed by a court as a punishment for the commission of crime.

The state board of health is hereby em-SEC. 4. powered and directed to make such rules and regulations as shall in its judgment be necessary for the carrying out of the provisions of this act, including rules and regulations providing for the control and treatment of persons isolated or quarantined under the provisions of section 2, and such other rules and regulations, not in conflict with provisions of this act, concerning the control of venereal diseases, and concerning the care, treatment and quarantine of persons infected therewith, as it may from time to time deem advisable. All such Binding rules and regulations so made shall be of force and binding upon all county and municipal health officers and other persons affected by this act, and shall have the force and effect of law: Provided, That such regulations shall prescribe reasonable safeguards against the disclosure of the names of any such infected persons, who faithfully comply with the provisions of this act and the lawful regulations Names of of the state board of health, except to officers and physicians charged with the enforcement of this act and such rules and regulations and any violation of such safeguarding regulations, shall be a gross misdemeanor.

Rules and regulations, state board of health to make.

on local health officers.

infected to be safeguarded.

SEC. 5. Any person who shall violate any of the Penalty for violaprovisions of this act or any lawful rule or regula- tions of act.

279

tion made by the state board of health pursuant to the authority herein granted, or who shall fail or refuse to obey any lawful order issued by any state, county or municipal health officer, pursuant to the authority granted in this act, shall be deemed guilty of a gross misdemeanor.

SEC. 6. Diagnosis in every instance must be confirmed by laboratory examinations in a laboratory approved by the state board of health, before any person shall be isolated or committed to quarantine and before any person committed to quarantine shall be discharged therefrom.

SEC. 7. Any person committed to quarantine under the provisions of this act, feeling aggrieved at the finding of any health officer that he or she is infected, or at the finding of any quarantine officer that he or she has not been cured of infection. shall have the right of appeal from such finding to the state commissioner of health: and it shall be the duty of every health officer making an examination. and of every quarantine officer, to notify all persons examined or quarantined of their rights in that regard, and to supply them with the forms necessary for that purpose, upon which to make such appeals, to be provided by the state commissioner of health. and to immediately transmit any such appeals by mail to the state commissioner of health; and the state commissioner of health shall, within five days after receiving any such appeal, either in person or by regular or special physician deputy appointed for that purpose, and skilled in the diagnosis of contagious venereal diseases, examine or cause to be examined the person taking the appeal, and the finding and conclusion of the commissioner of health or his deputy so making such examination shall be final and conclusive.

Division of state into

quarantine

districts.

Finding of state com-

missioner conclusive.

SEC. 8. For the purpose of carrying out the provisions of this act the state board of health shall

Appeals to state commissioner of health.

280

have the power and authority, from time to time, to divide the state into such number of quarantine districts consisting of one or more counties or parts of counties or municipalities as it shall deem expedient, and to establish at such place or places as it shall deem necessary quarantine stations and clinics for the detention and treatment of persons found to be infected and to establish any such quarantine station and clinic in connection with any county or city jail, or in any hospital or other public or private institution having, or which may be provided with, such necessary detention, segregation, isolation, clinic and hospital facilities as may be required and prescribed by the board, and to enter into arrangements for the conduct of such quarantine stations and clinics with the public officials or persons, associations, or corporations in charge of or maintaining and operating such institutions: *Provided*. That from and after the date of the proclamation of the governor that that certain public institution if established by the Sixteenth Legislature Clinical to be known as the Women's Industrial Home and institution for women. Clinic is ready for the reception of inmates, all infected women committed to quarantine under the provisions of this act may be committed to said institution; and all women committed to guarantine in said institution shall be entitled to receive all the benefits of the mental, physical and moral training provided for the inmates of such institution.

SEC. 9. The provisions of this act shall be cum- Act cumuulative with the existing laws and regulations and nothing herein contained shall abridge or limit the powers of health authorities as construed by the supreme court of the State of Washington; except as herein otherwise provided.

Passed the Senate February 3, 1919. Passed the House March 10, 1919. Approved by the Governor March 14, 1919.

lative.

## CHAPTER 115.

[H. B. No. 221.]

#### ACQUISITION AND OPERATION OF FERRIES BY COUNTIES.

AN ACT relating to the powers of counties, authorizing the acquisition and operation of ferries and amending section 5013 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 5013 of Rem. & Bal. Code be amended to read as follows:

Section 5013. Any county within the state be and is hereby authorized to construct, condemn, or purchase, operate and maintain ferries or boats across, or wharf at, any unfordable stream, lake, estuary or bay within or bordering on said county, or across any body of water separating portions of such county or separating such county from other counties, together with all the necessary boats, grounds, roads, approaches and landings necessary or appertaining thereto, with full jurisdiction and authority to operate and maintain the same free or for toll, by and under the direction and control of the board of county commissioners of such county and as said board shall by resolution determine.

Passed the House March 4, 1919. Passed the Senate March 12, 1919. Approved by the Governor March 14, 1919.

Powers conferred.

282

## CHAPTER 116.

#### [S. H. B. No. 114.]

#### INSPECTION OF APIARIES AND INSTRUCTION IN BEE CULTURE.

AN ACT establishing a division of apiculture in the State College of Washington prescribing the powers and duties of the Dean of the department of agriculture and the state entomologist in relation thereto regulating the importation, keeping and sale of bees, prescribing penalties for violation thereof and repealing sections 3258, 3259, 3260, 3261, 3262, 3263 and 3264 of Remington & Ballinger's Annotated Codes and Statutes of Washington, and making an appropriation.

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

SECTION 1. There is hereby created and estab- Division of lished a division of apiculture in the State College of Washington which shall consist of the state entomologist of the state college of Washington and of such apiarist inspectors as may be from time to time appointed by the State entomologist by and with the consent of the dean of agriculture of the State College of Washington. The State entomologist shall receive no additional salary as such but shall be paid his actual necessary traveling expenses incurred in the performance of his duties under this act.

SEC. 2. It shall be the duty of the State ento- Instruction mologist to give in person and by the inspectors of tomologist. his division, lectures and field demonstrations and hold institutes throughout the state on the production of honey, the care of the apiary, and kindred subjects relative to the care of bees and the profitable production of honey.

SEC. 3. The state entomologist shall have the Apiary power and it shall be his duty, (with the approval of the dean of agriculture of the State College of Washington) to appoint a sufficient number of

apiculture created in state college.

by state en-

inspectors.

apiary inspectors who shall, under his direction, have charge of the inspection of apiaries, the investigation of outbreaks of bee diseases and the enforcement of the provisions of this act in relation to their eradication and control. Each of said apiary inspectors shall be paid not more than six dollars (\$6) per day for his services as such while so employed and his actual necessary traveling expenses incurred in the performance of his duties.

Inspection of apiaries.

SEC. 4. The state entomologist shall, as often as he deems necessary or when requested in writing by the owner of an apiary or upon the written complaint of any owner of an apiary, make or cause to be made by an inspector an inspection of any apiary or apiaries for the purpose of ascertaining whether or not they are infected with "American foul brood," "European foul brood," or any other disease which is infectious or contagious in its nature or injurious to bees in their eggs, larval, pupal or adult stages, and upon such inspection if it is found that any apiary is so infected, the entomologist, or inspector making the inspection, shall give the owners or caretakers thereof full instructions as to the best methods of controlling or eradicating the infection.

Destruction of infected honey and appliances. SEC. 5. The state entomologist or inspector, who shall have made an inspection, as provided in the preceding section, shall visit all infected apiaries a second time after ten days from the date of any such inspection and if he finds that the disease has not been treated according to an approved method, providing conditions were such that it could be so treaeted, shall burn or cause to be burned all colonies affected by such disease and all honey and appliances which would spread the same, without recompense from the state to the owner, lessee, or other person interested therein.

It shall be unlawful for the owner, les-SEC. 6. SEC. 6. It shall be unlawful for the owner, les- on removal see, caretaker, or any other person in charge of any of infected bees. apiary, or appliances wherein infectious or contagious diseases exist, to sell, barter or give away, or to move without the consent of an inspector, any diseased bees, either queen bees or workers or colonies, or appliances affected with any contagious or infectious disease, or to expose other bees to the danger of such infection.

SEC. 7. For the purpose of the enforcement of Hindering the provisions of this act, the state entomologist unlawful. and the apiary inspectors shall have access and ingress to all apiaries or places where bees are kept and it shall be unlawful for any person to resist, impede or hinder in any way such officer in the discharge of his duties under the provisions of this act.

SEC. 8. It shall be the duty of the state ento- Duty of mologist and of any inspector and of any other person who shall have inspected any infected apiary or who shall have knowingly come in contact with or handled any diseased bees, before proceeding to any other apiary, to thoroughly disinfect his person and clothing and any tools or appliances used by him which shall have come in contact with any infected material.

SEC. 9. It shall be unlawful for any person en- Queen bee gaged in the rearing of queen bees for sale, to use any honey in the making of candy for use in mailing cages unless such honey has been boiled for at least thirty minutes, and it shall be the duty of every person engaged in the rearing of queen bees for sale to have his queen rearing apiary or apiaries inspected by an apiary inspector whenever necessary and whenever conditions for inspection are favorable, and in case any infectious or contagious disease is discovered by such inspection, it shall be unlawful for the person owning, leasing or in charge

285

Restrictions

inspector to himself.

aplaries.

of such queen rearing apiary or apiaries to ship any queen bees therefrom until he shall have received a certificate in writing from the state entomologist or an apiary inspector that such apiary or apiaries are free from all disease.

SEC. 10. The state entomologist shall make an annual report to the governor concerning the operation of the division of apiculture, which shall give the number of apiaries inspected, the number of colonies treated, the number of colonies destroyed and such other information as he may deem necessary or of value to the bee keeping industry.

SEC. 11. It shall be unlawful for any person to import any bees into this state unless such bees are accompanied by a certificate issued by the officers having charge of apiary inspection in the state or country from which such bees are imported, stating that they are free from contagious and infectious diseases, without giving notice to the state entomologist at least ten days before their arrival of his intention so to do, or to receive and place any such imported bees unaccompanied by such certificate in any apiary, or to liberate such bees without first having the same inspected by an apiary inspector; and if upon such inspection of any imported bees, they shall be found to be affected by an infectious or contagious disease, it shall be the duty of the inspector making the inspection to require such bees to be isolated and treated until such time as the inspector shall determine that all danger of infection is removed, or the inspector may in his discretion order said bees and all cages, hives and combs imported therewith to be destroyed.

SEC. 12. It shall be unlawful for any person to keep any bees in any hives or boxes wherein the combs are immovable or which are so constructed as to impede or hinder inspection.

Annual report to governor.

Certification and inspection of imported bees.

Immovable combs prohibited. Ch. 117.1

SEC. 13. Every person convicted of violating Penalty. or failing to comply with any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined as provided by law.

SEC. 14. That sections 3258, 3259, 3260, 3261, Repealing clause. 3262, 3263 and 3264 of Rem. & Bal. Code be and the same are hereby repealed.

SEC. 15. For the purpose of carrying out the Appropriaprovisions of this act there is hereby appropriated \$4,000.00. out of any money in the state treasury not otherwise appropriated the sum of four thousand dollars (\$4,000.00).

Passed the House February 25, 1919. Passed the Senate March 10, 1919. Approved by the Governor March 14, 1919.

# CHAPTER 117.

# [S. B. No. 252.]

#### PUBLICATION OF SUPREME COURT REPORTS.

AN ACT relating to the publications of the decisions of the supreme court reports.

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

SECTION 1. The publisher of the decisions of the Subject Index for supreme court of the State of Washington is hereby advance sheets. authorized to publish with each issue of the advance sheets a subject index thereof, to be prepared by the reporter of the court.

SEC. 2. The publishers, for such additional serv- Prices for ice, may charge not to exceed four dollars per annum for such advance sheets, and may continue to charge, for the remainder of the period of its present contract, with the state, one dollar and seventy-

five cents per volume for the bound volume of reports, and may charge for the bound volume and the advance sheets not to exceed two dollars and twenty-five cents per volume.

Binding of reports. SEC. 3. The decisions may be bound in buckram instead of sheep but the publishers shall furnish to subscribers desiring sheep binding the volumes so bound at a cost not to exceed twenty-five cents additional per volume.

Passed the Senate March 4, 1919. Passed the House March 10, 1919. Approved by the Governor March 14, 1919.

## CHAPTER 118.

#### [S. B. No. 266.]

# PROVISION FOR LIEUTENANT GOVERNOR WHEN ACTING GOVERNOR.

An Act relating to the office of lieutenant governor, making an appropriation therefor and declaring an emergency.

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

SECTION 1. Whenever by reason of the absence from the state or the disability of the governor, the lieutenant governor shall be called upon to, and shall, temporarily perform the duties of the office of governor, he shall be paid upon his personal voucher therefor the sum of ten dollars (\$10.00) per day for expenses.

SEC. 2. For the purpose of carrying out the provisions of this act there is hereby appropriated out of the general fund the sum of five thousand dollars (\$5,000.00), or so much thereof as may be necessary.

Expense allowance.

Appropriation, \$5,000.00. Ch. 119.1

SEC. 3. This act is necessary for the immediate Emergency. support of the state government and shall take effect immediately.

Passed the Senate March 8, 1919. Passed the House March 11, 1919.

Approved by the Governor March 14, 1919.

# CHAPTER 119.

#### [H. B. No. 310.]

#### SALARY AND EXPENSES OF STATE EXAMINERS.

- AN ACT relating to state examiners, providing for their expenses and amending section 8352 of Remington & Ballinger's Annotated Codes and Statutes of Washington.
- Be it enacted by the Legislature of the State of Washington:

That section 8352 of Rem. & Bal. SECTION 1. Code be amended to read as follows:

Section 8352. After the bureau of inspection and Payment by state. supervision shall have formulated and installed the system of uniform accounting in any or all classes of public offices, the state auditor is hereby empowered to appoint additional assistants as required to administer the provisions of this chapter, said additional assistants shall be known as state examiners, who shall each be paid at the rate of not more than two hundred dollars (\$200.00) per month for the time necessary to the performance of his duties, and in addition thereto, his railroad fare and three dollars (\$3.00) per day for his expenses when away from his domicile.

Passed the House March 8, 1919.

Passed the Senate March 11, 1919.

Approved by the Governor March 14, 1919.

# CHAPTER 120.

[H. B. No. 265.]

#### BRANDING OF IMPORTED EGGS.

An Act for the classification, branding, handling, and selling of eggs and providing penalties for the violation of the provisions of this act.

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

SECTION 1. All eggs imported from foreign countries and offered for sale in the State of Washington shall be sold as such. Each egg offered for sale in this state shall be marked, branded or stamped with the name of the country in which it was produced, and such mark shall be in legible Gothic letters and in durable, indelible ink.

SEC. 2. Broken eggs or eggs offered for sale in other than the original form shall be marked or branded as in section 1, except that such mark or brand shall be stenciled on the can, container, and cover or covers in letters two (2) inches high in black face type and in durable ink or paint, and the words "EGGS FROM" shall prefix the mark or brand and such words shall be in similar type and ink or paint.

SEC. 3. The state commissioner of agriculture shall make all necessary rules and regulations to carry this act into effect, such rules and regulations shall be filed in the office of the state commissioner of agriculture and shall be in effect thirty (30) days after such filing.

SEC. 4. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and in case of second or subsequent offense shall be guilty of a gross misdemeanor.

Passed the House March 3, 1919. Passed the Senate March 11, 1919. Approved by the Governor March 14, 1919.

How marked.

Broken eggs, containers to be marked.

Rules and regulations.

Penalty.

## CHAPTER 121

## [H. B. No. 140.]

#### SNOHOMISH-WOODINVILLE SECONDARY STATE ROAD.

AN ACT directing the state highway commissioner to examine and report on the feasibility of a secondary state road from Snohomish in Snohomish county to Woodinville in King county.

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

SECTION 1. The state highway commissioner is Duty of hereby authorized and directed to make such surveys and examinations as may be necessary to determine the feasibility of a secondary state road from Snohomish in Snohomish county, thence southerly by the most feasible route over and along, so far as feasible, the Snohomish Cathcart road and the Maltby Woodinville road to Woodinville in King county, and the state highway commissioner shall make a report of his findings of fact as to the feasibility and utility of such road to the legislature.

Passed the House February 27, 1919. Passed the Senate March 12, 1919. Approved by the Governor March 14, 1919. highway sioner

## CHAPTER 122.

#### [H. B. No. 170.]

#### VESTING STATE BOARD OF CONTROL WITH POWERS AND DUTIES OF PUBLIC PROPERTY COMMISSIONERS.

AN Act abolishing the board of "Public Property Commissioners", vesting its powers and duties in the state board of control, amending sections 8965 and 8967, repealing sections 8964 and 8966 of Remington & Ballinger's Code and all other acts and parts of acts in conflict with the provisions hereof.

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

SECTION 1. All powers and duties now vested in or required to be performed by the board of "Public Property Commissioners" are hereby vested in and required to be performed by the state board of control, and the board of "Public Property Commissioners" is hereby abolished.

SEC. 2. Section 8965 of Remington & Ballinger's Code is hereby amended to read as follows:

Section 8965. The state board of control shall have power to sell and convey any personal property belonging to the state, when authorized in writing by the office or department possessing such property, and by and with the advice and consent of the governor, in writing, whenever it shall appear to said board that the state has no further use for such property and that it is for the best interests of the state to sell and dispose of the same.

SEC. 3. All such property may be sold for cash or exchanged for other personal property of equal value, such sales or exchanges to be made at public auction or private sale, with or without notice, in the discretion of the board.

SEC. 4. Said board shall, on or before the fifteenth day of each month, file with the state auditor a report of its transactions during the preceding month, which report shall contain a statement of all

Public property commissioners abolished.

Sale of property by board of control.

Mode of disposal.

Monthly reports.

articles sold or exchanged, the amount of money received from each cash sale and the value placed upon each article conveyed or received in any exchange of property.

SEC. 5. Section 8967 of Remington & Ballinger's Code is amended to read as follows:

Section 8967. All money realized from the sale Disposition of moneys realized. of any such personal property shall be paid over to the state treasurer, who shall give to the board his receipt therefor, and the money so received shall go into the fund from which the property sold was purchased: Provided. however, that if such fund be not in existence at the time of sale the money shall be credited to the general fund of the state.

SEC. 6. Sections 8964 and 8966 of Remington & Repealing clause. Ballinger's Code and all acts and parts of acts in conflict with the provisions hereof are hereby repealed.

Passed the House March 4, 1919. Passed the Senate March 12, 1919. Approved by the Governor March 14, 1919.

#### CHAPTER 123.

#### [H. B. No. 171.]

#### AUTHORIZING TRANSFER OF MONEYS FROM GENERAL FUND TO FISHERIES FUND.

AN ACT requiring the Treasurer of the State of Washington to transfer certain moneys from the General Fund to the Fisheries Fund of the State of Washington and for the disposal of other moneys in the Fisheries Fund.

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

SECTION 1. The State Treasurer of the State of Proceeds of Washington shall transfer from the General Fund of fishing beats. to the Fisheries Fund of the State of Washington

forfeiture

Ch. 123.1

the sum of \$2140.28, the net proceeds realized from the sale of certain fishing boats and equipment confiscated and sold for violation of the Fisheries Laws of the State of Washington, and collected by the Fish Commissioner and paid over by him to the State Treasurer on the 8th day of January, 1919, and deposited in the General Fund of the State.

Proceeds of judgment for damages to hatchery. SEC. 2. The State Treasurer is further directed to place to the credit of the Fisheries Fund of the State of Washington any moneys paid to the State Treasurer by the Great Northern Railway Company in settlement of a judgment for \$2500.00 and interest against said company for damages to a fish hatchery in Snohomish County, Washington, under the control and in the possession of the State Fish Commissioner.

Passed the House February 18, 1919. Passed the Senate March 11, 1919. Approved by the Governor March 14, 1919.

## CHAPTER 124.

[S. B. No. 209.]

SALARIES OF COMMISSIONER OF PUBLIC LANDS AND STATE INSURANCE COMMISSIONER.

An Act fixing the salary of the commissioner of public lands and state insurance commissioner.

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

SECTION 1. The commissioner of public lands shall receive an annual salary of five thousand dollars (\$5,000.00).

SEC. 2. The state insurance commissioner shall receive an annual salary of five thousand dollars (\$5,000.00).

Passed the Senate March 10, 1919. Passed the House March 12, 1919. Approved by the Governor March 15, 1919.

Public land commissioner.

Insurance commissioner.

## CHAPTER 125.

# [H. B. No. 134.]

## PHOTOGRAPHIC RECORDATION OF PLATS AND DOCUMENTS.

AN ACT to authorize the recording of documents, plats and other papers by photographic or photo-mechanical process.

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

SECTION 1. Any state, county or municipal officer charged with the duty of recording documents, recording plats or other papers in public records, may, in lieu of transcription, record the same by a photographic or photo-mechanical process; but no process shall be so used that does not produce a clear, legible and durable record and that has not been first tested and approved for the intended purpose by the public archives commission of the State of Washington.

Passed the House February 17, 1919. Passed the Senate March 11, 1919. Approved by the Governor March 15, 1919.

# CHAPTER 126.

#### [H. B. No. 148.]

## VESTING COMMISSIONER OF AGRICULTURE WITH ADDITIONAL POWERS.

AN ACT defining the powers and duties of the commissioner of agriculture and amending section 3000-6 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 3000-6 of Rem. & Bal. Code be amended to read as follows:

Section 3000-6. The commissioner shall have power and it shall be his duty:

(1) To exercise all the powers and perform all Powers the duties now vested in and required to be performed by the state veterinarian.

Authority conferred on officers

enumerated.

(2) To exercise all the powers and perform all the duties now vested in and required to be performed by the state dairy and food commissioner.

(3) To exercise all the powers and perform all the duties now vested in and required to be performed by the state commissioner of horticulture and the district horticultural inspectors appointed by such commissioner.

(4) To exercise all the powers and perform all the duties now vested in and required to be performed by the state oil inspector.

(5) To exercise all the powers and perform all the duties now vested in and required to be performed by the state fair commission.

(6) To exercise all the powers and perform all the duties now vested in and required to be performed by the state commissioner of labor so far as they concern the inspection and supervision of bakeries and bakeshops.

(7) To exercise all the powers and perform all the duties now vested in and required to be performed by the department of animal husbandry in the State College of Washington in respect to the registry and licensing of stallions and jacks.

(8) To exercise all the powers and perform all the duties now vested in and required to be performed by the director of the Washington agricultural experiment station in respect to concentrated commercial feeding stuffs.

(9) To exercise all the powers and perform all the duties now vested in and required to be performed by the director and chemist at the Washington agricultural experiment station, or either of them, in respect to commercial fertilizers used for manurial purposes.

(10) To publish and distribute bulletins and reports embodying information upon the subjects of

agriculture, horticulture, livestock, dairying, foods and drugs and other matters pertaining to his department.

(11)To cause surveys and classifications to be made of such lands as shall come within any project of the state for reclamation, drainage or utilization of logged-off lands, or other similar enterprises.

(12) To make a report to the governor, at least thirty days before the commencement of each biennial session of the legislature, containing an account of all matters pertaining to his department and its administration, which shall be printed and published in the manner provided by law.

To declare, promulgate and enforce quar- Protection of (13)antine measures for the protection of any agricultural crop. forest trees. forest products or other products not otherwise protected by law against the ravages of destructive or injurious insects or diseases. To adopt, promulgate and enforce rules and regulations for the inspection, grading and certification of growing crops of agricultural or vegetable seed grown in this state and to inspect, grade and certify the same at the request of the grower and to Seed inspection. fix and collect fees for such inspection, grading and certification and to pay the fees so collected into the state treasury.

Passed the House February 27, 1919. Passed the Senate March 11, 1919. Approved by the Governor March 15, 1919.

#### CHAPTER 127.

#### [S. S. B. 69.]

#### COUNTY TAX LEVY FOR HIGHWAY IMPROVEMENTS.

AN ACT relating to the improvement of certain highways, providing a method for the computation, collection and payment of the cost thereof, and amending Section 5765 of Remington & Ballinger's Annotated Codes and Statutes of Washington, as amended by Section 21 of Chapter 72 of the Session Laws of 1917.

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

SECTION 1. That Section 5765 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 5765. That no assessments for road construction or improvements under the terms of this act for which any county may be held liable shall ever exceed four (4) mills in any one year: *Provided*, that in computing the indebtedness to be created under the provisions of said act, the actual value of the taxable property in said county shall be used as the basis therefor, and not the last assessed valuation thereof.

Passed the Senate February 18, 1919.

Passed the House March 11, 1919.

Approved by the Governor March 15, 1919.

Tax levy.

Basis of computation.

# CHAPTER 128.

#### [S. B. 76.1

#### RELIEF OF ARVID RYDSTROM AND DAVID GOVAN.

AN ACT making appropriations for the relief of Arvid Rydstrom and David Govan for services performed and material furnished.

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

SECTION 1. That the sum of twenty-seven thou- Appropriasand three hundred nineteen dollars and fifty-eight \$27,319.58. cents (\$27.319.58) is hereby appropriated from the public highway fund for the relief of Arvid Rydstrom for services performed and materials furnished the state, for which he has not been paid, and the state auditor is hereby authorized and directed to draw his warrants upon the state treasury in favor of said Arvid Rydstrom in the said amount.

SEC. 2. That the sum of twelve thousand dol-Approprialars (\$12,000.00) is hereby appropriated from the \$12,000.00. public highway fund for the relief of David Govan for services performed and materials furnished the state, for which he has not been paid, and the state auditor is hereby authorized and directed to draw his warrants upon the state treasury in favor of said David Govan in the said amount.

Passed the Senate March 3, 1919. Passed the House March 11, 1919. Approved by the Governor March 15, 1919.

299

۰.

## CHAPTER 129.

#### [H. B. 236.]

## AMENDMENTS OF MEDICAL AID ACT.

AN ACT relating to the compensation and medical and surgical care of workmen injured in extra hazardous employment, and amending Sections 6604-34, 6604-35, 6604-37, 6604-38, 6604-45 and 6604-46 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 6604-34 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 6604-34. Creation of Medical Aid Fund.

A fund is hereby created in the state treasury to be known as the medical aid fund. Into it shall be paid by each employer on or before the 15th day of June, 1917, and on or before the fifteenth day of each month thereafter for each day's work or fraction thereof done for him in extra hazardous employment in or during the preceding calendar month the following amount, to-wit: In class A one cent, in class B one and one-half cents, in class C two cents, in class D two and one-half cents and in class E three cents. Any such monthly payment in any class may be omitted for and during any month or months if the state medical aid board shall certify that the accumulated fund is sufficient to permit such omission. Any monthly payment may be increased by the state medical aid board if they find, and to the extent to which they find the fund on hand, together with the current payments, will be insufficient to meet the anticipated demands thereon for the ensuing month. Notice of any such increase shall be mailed to each employer at least twenty days prior to the due date of payment, and shall be

Medical aid fund.

Payments Into fund.

communicated by the employer to his employes. The employer shall deduct from the pay of each of his workmen engaged in extra hazardous work one-half of the amount the employer is required by the foregoing provision of this section to pay into said fund for or on account of the employment of such work-The collection of the payments in this section man. provided for, and the keeping of accounts of collection, shall be in the hands and within the powers and duties of the state industrial insurance commission, and the expense of such bookkeeping, collection, necessary auditing and investigation of payrolls, shall be paid out of the administration fund of said commission. The files and records of the Industrial Insurance Department and those of the state medical aid board shall be subject to the reasonable use thereof by the other body, and the Industrial Insurance Department shall furnish the state medical aid board all data available to the department required by the state board.

Sec. 2. That Section 6604-35 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 6604-35. Medical, Surgical and Hospital Treatment.

Upon the occurrence, after June 30, 1917, of any Compensa-tion from from fund. the provisions of said section 6604, other than section 6604-19, thereof, he shall receive in addition to such compensation, and out of the medical aid fund, proper and necessary medical and surgical services, at the hands of a physician of his own choice if conveniently located and proper and necessary hospital care and services during the period of his disability from such injury, but the same shall be limited in point of duration as follows: In case of permanent partial disability not to extend beyond the date when compensation shall be awarded him out of the acci-

dent fund, in case of temporary disability not to extend beyond the time when the monthly allowances to him out of the accident fund shall cease, in case of a permanent total disability not to extend beyond the date on which a lump sum settlement is made with him or he is placed upon the permanent pension roll. But after any injured workman shall have returned to his work his medical and surgical treatment may be continued at the expense of the medical aid fund if, and so long as, such continuation is deemed by the State Board to be necessary to his completer recovery. In order to authorize such continued treatment in any case the written order of the State Board issued in advance of the continuation shall be necessary. Every employer. who employs less than fifty workmen, shall keep at his plant a first aid kit equipped as required by the state board with materials for first aid to his injured workmen. Every employer, who employs within a radius of one-half mile of any plant or establishment fifty or more workmen, shall keep there one first aid station equipped as required by the state board with materials for first aid to his injured workmen. The maintenance of such first aid kits and stations shall be deemed to be a part of any educational standards established under the provisions of sections 6604-55 and 6604-57. When the injury to any workman is so serious as to require his being taken from the place of injury to a place of treatment, his employer shall, at his own expense and without charge against the medical aid fund, furnish transportation to the nearest place of proper treatment. Every workman whose injury shall result in the loss of limb or eve shall be once provided by the state board at the expense. not to exceed the sum of One Hundred Sixty-five Dollars (\$165.00) in any case, of the accident fund, out of which his compensation shall come, an arti-

First aid kits.

Transportation for treatment.

Loss of eye or limb. ficial substitute. Every workman, who shall suffer a penetrating wound of the cornea producing an error of refraction, shall be once provided by his local aid board at the expense of the accident fund. out of which his compensation shall come, proper and properly equipped lenses to correct such error of refraction, and his disability rating shall be based upon the corrected result. A workman, whose in- Temporary jury is of such short duration as to bring him within the provisions of subivision L of section 6604-5. shall nevertheless receive during the omitted period medical, surgical and hospital care and service and transportation under the provisions of this section.

SEC. 3. That section 6604-37 of Remington & Ballinger's Codes and Statutes of Washington be amended to read as follows:

Section 6604-37. Duties of Medical Aid Board. Duties of

It shall be the duty of the state board to supervise and control the administration of the rules, regulations and practices promulgated by it and the details thereof, and it shall have supervisory power over the acts and practices of the local aid boards.

SEC. 4. That section 6604-38 of Remington & Ballinger's Codes and Statutes of Washington be amended to read as follows:

Section 6604-38. The state board shall consist state medical aid board. Two members shall board. be appointed by the governor. Any state wide association of workmen whose organization purposes shall first include or be made to include the making of such nominations and whose membership is open to all classes of workmen engaged in extra-hazardous work, may nominate to the governor two of its members, and one of said nominees shall be appointed by the governor, and his term of office shall Appoint-ment terms be six years. Any association of employers, whose and comorganization purposes shall include or be made to

iniuries.

Ch. 129.1

include the making of such nominations, and whose membership is open to employers of all classes engaged in extra hazardous work, or if there be more than one such association, a combination of them may nominate to the governor two of their members, and one of said nominees shall be appointed by the governor and his term of office shall be three years. After the expiration of said terms, and to fill vacancies, the same method of nomination and appointment shall obtain. After the expiration of said terms the term of office of each of the said two members shall be six years. The governor shall notify the proper organizations in advance of any appointment. If nominations are not made within thirty days following such notification, the governor shall be free to make his own selection for the office, except that if there is a member who was appointed without precedent nomination the new appointee must be of a political party other than that of the governor. Every member shall serve until his successor is appointed and qualified. Each of said two members shall receive as compensation the sum of ten dollars (\$10.00) for each day or part thereof. not to exceed one hundred days in any calendar year, on which he shall attend a meeting of the state board, and all members shall also receive their traveling expenses, all to be paid out of the medical aid fund upon voucher and audit, as required for other payments out of said fund.

The third member shall be appointed by the said two members. He must be a physician and surgeon qualified to practice under the laws of the state. He shall be chairman of the said board. His term of office shall be six years. He shall receive a salary of five hundred dollars (\$500.00) per month payable out of the medical aid fund upon like voucher and audit.

The action of a majority of the members shall Board sessions. be the action of the state board. The state board shall execute its powers in sessions to be held at the state capitol or at such other place or places as it may select and so often as it shall determine. Meetings may be called by any member upon not less than five days' notice given in writing to the other members, but previous notice of any meeting attended by all three members may be dispensed with.

The state board may employ, and at will dis- Secretary. charge, a secretary at a monthly salary to be fixed by them not exceeding two hundred and fifty dollars (\$250.00), to be paid from the medical aid fund on voucher and audit. It shall be his duty to attend their meetings, keep a record of the proceedings thereat, keep on separate file all reports made to the board, and perform such other services as may be required by the rules or regulations or by directions given him. The absence of any member of the Vacancies in board. state board from any three consecutive regularly called meetings shall forthwith terminate his term of office and create a vacancy therein, unless such absence shall be due to his illness or shall be excused by resolution of the state board passed and entered of record at one of said three meetings.

The chairman shall devote to the performance clerical of his said duties all of his time and attention during the office hours of each day, and he shall not engage in private practice. The state board shall have power to incur such expense, payable out of the medical aid fund, for clerical assistance as they shall deem necessary, not to exceed the sum of Ten Thousand Dollars (\$10,000.00) a year.

SEC. 5. That section 6604-45 of Remington & Ballinger's Codes and Statutes of Washington be amended to read as follows:

assistance.

Section 6604-45. Contracts Invalid Unless Approved by Medical Aid Department.

Any contract made in violation of this act shall be invalid, except that any employer engaged in extra hazardous work may with the consent of a majority of his workmen, enter into written contracts with physicians, surgeons and/or owners of hospitals operating the same, or with hospital associations, for medical, surgical and hospital care to workmen injured in such employment by and under the control and administration of and at the direct expense of the employer and his workmen. Such a contract shall not be assignable or transferable by operation of law or otherwise except with the consent of the state board endorsed thereon. Before anv such contract shall go into effect it shall be submitted to the state board, and may be disapproved by the state board when found not to provide for such care of injured workmen as is contemplated by the provisions of section 6604-36, and if a contract so submitted be with the owner of a hospital operating the same, or with a hospital association. the state board shall have power to disapprove the same if in their judgment the ownership or management of such hospital or hospital association will not be such as to produce satisfactory service. Any such contract with physician, surgeon, or owner and operator of a hospital, or with a hospital association, so disapproved shall not be valid. Otherwise it shall be approved and take and continue in effect for any period of time specified therein, not exceeding three years from the date of such approval. Every such contract to be valid must provide that the expenses incident to it shall be borne one-half by the employer and one-half by such employes, and that it shall be administered by the two interests jointly and equally. So long as such contract shall be in effect the subject matter of the con-

Contracts

for medical

Approval of state board necessary. Ch. 129.]

tract shall (except as in this section otherwise provided) be outside of and not affected by the provisions of sections 6604-33 to 6604-44, inclusive, and section 6604-46, other than the provisions of Section 6604-35 relating to artificial substitutes and lenses and the basis of compensation when lenses supplied, and to transportation of injured workmen, and to educational standards of safety, and other than the provisions of section 6604-40 relating to the analyses and reports of accidents by local aid boards, and the employer shall not be required to make the payments specified in section 6604-34. except that the employer shall pay monthly into the medical aid fund ten per centum of the amount he would have been required to pay in that month if such contract had not been made, and of that ten per centum he shall collect one-half from his said workmen by proper deduction from the daily wage of each. During the operation of any such contract any interested workman may complain to the state board that the service and care actually rendered thereunder are not up to the standard provided in section 6604-36, and if upon a hearing had upon notice to the employer and workmen interested Complaints of workmen. thereunder, the state board shall sustain the complaint, it may make an order that the contract shall terminate unless the defect or deficiency complained of shall be remedied to its satisfaction within a period of time to be fixed in such order. Notice to the workmen may be effected in the manner provided Hearings and appeals. in section 6604-33. The employer or any interested workman may appeal from such decision to the courts in the manner provided in section 6604-20. During the appeal the contract shall remain in force and operation, but the costs of the appeal shall be paid out of the medical aid fund only in case the decision of the state board is reversed by the court. If during the operation of any such contract, any

307

injured workman shall not receive medical or surgical treatment with reasonable promptness upon the occurrence of his injury, or at any time during his treatment, his local aid board may provide such treatment during the emergency at the expense of his employer, who may charge such expense against such contract, and such emergency treatment shall continue until supplanted by like treatment under such contract, notwithstanding the pendency of an appeal from such action of the local aid board. The cost of such emergency treatment shall not exceed the rates specified in the fee bill provided by section 6604-36. The acceptance of employment by any workman shall be and be held to be an acceptance of any existing contract made under this section to which his employer is a party, or to the choice of any member of the local board having jurisdiction of the workmen in such employment, and of any contract then existing entered into by such local board.

Prior contracts validated.

Assent to contracts.

SEC. 6. No contract for medical, surgical, or hospital care of injured workmen entered into prior to the time this act shall go into effect shall be invalidated by anything in this act contained.

SEC. 7. That section 6604-46 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 6604-46. Collection and Disbursement of Funds.

Relation between aid and compensation acts. The provisions of Section 6604-1 to 6604-32, inclusive, shall be applicable to the collection of the medical aid fund, to the powers and duties of the state and local boards, and to the medical, surgical and hospital care of injured workmen only so far as they are not inconsistent with the provisions of sections 6604-33 to 6604-120, inclusive. Disbursements for the salaries of the secretary and office employees, and for the office and printing expenses of

Emergency treatment. the state board, and in the payment of bills incurred for the medical, surgical, or hospital care of injured workmen shall be made by warrants drawn against the medical aid fund by the state auditor upon cer- warrants tificate thereof or requisition therefor signed by fund. the members of the state board or a majority thereof.

Passed the House, March 3, 1919. Passed the Senate, March 10, 1919. Approved by the Governor March 15, 1919.

#### CHAPTER 130.

#### [H. B. 235.]

#### ADDITIONAL PROVISIONS RELATING TO INDUSTRIAL INSURANCE.

AN ACT relating to industrial insurance, to the medical and surgical care of injured workmen, providing certain means for the prevention and avoidance of injuries to workmen, and amending Sections 6604-39 and 6604-40 of and adding Sections 6604-48 to 6604-120 (both inclusive) to Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-48, as follows:

Section 6604-48. Sections 6604-48 to Sections Application 6604-120, inclusive, shall apply to all and only those establishments, those employers, and those workmen who are or shall be under the jurisdiction of the Industrial Insurance Department.

SEC. 2. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Wash-

of act.

ington a new section to be known as Section 6604-49, as follows:

Section 6604-49. The phrase "place of work" shall mean and include every place, whether indoors or out, or underground or elsewhere, and the premises appurtenant thereto, where either temporarily or permanently any industry, trade or business is carried on, or where any process or operation directly or indirectly relating to any industry, trade, work or business is carried on, including all construction work.

SEC. 3. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-50, as follows:

Section 6604-50. The terms "safe" and "safety", as applied to an employment or place of work; "safeguard" or "safety device" shall mean such freedom from danger to the life or safety of workmen as the nature of the case will reasonably permit; and the two latter terms shall be given a broad interpretation so as to include any reasonably practical method of mitigating or preventing danger.

SEC. 4. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-51, as follows:

Duty of employer as to safeguarding workmen. Section 6604-51. For the purposes of this act, it shall be the duty of every employer to furnish a place of work which shall be as safe for workmen therein as may be reasonable and practicable under the circumstances, surroundings and conditions, and to furnish and use such safety devices and safeguards and to adopt and use such practices, means, methods, operations and processes as under the circumstances, surroundings and conditions are rea-

"Place of work"

defined.

Safety terms defined.

sonable and practical in order to render the work and place of work safe, and to comply with such standards of safety of place of work and such safety devices and safeguards and such standards and systems of education for safety as shall be from time to time precribed for such employer by the State Safety Board, or by statute, or by the State Mining Board.

That there be added to Remington & SEC. 5. Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-52. as follows:

Section 6604-52. For the purposes of this act, it safety devices. shall be the duty of every workman to co-operate with his employer in all efforts for safety in respect of a safe place to work, safety devices, and safeguards, and for educational safety work, and to on his part comply with all standards of safety established for his work by the State Safety Board, or by statute, or by the State Mining Board, and not to remove, displace, damage or destroy any safety device or safeguard so established, nor interfere in any way with the use thereof by any other workman, nor interfere with the use of any method or process adopted or prescribed for the protection of workmen in any place of employment. Any employer or workman who shall knowingly remove, Penalty for displace, damage or destroy, or cause to be re- destruction. moved, displaced, damaged or destroyed, any such safety device or safeguard, shall be guilty of a misdemeanor.

SEC. 6. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-53. as follows:

Section 6604-53. For the purpose of enforcing State safety board in all industries (other than coal mining) the per-

formance of the duties prescribed in Sections 6604-51 and 6604-52, there is hereby created a State Safety Board, consisting of two members, to-wit: The two members of the State Medical Aid Board other than the chairman thereof.

SEC. 7. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-54, as follows:

Section 6604-54. The Commissioner of Labor and the State Mine Inspector shall act as advisory members of the State Safety Board, but in such advisory capacity only, and shall not be entitled to vote on any question coming before the State Safety Board. They shall not be included in the designation "State Safety Board" wherever used.

SEC. 8. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-55, as follows:

Section 6604-55. For all other work than coal mining, the State Safety Board, in accordance with the principles laid down in Sections 6604-50, 6604-51, and 6604-52, shall make, and may from time to time modify, and shall promulgate standards of safety, to-wit:

(1) To make safe the place of work of workmen, same to be termed "safe place standards";

(2) Of safety devices and safeguards to make safe machines, tools, apparatus and appliances, same to be termed "safety device standards";

(3) Of educational systems for the education and training of employer and workman in the appreciation and avoidance of danger and in the maintenance and use of safe place and safety device standards.

The State Safety Board shall make, and may from time to time modify, and shall promulgate

Advisory members.

Safety standards to be promulgated. rules and regulations for the enforcement of the use of such standards of safety.

SEC. 9. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-56, as follows:

Section 6604-56. The safe place standards and Coal mine safety device standards for the coal mines of the standards. state, employer and workman, shall be those prescribed by chapter 36 of the session laws of 1917. approved March 2, 1917, as it may be amended from time to time. Such chapter and its amendments are hereinafter referred to as the "Coal Mining Code".

SEC. 10. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-57. as follows:

Section 6604-57. The educational standards for coal mines and coal mining shall be prescribed by a board hereby created to be known as the "State Mining Board", consisting of two members, to be appointed by the State Safety Board.

Sec. 11. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-58. as follows:

Section 6604-58. One member of the State Min- State Mining ing Board must be a mine manager or superintendent or mine safety engineer or mine safety inspector or stockholder of a mining corporation, and one member must be a workman in a coal mine in the state.

SEC. 12. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-59. as follows:

Section 6604-59. Any association of coal mine Nominations to state employers of the state whose organization purposes board by employers.

Coal mine educational standards.

include or shall be made to include the making of such nominations and whose membership is open to all coal mine employers in the state, or if there be more than one such organization, a combination of them, may nominate to the State Safety Board two nominees for appointment to the State Mining Board, and the State Safety Board shall appoint one of them.

SEC. 13. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-60, as follows:

Section 6604-60. Any association of coal mine workmen of the state whose organization purposes include or shall be made to include the making of such nominations and whose membership is open to all coal mine workmen in the state, or if there be more than one such organization, a combination of them, may nominate to the State Safety Board two nominees for appointment to the State Mining Board, and the State Safety Board shall appoint one of them.

SEC. 14. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-61, as follows:

Section 6604-61. The first nominations under Sections 6604-59 and 6604-60 shall be made within thirty days after this section shall go into effect, and nominations to fill a vacancy shall be made within thirty days following the creation of the vacancy, and nominations for succession shall be made within a period of sixty days, thirty days preceding and thirty days following the expiration of the term of office of the member to be succeeded.

SEC. 15. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Wash-

Time for making nominations.

Nominations by workmen. ington a new section to be known as Section 6604-62, as follows:

Section 6604-62. If either nominating body shall Failure to nominate. fail to make nominations as and within the time provided in Sections 6604-59, 6604-60, and 6604-61, the State Safety Board shall make the appointment without precedent nomination.

SEC. 16. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-63, as follows:

Section 6604-63. The term of office of each mem- Term of office ber of the State Mining Board shall be six (6) vears and until his successor shall have been appointed.

That there be added to Remington & Sec. 17. Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-64, as follows:

Section 6604-64. Each member of the State Mining Board shall receive his actual traveling expenses incurred in the performance of his duties and compensation for each day's attendance at a meeting of his Board at the rate of ten dollars per day.

Sec. 18. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-65, as follows:

Section 6604-65. Any coal mine employer, or Recommenworkman, or association of either, or any joint committee of such employers and workmen, or the State Mine Inspector appointed under the provisions of the Coal Mining Code, or any of his deputies, shall be authorized to make recommendations to the State Mining Board of educational standards, or amendments of the same, or modifications thereof. The making of the original educational standards shall

Compensation and expense allowance.

be withheld for a period of thirty (30) days following the organization of the State Mining Board, to await the receipt of such recommendations.

SEC. 19. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-66, as follows:

Section 6604-66. The State Mining Board shall have power to make changes in its educational standards from time to time.

SEC. 20. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-67, as follows:

Section 6604-67. Standards of safety established by the State Safety Board shall be, as near as possible and practicable, uniform for each class or for each class subdivision of a class, which has been or may be divided into subdivisions by statute or by the Industrial Insurance Commission, but such standards of safety and the educational standards established by the State Mining Board may vary between different localities, different classes or class subdivisions of industry and different establishments in any class or class subdivision where in the opinion of the board establishing same the working conditions warrant such differentiation, and where in the opinion of such board there are such differences as to render impracticable, inoperative or unjust a uniform standard or standards.

SEC. 21. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-68, as follows:

Section 6604-68. Any employer, or workman in any industry (other than coal mining), or association of either, or any joint committee of such

Changes authorized.

Uniformity and differentiation in standards.

Recommendations for safety standards.

employers and workmen, or the State Labor Commissioner, shall be authorized to make recommendations to the State Safety Board of safety standards. or amendments therein, or modifications thereof. The making of the original standards of safety by the State Safety Board shall be withheld for a period of thirty days following the organization of that Board to await the receipt of such recommendations.

Sec. 22. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-69. as follows:

Section 6604-69. Standards of safety having General and uniform application throughout a class or class subdivision shall be known as "general standards". Standards of safety which shall not be of uniform application to any class or class subdivision shall be known as "special standards".

SEC. 23. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-70, as follows:

Section 6604-70. At any time after the expira- New standards, tion of thirty days after the organization of the hearings on. State Mining Board or the State Safety Board respectively and from time to time thereafter as new standards or changes or modifications of existing standards are proposed, the State Safety Board or the State Mining Board, as the case may be, shall call a public hearing or hearings for the purpose of the consideration and establishment of standards of safety within its jurisdiction. At every such hearing the employers and workmen interested shall be privileged to attend and be heard in person or by their committee or committees or representatives.

SEC. 24. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-71, as follows:

Section 6604-71. In advance of every such hearing, the Board which is conducting the hearing shall cause a notice of the time and place of such hearing to be published at least once in a daily newspaper of general circulation, published and circulated in the community in, or as near as may be to the place where the establishment or establishments to be affected are located. If the subject of the hearing affects industries throughout the state, such publications shall be in a daily newspaper published in each city of the first-class in the state, and such other cities as the Board giving the notice shall select.

SEC. 25. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-72, as follows:

Section 6604-72. Written notice of every such hearing shall also be mailed under the direction of the Board which is to conduct such hearing to each employer whose class, class subdivision or establishment is affected. It shall be the duty of each employer receiving such a notice to forthwith post the same at his establishment for the information of his workmen.

SEC. 26. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-73, as follows:

Section 6604-73. No defect, inaccuracy or informality in any such notice or in the publication thereof, nor the omission of notice by mail to any employer, shall invalidate any order or standard of safety established pursuant to such hearing, but no

Written notice.

Defective notice.

Notice of hearings to be published. special standard of safety shall be valid unless written notice of the hearing shall have been mailed to the employer or employers of the establishment or establishments affected thereby. For hearings Omission of notice, affecting a special standard only, publication of notice may be omitted.

Sec. 27. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-74, as follows:

Section 6604-74. No standard of safety which Approval of conflicts or is inconsistent with any safety device, of safety standards. safeguard or safety standard, or rule heretofore established by statute, shall be established by the State Safety Board without the written consent of both members of the State Safety Board and the written approval of the same by the Industrial Insurance Commission, the Commissioner of Labor and the State Mine Inspector.

SEC. 28. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-75. as follows:

Section 6604-75. The State Mine Inspector shall Enforcement have sole charge of the enforcement of the standards of safety for coal mining and of the inspection incident thereto.

Sec. 29. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-76, as follows:

Section 6604-76. For the purpose of the enforce- Deputy mine inspectors. ment of standards of safety for mining, the State Mine Inspector shall have such number of deputy mine inspectors as he shall deem necessary, not to exceed three in all, including the one provided for by the Coal Mining Code.

alteration

standards.

SEC. 30. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-77, as follows:

Section 6604-77. The duties of the deputy mine inspectors shall be to inspect the coal mines of the state, to ascertain and report compliance or noncompliance with safety standards, and to recommend improvements of safety standards.

SEC. 31. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-78, as follows:

Section 6604-78. The new deputy mine inspectors provided by section 6604-76 shall be appointed in the manner and shall be subject to the tests as to qualifications provided by the Coal Mining Code for deputy mine inspectors.

SEC. 32. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-79, as follows:

Section 6604-79. The State Mine Inspector shall receive a monthly salary of one hundred dollars (\$100) per month for the performance of his duties in enforcing the use of safety standards and inspecting and certifying the same. This monthly salary shall be in addition to the salary which is provided for him by the Coal Mining Code.

SEC. 33. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-80, as follows:

Section 6604-80. Deputy mine inspectors other than the one provided by the Coal Mining Code shall receive a monthly salary of two hundred and fifty dollars (\$250).

Increasing salary of state mine inspector.

Appointment of deputies.

Salary of deputies.

320

Duties for deputies.

Ch. 130.1

That there be added to Remington & SEC. 34. Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-81, as follows:

Section 6604-81. The State Labor Commissioner Duty of shall have, under the supervision and control of the missioner. State Safety Board, sole charge of the enforcement of safe place and safety device standards (other than for the mining of coal) and of inspection and certification thereof.

SEC. 35. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-82. as follows:

Section 6604-82. For the purpose of enforce- Deputy ment of safe place and safety device standards, inspectors. other than for coal mining, the State Labor Commissioner shall appoint such number of deputy inspectors as may from time to time be authorized by the State Safety Board, and may from time to time remove any such deputy.

Sec. 36. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-83, as follows:

Section 6604-83. Deputies of the State Labor Commissioner appointed under the provisions of Section 6604-82 shall receive such compensation as may be determined from time to time by the State Safety Board.

Sec. 37. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-84, as follows:

Section 6604-84. After the expiration of four Inspection fractional or full calendar months after this section shall take effect payment of any inspection fee by

-11

labor com-

fees abolished.

Compensation of deputies.

any employer for inspection of his establishment as to safe place or safety device standards shall not be required.

SEC. 38. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-85, as follows:

Section 6604-85. Each executive member of the State Safety Board shall receive for the performance of his duties as a member of that Board a monthly salary sufficient in amount, when added to his compensation under Section 6604-38, to make a total monthly salary of four hundred dollars (\$400).

SEC. 39. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-86, as follows:

Section 6604-86. For the performance of his duties under Section 6604-81 the State Labor Commissioner shall receive a salary of one hundred and fifty dollars per month in addition to his salary as State Labor Commissioner.

SEC. 40. That Section 6604-39 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 6604-39. Subject always to the rules and regulations established and promulgated by the State Board, the administration of, caring for, treatment and services to injured workmen shall be in the hands of local boards to be designated by the name "Local Aid Boards" and by numbers corresponding to the numbers of their respective districts.

SEC. 41. That Sections 6604-40 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 6604-40. It shall be the duty of each local aid board to provide care and treatment for

Increasing salaries of state safety board.

Increasing salary of labor commissioner.

Local aid boards.

Duties of local aid boards.

each workman injured after June 30th, 1917, in extra-hazardous employment, to forthwith report to the State Board, and through the State Board to the Industrial Insurance Commission, the commencement of every disability and the termination of the same, and each such report shall be a part of the record of the case in the office of the Industrial Insurance Commission and shall be taken into consideration in the adjustment or settlement of the amount of the award in the case. Each local aid board shall also report to the State Board the cause of each injury, with recommendations for the improvement of the service, and of the administration. and also, subject to the provisions of Section 6604-37, to certify to the State Board all bills rendered for care or treatment of injured workmen, with power to reject any bill or item thereof incurred in violation of the principle laid down in Section 6604-36.

It shall also be the duty of each local aid board to promptly inspect and analyze all serious accidents to workmen (other than coal miners) occurring within its district and to report to the State Safety Board the cause of the accident and to suggest a remedy to prevent repetition of the same, not only in the establishment in which the accident occurred. but also in all other like establishments; and, subject to the supervision in the first instance of the State Labor Commissioner and secondarily of the State Safety Board, to have charge of the educational features of safety work (other than for coal mining). within its own district. At the end of each calendar vear each local aid board shall issue to the State Safety Board a certificate of the compliance or non- certification compliance during that year of each establishment lishments. or employer in its district within its jurisdiction of the educational standards established for the same. The State Safety Board shall have the power of revision of such certificates and shall forthwith issue to the Industrial Insurance Commission a final certificate of such compliance or non-compliance for each case for that year.

SEC. 42. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-87, as follows:

Section 6604-87. The state is hereby divided into three local aid districts, numbered and described as follows:

Local Aid District No. 1. That portion of the state lying east of the summit of the Cascade Mountains. Of this district, the head office shall be at the city of Spokane.

Local Aid District No. 2. King, Kitsap, Snohomish, Skagit, Whatcom, Island, San Juan, and Clallam counties, and that portion of Jefferson county lying east of the west line of Mason County extended northward. Of this district, the head office shall be at the city of Seattle.

Local Aid District No. 3. The remaining portion of the State of Washington. Of this district, the head office shall be at the city of Tacoma.

SEC. 43. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-88, as follows:

Section 6604-88. In each Local Aid District there shall be a Local Aid Board, consisting of two members to be appointed by the State Safety Board. One member of each Local Aid Board shall be a resident workman (other than a coal miner). The other member of each Local Aid Board shall be a resident representative of the employers in that district (other than coal mine employers). Any association of the workmen resident in any Local Aid

Local aid districts classified.

Appointment of board members. District whose organization purpose shall include, or be made to include the making of such nominations, and whose membership is open to all classes of workmen may nominate to the State Safety Board two of its members, and the State Safety Board shall appoint one of them. Any association of the employers whose establishments are located in any Local Aid District and whose organization purposes shall include or be made to include the making of such nominations and whose membership is open to all classes of such employers, may nominate to the State Safety Board two men, and the State Safety Board shall appoint one of them. The term of office of each member of a Local Aid Board shall be six years and until his successor is appointed. After the expiration of terms and to fill vacancies the same method of nomination and appointment shall obtain. If and so far as the original or substitute nominations are not made within thirty or forty days, as the case may be, following the date of organization of the State Safety Board, and if and so far as original or substitute nominations to fill vacancies or for succession shall not be made within thirty or forty days, as the case may be, following the creation of the vacancy or end of the term to be succeeded, the State Safety Board shall make the appointment or appointments without precedent nominations.

That there be added to Remington & SEC. 44. Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-89, as follows:

Section 6604-89. It shall be the duty of the State Examination Safety Board to examine into the qualifications of aid board candidates. all nominees or applicants for appointment to the positions of members of the Local Aid Boards and their assistants (other than clerical assistants) by conducting a thorough examination as to the knowl-

edge of the nominee or application of (a) Sections 6604-1 to Section 6604-120 of Remington & Ballinger's Annotated Codes and Statutes of Washington and the amendments thereof: (b) the principles and practice of medical and surgical first aid to injured workmen; and (c) safety standards prescribed by the State Safety Board or by statute relating to extra-hazardous work (other than coal mining). The examination of nominees and applicants shall be in writing, and the manuscripts thereof shall, after completion, be filed with the Industrial Insurance Commission as public documents. No nominee or applicant shall be appointed whose average of accuracy in the examination shall be less than seventyfive per cent. If both nominees for appointment as member of Local Aid Board for any district made by any organization shall fail to qualify as above provided upon the examination, notice shall be given to the nominating body, and that body shall be privileged to make substitute nominations within ten days. If both such substitute nominees fail to qualify upon the examination, then in such event the State Safety Board shall make an appointment for the case without precedent nomination. Examinations for appointment of assistants to the Local Aid Boards shall be made at such times, upon such notice, and in such manner as the State Safety Board shall by resolution prescribe.

SEC. 45. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-90, as follows:

Section 6604-90. Each Local Aid Board shall have the power to appoint such number of assistants as may be authorized for its district by resolution of the State Safety Board, but no assistant to a Local Aid Board (other than clerical assistants) shall be qualified for appointment as such assistant

Appointment of board assistants. Ch. 130.1

unless he shall have received from the State Safety Board a certificate of competency after examination as provided in Section 6604-89. Each local aid board shall have power to remove any assistant in its discretion.

SEC. 46. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-91, as follows:

Section 6604-91. Each Local Aid Board shall Branch offices of have power to establish such branch offices in its boards. district and incur such office expenses as may have been previously authorized by resolution of the State Safety Board.

SEC. 47. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-92, as follows.

Section 6604-92. Each member of a local aid Salary of members. board shall receive a salary of three hundred dollars (\$300) per month.

SEC. 48. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-93, as follows.

Section 6604-93. Salaries of assistants of local Salary of assistants. aid boards shall be as fixed by resolution of the State Safety Board.

SEC. 49. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-94, as follows:

Section 6604-94. It shall be the duty of the State Coal mine inspections. Mine Inspector, either in person or by deputy, to inspect every coal mine in the state not less than once every four months, for the purpose of ascertaining whether the safety standards applicable

local aid

thereto are being complied with, and at the end of each calendar year it shall be the duty of the State Mine Inspector to certify to the State Industrial Insurance Commission the compliance or non-compliance with the safety standards on the part of each coal mine employer in the state during said year. A duplicate of each certificate shall be delivered by him to the State Safety Board.

SEC. 50. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-95, as follows:

Inspection of industrial establishments.

Section 6604-95. It shall be the duty of the State Labor Commissioner, either in person or by deputy, to inspect the establishment or work of every employer engaged in extra-hazardous work in the state (other than coal mines) as often as directed by the State Safety Board, but not less than once every four months, for the purpose of ascertaining whether the safe place and safety device standards applicable thereto are being complied with, and at the end of each calendar year it shall be the duty of the State Labor Commissioner to certify to the State Industrial Insurance Commission the compliance or non-compliance with such standards as to each such employer during the said year. A duplicate of each certificate shall be delivered by him to the State Safety Board.

SEC. 51. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-96, as follows:

Section 6604-96. Each employer who shall be certified to the Industrial Insurance Commission to have continuously for any calendar year maintained in his plant, works, system, or place where his workmen work, the safe place standards applicable to the

Refunds allowed for safe place standards. same, shall at the end of such calendar year be entitled to receive and shall receive out of the accident fund of his class or class subdivision a refund of five per cent of the cost rate for such calendar year of the class or class subdivision in which such standards have been so certified to have been maintained

SEC. 52. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-97, as follows:

By the term "cost rate" is "Cost rate" Section 6604-97. meant the rate of premium which the employers of any class, or, as the case may be, of any class subdivision, actually pay into the accident fund for any year period as distinguished from the basic rate for such class or class subdivision specified by statute or by the Industrial Insurance Commission.

SEC. 53. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-98, as follows:

Each employer who shall be Penalty for Section 6604-98. certified to the Industrial Insurance Commission to install or have failed to put into effect in any establishment standards. the safe place standards applicable to his class, class subdivision or establishment, as the case may be, within a reasonable time after notification thereof, such reasonable time to be fixed by the State Mine Inspector for coal mines and by the State Safety Board for other industries, and such notification, including notice of the time so fixed, to be served personally or by registered mail, or who having put such standards into effect shall be certified to have failed to maintain the same continuously thereafter for any calendar year period, shall pay into the accident fund upon demand of the Industrial Insur-

ance Commission, in addition to the amount he would otherwise have paid for such calendar year into the accident fund, on account of the plant, works, or system, in respect to which such default shall occur, a sum equal to five per cent of that amount.

SEC. 54. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-99, as follows:

Section 6604-99. Each employer who shall be certified to the Industrial Insurance Commission to have continuously for any calendar year maintained in his plant, works, system or place where his workmen work the safety device standards applicable thereto shall at the end of such year be entitled to receive and shall receive out of the accident fund of his class or class subdivision a refund of five per cent of the cost rate for such calendar year for the class or class subdivision in which such standards have been so certified to have been maintained.

SEC. 55. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-100, as follows:

Penalty for failure to install.

Refunds for safety device standards.

Section 6604-100. Each employer who shall be certified to the Industrial Insurance Commission to have failed to put into effect in any establishment the safety device standards applicable to his class, class subdivisions or establishments, as the case may be, within a reasonable time to be fixed and after notification thereof given as in Section 6604-98 provided, or who having put such standards into effect shall be certified to have failed to maintain the same continuously thereafter for any calendar year period, shall pay into the accident fund upon demand of the Industrial Insurance Commission, in addition to the amount which he would otherwise have paid for such calendar year into the accident fund on account of the plant, works, or system in respect to which such default shall occur, a sum equal to five per cent of that amount.

SEC. 56. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-101. as follows:

Section 6604-101. Each employer who shall be Refund for certified to the Industrial Insurance Commission to of educahave for any calendar year maintained at his estab- standards. lishment and among his workmen the educational standards established for the same, shall at the end of such year be entitled to receive and shall receive out of the accident fund of his class or class subdivision a refund of ten per cent of the cost rate for such calendar year of the class or class subdivision in which such standards have been so certified to have been maintained.

SEC. 57. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-102, as follows:

Section 6604-102. Each employer who shall be Penalty for certified to the Industrial Insurance Commission to failure to maintain have failed to put into effect at his establishment standard. and among his workmen the educational standards established for his class, class subdivision or establishment, as the case may be, within a reasonable time to be fixed and after notification thereof given as in Section 6604-98 provided, or who having put such educational standards into effect shall be certified to have failed to maintain the same during any calendar year period, shall pay into the accident fund upon demand of the Industrial Insurance Commission, in addition to the amount he would

maintenance tional

failure to

otherwise have paid for such calendar year into the accident fund on account of the plant, works, or system, in respect to which such default shall occur, a sum equal to ten per cent of that amount.

SEC. 58. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-103, as follows:

Section 6604-103. The State Safety Board shall organize a statistical department by which shall be compiled for each calendar year, beginning with the year 1915 for the accident fund, and with the year 1917 for the medical aid fund, statistics showing the amount contributed by each employer in each class or class subdivision to the accident fund, and by each employer and his workmen to the medical aid fund, and the disbursements in comparison to each contribution respectively from each of said funds on account of injuries to and medical treatment of his workmen and showing by percentage the relation of the same for each year to the cost rate of each class or class subdivision to which the employer is a contributor.

SEC. 59. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-104, as follows:

Organization of statistical department. Section 6604-104. To accomplish the work provided by Section 6604-103, the State Safety Board shall have access in the office of the Industrial Insurance Commission to the records of the Industrial Insurance Department and shall employ such number of statisticians and clerks at such salaries, and shall procure such books of records and office appliances, as to the State Safety Board shall seem proper for that purpose.

SEC. 60. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Wash-

Statistical department of state safety board. ington a new section to be known as Section 6604-105, as follows:

Section 6604-105. Each employer who shall be Refund for certified to the Industrial Insurance Commission to have complied during any calendar year with all of the safety standards applicable to his establishment or case and who shall be certified by the State Safety Board to the Industrial Insurance Commission to be shown by the experience tables provided by Section 6604-103 to have cost the accident fund of his class or class subdivision for that calendar year and for the four preceding years between fifty per cent and seventy-six per cent of the average cost rate for said aggregate five year period of each class or class subdivision to which he is contributing shall, at the end of that calendar year, be entitled to receive and shall receive a refund of five per cent of the cost rate for his class or class subdivision for that year.

SEC. 61. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-106, as follows:

Each employer who shall be Refund for compliance Section 6604-106. certified to the Industrial Insurance Commission to have complied during any calendar year with all of the safety standards applicable to his establishment or case and who shall be certified by the State Safety Board to the Industrial Insurance Commission to be shown by the experience tables provided in Section 6604-103 to have cost the accident fund of his class or class subdivision for that calendar year and for the four preceding years fifty per cent, or less, of the average cost rate for said aggregate five year period of each class or class subdivision to which he is contributing shall, at the end of that calendar year, be entitled to receive and shall receive a refund of ten per cent of the cost rate for his class or class subdivision for that year.

compliance with safety standards

with safety standards.

That there be added to Remington & SEC. 62. Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-107, as follows:

Each employer who shall be

Additional assessments for accident fund.

Section 6604-107.

certified to the Industrial Insurance Commission for any calendar year to have failed to comply with any safe place, safety device, or educational standard applicable to his establishment or case and who shall be certified by the State Safety Board to the Industrial Insurance Commission to be shown by the experience tables provided by Section 6604-103 to have cost for that year and the four preceding years the accident fund of any class or class subdivision to which he is a contributor more than one hundred per cent but not more than one hundred and twenty-five per cent of the average cost rate for said aggregate five year period of such class or class subdivision shall pay into the accident fund upon demand of the Industrial Insurance Commission in addition to the amount which he would otherwise have paid for such calendar year into the accident fund on account of the plant, works or system in respect to which such excess cost shall have occurred a sum equal to five per cent of the cost rate for that year of such class or class subdivision.

Sec. 63. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-108. as follows:

Additional assessments for accident fund.

Each employer who shall be Section 6604-108. certified to the Industrial Insurance Commission for any calendar year to have failed to comply with any safe place, safety device, or educational standard applicable to his establishment or case and who shall be certified by the State Safety Board to the Industrial Insurance Commission to be shown by

the experience tables provided by Section 6604-103 to have cost for that year and for the four preceding years the accident fund of any class or class subdivision to which he is a contributor more than one hundred and twenty-five per cent of the average cost rate for said aggregate five year period of such class or class subdivision shall pay into the accident fund upon demand of the Industrial Insurance Commission in addition to the amount which he would otherwise have paid for such calendar year into the accident fund on account of the plant, works or system in respect to which such excess cost shall have occurred a sum equal to ten per cent of the cost rate for that year of such class or class subdivision.

Sec. 64. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-109. as follows:

Section 6604-109. For the portion of any frac- proportional tion of calendar year remaining after the expiration penalties. of four fractional or full calendar months after this section shall go into effect or after the establishment and notification of any standard of safety by the State Safety Board or the State Mining Board, or if for any reason any employer shall cease or suspend operation for any portion of any period or calendar year, the credits and penalties in Sections 6604-96, 6604-98, 6604-99, 6604-100, 6604-101, 6604-102, 6604-105, 6604-106, 6604-107, and 6604-108 provided shall be calculated and applied in the proportion of time which the period of operation shall bear to the calendar year. If any employer during any calendar year shall have more than one establishment or shall be a contributor to more than one class or class subdivision accident fund, awards shall be made to him under Section 6604-96, 6604-99, 6604-101, 6604-105, or 6604-106, or penalties imposed upon him under Sections 6604-98, 6604-100, 6604-

102, 6604-107, or 6604-108 on the basis of each establishment, class or class subdivision separately so that he may be rewarded concurrently as to one or more and/or penalized as to another or others of such establishments, classes or class subdivisions, and in such cases the computation of rewards or penalties shall be calculated upon payrolls separately.

SEC. 65. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-110, as follows:

Section 6604-110. Any refund provided for in Sections 6604-96, 6604-99, 6604-101, 6604-105 or 6604-106 may, except in case of permanent cessation of work, be made by giving a credit to the accident fund account of the employer entitled thereto instead of making the payment of such refund in cash.

SEC. 66. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-111, as follows:

Section 6604-111. Any employer or workman dissatisfied with any certificate or order of the State Labor Commissioner or any certificate of any local aid board relating to educational safety standards may appeal therefrom to the State Safety Board. Proceedings for such an appeal shall be informal except that the State Labor Commissioner or the local aid board, as the case may be, shall be entitled to notice of the appeal and the appellant shall be entitled to notice of the time and place of the hearing of his appeal. The State Safety Board shall have power to affirm, reverse, or modify any certificate or order so appealed from.

SEC. 67. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Wash-

Crediting refunds.

Appeals to state safety board.

ington a new section to be known as Section 6604-112. as follows:

Section 6604-112. Any employer or workman Review by courts. feeling aggrieved by any order of the State Mining Board establishing an educational standard or by any order, certificate, or ruling of the State Safety Board, including its orders or rulings establishing, changing or modifying safety standards, or by any certificate issued by or any order made by the State Mine Inspector or the State Labor Commissioner, or by any order, ruling, or act of the Industrial Insurance Commission allowing or refusing to allow a credit, or imposing or failing to impose a penalty, may have the same reviewed by the courts in accordance with the procedure, so far as applicable, established by Section 6604-20. In any such court review, the findings or determination of the officer or tribunal from which the appeal is taken on any question of fact shall be conclusive and binding upon the court.

SEC. 68. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-113, as follows:

It shall be the duty of the State board Section 6604-113. members of the State Safety Board to devote all of full time. their time during the office hours of each day to the performance of their duties as members of that Board and of the State Board.

Sec. 69. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-114, as follows:

Section 6604-114. It shall be the duty of all Local boards members of local aid boards, all deputy mine inspectors who are provided by Section 6604-76, all deputies of the State Labor Commissioner who are pro-

to devote

and deputy

337

vided by Section 6604-82, and all assistants of local aid boards, to devote all their time during the office hours of each day to the performance of the duties of their respective offices. All of them must be citizens of the United States.

SEC. 70. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-115, as follows:

Section 6604-115. In addition to their salaries, the deputy mine inspectors provided by Section 6604-76, the State Safety Board, the members of the local aid boards and their assistants, the State Labor Commissioner and his deputies provided by Section 6604-82, shall be paid their actual traveling expenses incurred in the performance of their respective duties.

SEC. 71. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-116, as follows:

Section 6604-116. All bills for traveling expenses incurred under Section 6604-115 and under Section 6604-64 shall be paid by warrants issued by the State Auditor upon presentation of proper vouchers approved by the State Safety Board.

SEC. 72. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-117, as follows:

Section 6604-117. The expenses authorized by Sections 6604-64, 6604-71, 6604-79, 6604-80, 6604-83, 6604-85, 6604-86, 6604-91, 6604-92, 6604-93, 6604-104, 6604-112, and 6604-115, and the cost of necessary record books, stationery, and office appliances for the State Mining Board, and the State Safety Board shall be paid one-half out of the general fund of the

Traveling expenses of deputies and local boards.

Warrants for expenses.

Funds subject to office expenses of boards. state and one-half out of the medical aid fund, and all bills for same not covered by Section 6604-116 shall be paid by warrants drawn by the state auditor upon vouchers approved by the State Safety Board.

Sec. 73. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-118. as follows:

Section 6604-118. No safety regulation or prac- Municipal tice prescribed by any municipal ordinance affecting the safety of workmen is hereby repealed, but in so far as any such regulation or practice shall be inconsistent with any safety standard established by the State Safety Board it shall be superseded thereby forthwith upon the delivery by the State Safety Board to the clerk of the municipality which shall have enacted such ordinance of a copy of a notice in writing of the establishment of such inconsistent safety standard.

SEC. 74. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-119, as follows:

Section 6604-119. Adjudication of invalidity of any of Sections 6604-48 to 6604-120, inclusive, or any part of any section shall not impair or otherwise affect the validity of any other of said sections.

SEC. 75. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-120, as follows:

Section 6604-120. All acts and parts of acts in Repealing conflict with the provisions of Sections 6604-48 to Section 6604-120, inclusive, are hereby repealed, but nothing herein contained shall operate to repeal any part of the Coal Mining Code or any of the follow-

Partial invalidity.

ordinances. when superseded. ing sections of Remington & Ballinger's Annotated Codes and Statutes of Washington, or any part thereof: 6572 to 6589, inclusive, 8213 to 8240, inclusive, and 8626.

Time of taking effect. SEC. 76. The time when Sections 6604-48 to 6604-120 shall take effect shall be in accordance with the provisions of the seventh amendment to the state constitution, but the rewards and penalties prescribed by Sections 6604-96, 6604-98, 6604-99, 6604-100, 6604-101, 6604-102, 6604-105, 6604-106, 6604-107, 6604-108, and the penalty provided by Section 6604-52, shall not be operative until on and after the expiration of four fractional or full calendar months after said sections shall take effect.

Passed the House March 3, 1919.

Passed the Senate March 10, 1919.

Approved by the Governor March 15, 1919.

### CHAPTER 131.

#### [H. B. 251.]

### AMENDMENT OF INDUSTRIAL INSURANCE ACT.

AN ACT relating to the compensation of injured workmen and their dependents, and amending sections 6604-2, 6604-3, .6604-4, 6604-5, 6604-6, 6604-10, 6604-22 and 6604-23 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 6604-2 of Rem. & Bal. Code be amended to read as follows:

Section 6604-2. There is a hazard in all employment, but certain employments have come to be, and to be recognized as being, inherently constantly dangerous. This act is intended to apply to all such inherently hazardous works and occupations, and it

Extra hazardous occupations. is the purpose to embrace all of them, which are within the legislative jurisdiction of the state, in the following enumeration, and they are intended to be embraced within the term "extra hazardous" wherever used in this act. to-wit:

Factories, mills and workshops where machinery is used; printing, electrotyping, photo-engraving and stereotyping plants where machinery is used: foundries. blast furnaces, mines, wells, gas works, water works, reduction works, breweries, elevators, wharves, docks, dredges, smelters, powder works; laundries operated by power; quarries; engineering works; logging, lumbering and ship-building operations; logging, street and interurban railroads; buildings being constructed, repaired, moved or demolished; telegraph, telephone, electric light or power plants or lines, steam heating or power plants, steamboats, tugs, ferries and railroads. If there be or arise any extra hazardous occupation or work other than those hereinabove enumerated. it shall come under this act, and its rate of contribution to the accident fund hereinafter established. shall be, until fixed by legislation, determined by the department hereinafter created, upon the basis of the relation which the risk involved bears to the risks classified in section 4.

The commission shall have power, after hearing Hearings had upon its own motion or upon the application of ingextra any party interested, to declare any such extra hazardous occupation or work to be under this act. The commission shall fix the time and place of such hearing, and shall cause notice thereof to be published once at least ten days before the hearing in at least one daily newspaper of general circulation. published and circulated in each city of the first class in this state. No defect or inaccuracy in such notice or in the publication thereof shall invalidate

hazardous

Ch. 131.1

any order issued by the commission after hearing had. Any person affected shall have the right to appear and be heard at any such hearing. Any order, finding or decision of the commission made and entered under the foregoing provisions of this act shall be subject to review by the courts within the time and in the manner specified in section 6604-20, and not otherwise.

SEC. 2. That section 6604-3 of Rem. & Bal. Code be amended to read as follows:

Section 6604-3. In the sense of this act words employed mean as here stated, to-wit:

Factories mean undertakings in which the business of working at commodities is carried on with power-driven machinery, either in manufacture, repair or change, and shall include the premises, yard and plant of the concern.

Workshop means any plant, yard, premises, room or place wherein power-driven machinery is employed and manual labor is exercised by way of trade for gain or otherwise in or incidental to the process of making, altering, repairing, printing or ornamenting, finishing or adapting for sale or otherwise any article or part of article, machine or thing, over which premises, room or place the employer of the person working therein has the right of access or control.

Mill means any plant, premises, room or place wherein machinery is used, any process of machinery, changing, altering or repairing any article or commodity for sale or otherwise, together with the yards and premises which are a part of the plant, including elevators, warehouses and bunkers.

Mine means any mine where coal, clay, ore, mineral, gypsum or rock is dug or mined underground. Quarry means an open cut from which coal is mined, or clay, ore, mineral, gypsum, sand, gravel

342

Factory.

Definitions.

Workshop.

Mill.

Mine.

Quarry.

or rock is cut or taken for manufacturing, building or construction purposes.

Engineering work means any work of construct Engineering work tion, improvement or alteration or repair of buildings, structures, streets, highways, sewers, street railways, railroads, logging roads, interurban railroads, harbors, docks, canals; electric, steam or water power plants, telegraph and telephone plants and lines, electric light or power lines, and includes any other works for the construction. alteration or repair of which machinery driven by mechanical power is used.

Except when otherwise expressly stated, em- Employer. ployer means any person, body of persons, corporate or otherwise, and the legal personal representatives of a deceased employer, all while engaged in this state in any extra hazardous work.

Workman means every person in this state, who Workman. is engaged in the employment of an employer coming under this act whether by way of manual labor or otherwise, and whether upon the premises or at the plant or, he being in the course of his employment, away from the plant of his employer: Provided. however, that if the injury to a workman occurring away from the plant of his employer is due to the negligence or wrong of another not in the same employ, the injured workman, or if death result from the injury, his widow, children or depend- Election of ents, as the case may be, shall elect whether to take under this act or seek a remedy against such other, such election to be in advance of any suit under this section; and if he take under this act, the cause of action against such other shall be assigned to the state for the benefit of the accident fund: if the other choice is made, the accident fund shall contribute only the deficiency, if any, between the amount of recovery against such third person actu-

remedies.

ally collected, and the compensation provided or estimated by this act for such case. Any such cause of action assigned to the state may be prosecuted, or compromised by the department, in its discretion. Any compromise by the workman of any such suit, which would leave a deficiency to be made good out of the accident fund, may be made only with the written approval of the department.

Any individual employer or any member or officer of any corporate employer who shall be carried upon the payroll at a salary or wage not less than the average salary or wage named in such payroll and who shall be injured, shall be entitled to the benefit of this act as and under the same circumstances as and subject to the same obligations as a workman: *Provided*, that no such employer or the beneficiaries or dependents of such employer shall be entitled to benefits under this act unless the commission prior to the date of the injury has received notice in writing of the fact that such employer is being carried upon the payroll prior to the date of the injury as the result of which claims for compensation are made.

Dependent means any of the following named relatives of a workman whose death results from any injury and who leaves surviving no widow, widower, or child under the age of sixteen years. viz.: Invalid child over the age of eighteen years. daughter between sixteen and eighteen years of age, father, mother, grandfather, grandmother, stepfather, stepmother, grandson, granddaughter, brother, sister, half-sister, half-brother, niece. nephew, who at the time of the accident are dependent in whole or in part for their support upon the earnings of the workmen. Except where otherwise provided by treaty, aliens other than father or mother, not residing within the United States at the time of the accident, are not included.

Compromises.

Employer entitled to benefits.

Dependent.

Beneficiary means a husband, wife, child or de- Beneficiary. pendent of a workman, in whom shall vest a right to receive payment under this act.

Invalid means one who is physically or mentally Invalid. incapacitated from earning.

The word "child" as used in this act, includes a Child. posthumous child, a stepchild, a child legally adopted prior to the injury and an illegitimate child legitimated prior to the injury.

The words "injury" or "injured" as used in Injury. this act refer only to an injury resulting from some fortuitous event as distinguished from the contraction of disease.

SEC. 3. That section 6604-4 of Rem. & Bal. Code be amended to read as follows:

Section 6604-4. Insomuch as industry should Contribution schedule. bear the greater portion of the burden of the cost of its accidents, each employer shall, prior to January 15th of each year, pay into the state treasury, in accordance with the following schedule, a sum equal to a percentage of his total payroll for that year, to-wit: (the same being deemed the most accurate method of equitable distribution of burden in proportion to relative hazard):

## CONSTRUCTION WORK.

Tunnels; bridges; trestles; sub-aqueous works; ditches and canals (other than ir- gation without blasting); dock excavation;		Construction work.
fire escapes; sewers; house moving; house		
wrecking	.065	• •
Iron, or steel frame structures or parts of		
structures	.080	
Electric light or power plants or systems; telegraph or telephone systems; pile driv-		
ing; steam railroads	.050	

Steenlag toward on anoin cloudtons not motel	
Steeples, towers or grain elevators, not metal	
frames; dry-docks without excavation; jet-	
ties; breakwaters; chimneys; marine rail-	
ways; water works or systems; electric	
railways with rock work or blasting; blast-	
ing; erecting fireproof doors or shutters	.050
Steam heating plants; tanks, water towers or	
windmills, not metal frames	.040
Shaft sinking	.060
Concrete buildings; freight or passenger ele-	
vators; fire-proofing of buildings; galvan-	
ized iron or tin works; gas works, or sys-	
tems; marble, stone or brick work; road	
making with blasting; roof work; safe	
moving; slate work; outside plumbing	
work; metal smokestacks or chimneys	.050
Excavations not otherwise specified; blast fur-	
naces	.040
Street or other grading; cable or electric	
street railways without blasting; advertis-	
ing signs; ornamental metal work in build-	
ings	.035
Ship or boat building or wrecking with scaf-	
folds; floating docks	.045
Carpenter work not otherwise specified	.035
Installation of steam boilers or engines; plac-	
ing wire in conduits; installing dynamos;	
putting up belts for machinery; marble,	
stone or tile setting, inside work; mantel	
setting; metal ceiling work; mill or ship	
wrighting; painting of buildings or struc-	
tures; installation of automatic sprinklers;	
ship or boat rigging; concrete laying	
in floors; foundations or street paving;	
asphalt laying; covering steam pipes or	
boilers; installation of machinery not	
otherwise specified	.030
spoolide	.000

.

.

•

Drilling wells; installing electrical apparatus or fire alarm systems in buildings; house heating or ventilating systems; glass set- ting; building hot houses; lathing; paper hanging; plastering; inside plumbing; wooden stair building; road making	.020	
OPERATION (INCLUDING REPAIR WORK) OF		
(All combinations of material take the higher rate when not otherwise provided.)		Operation and repairs.
Logging railroads; railroads; dredges; inter- urban electric railroads using third rail		
system; dry or floating docks	.050	
Electric light or power plants; interurban electric railroads nor using third rail sys-		
tem; quarries	.040	
Street railways, all employes; telegraph or telephone systems; stone crushing; blast-		
ing furnaces; smelters; coal mines; gas works, steamboats; tugs; ferries	.030	
Mines, other than coal; steam heating or	.050	
power plants	.025	
Grain elevators; laundries; water works;		
paper or pulp mills; garbage works	.020	
Factories Using Power Driven Machiner	У.	

Stamping tin or metal..... Bridge work; railroad car or locomotive making or repairing; cooperage; logging with or without machinery; saw mills; shingle mills; staves; veneer; box; lath; packing cases; sash, door or blinds; barrel, keg, pail; basket; tub; wooden ware or wooden fibre ware; rolling mills; making steam shovels or dredges; tanks, water towers; asphalt, building material not otherwise specified; fertilizer; cement;

.045 Power driven machinery.

<ul> <li>stone with or without machinery; kindling wood; masts and spars with or without machinery; canneries, metal stamping extra; creosoting works; pile treating works</li> <li>Excelsior, iron, steel, copper, zinc, brass or lead articles or wares not otherwise specified; working in wood not otherwise specified; hardware; tile, brick; terra cotta; fire</li> </ul>	
clay; pottery, earthen ware; porcelain ware; peat fuel; briquettes	.020
Breweries; bottling works; boiler works; foun-	
dries; machine shops not otherwise speci- fied	.020
Cordage; working in foodstuffs, including oils, fruits and vegetables; working in wool, cloth, leather, paper, broom, brush, rubber	.020
or textiles not otherwise specified	.015
Making jewelry, soap, tallow, lard, grease, condensed milk	.015
Creameries; printing; electrotyping; photo-	
engraving; engraving, lithographing	.015
MISCELLANEOUS WORK.	
Stevedoring; longshoring	.030
Operating stock yards, with or without rail-	
road entry; packing houses	.025
or cold storage plants; tanneries; electric	
systems not otherwise specified	.020
Theatre stage employees	.015
Fire works manufacturing	.050
Powder works	.100

The application of this act as between employers and workmen shall date from and include the first day of October, 1911. The payment for 1911 shall be made prior to the day last named, and shall be preliminarily collected upon the payroll of the last preceding three months of operation. At the end of

Miscellaneous. each year an adjustment of accounts shall be made Adjustment of accounts. upon the basis of the actual payroll. Any shortage shall be made good on or before February 1st, following. Every employer who shall enter into business at any intermediate day, or who shall resume operations in any work or plant after the final adjustment of his payroll in connection therewith, shall, before so commencing or resuming operations. as the case may be, notify the commission of such fact, accompanying such notification with an estimate of his payroll for the initial year or portion thereof, and shall make payment of the premium on such estimated payroll for the first three months of operations. Every such employer shall be liable for a premium of at least three dollars irrespective of the amount of his payroll. An adjustment upon such payroll shall be made as in other cases.

Every employer within the provisions of this act Payrolls furnished shall on or before the fifteenth day of January, the fifteneth day of May and the fifteenth day of September of each year furnish the department with a true and accurate payroll showing the aggregate number of work days, that is men-days, during which workmen were employed by him during the four preceding calendar months, the total amount paid to such workmen during said four months, and a segregation of employment in the different classes provided in this act. The sufficiency of such statement shall be subject to the approval of the Industrial Insurance Commission.

Every employer shall keep at his place of busi- Record of ness a record of his employment from which the above information may be obtained and such record shall at all times be open to the inspection of the commissioners or the traveling auditors, agents or assistants of the department, as provided in section 6604-15 of Rem. & Bal. Code.

department.

employment.

Exclusions from payrolls. In all cases where partners or other persons are excluded on the payroll such statement shall state both the names and occupations of the parties excluded and no such persons shall be entitled to compensation unless notice in writing that such excluded person has been included is received by the department prior to the date of injury to such person. Such employer shall at the time of reporting his payroll also state the names and addresses of any contractor or sub-contractor operating for or under him.

Every person, firm or corporation who shall fail to keep such record or fail to make such report in the manner and at the time herein provided shall be subject to a penalty of one hundred dollars (\$100.00) for each such offense, to be collected by civil action in the name of the state and paid into the accident fund.

Every employer who shall fail to furnish an estimated payroll and make payment as above provided shall be liable to a penalty in three times the amount of the premium on such payroll, to be collected in a civil action in the name of the state, and paid into the accident fund. The commission may waive the whole or any part of such penalty.

For the purpose of such payments accounts shall be kept with each industry in accordance with the classification herein provided and no class shall be liable for the depletion of the accident fund from accidents happening in any other class. Each class shall meet and be liable for the accidents occurring in such class. There shall be collected from each class as an initial payment into the accident fund as above specified on or before the 1st day of October, 1911, one-fourth of the premium of the next succeeding year, and one-twelfth thereof at the close of each month after December, 1911: *Provided*, any class having sufficient funds credited to its account

Penalty for failure to make reports.

Penalty for failing to furnish payroll.

Payments according to classification.

Calls, when omitted.

at the end of the first three months or any month thereafter, to meet the requirements of the accident fund, that class shall not be called upon for such month. In case of accidents occurring in such class after lapsed payment or payments said class shall pay the said lapsed or deferred payments commencing at the first lapsed payment, as may be necessarv to meet such requirements of the accident fund. The fund thereby created shall be termed the "accident fund" which shall be devoted exclusively to the purpose specified for it in this act.

In that the intent is that the fund created under this section shall ultimately become neither more of rates. nor less than self-supporting, exclusive of the expense of administration, the rates named in this section are subject to future adjustment by the Industrial Insurance Department, in accordance with any relative increase or decrease in hazard shown by experience, and if in the adjustment of the Industrial Insurance Department the moneys paid into the fund of any class or classes shall be insufficient to properly and safely distribute the burden of accidents occurring therein, the department may divide, rearrange or consolidate such class or classes, making such adjustment or transfer of funds as it may deem proper.

It shall be unlawful for the employer to deduct Deductions from wages or obtain any part of the premium required by this section to be by him paid from the wages or earnings of his workmen or any of them, and the making or attempting to make any such deduction shall be a gross misdemeanor. The Industrial Insurance Commission shall on or before the 1st day of January, 1920, and annually thereafter make corrections of classifications as between classes of in- Correction dustries if and as experience shall show error or cation. inaccuracy therein. From the original classification or premium rating or any change made therein any

Accident fund.

Future ad-

a misde-meanor.

of classifi-

employer claiming to be aggrieved may upon application have a hearing before the Industrial Insurance Commission upon notice to the interested parties and in the manner provided in section 6604-20 a review by the courts. If, at the end of any year, it shall be seen that the contribution to the accident fund by any class of industry shall be less than the drain upon the fund on account of that class, the deficiency shall be made good to the fund on the 1st day of February of the following year by the employers of that class in proportion to their respective payments for the past year.

Classification for deficit purposes.

Fund deficits to be made good.

> For the purpose of such payment and making good of deficit the particular classes of industry shall be as follows:

## CONSTRUCTION WORK.

Class 1. Tunnels; sewer, shaft sinking; drilling wells.

Class 2. Bridges; mill wrighting; trestles, steeples, towers or grain elevators not metal framed; tanks; water towers; windmills not metal framed.

Class 3. Sub-aqueous works; canal other than irrigation or docks with or without blasting; pile driving; jetties; breakwaters; marine railways.

Class 4. House moving; house wrecking; safe moving.

Class 5. Iron or steel frame structures or parts of structures; fire escapes; erecting fireproof doors or shutters; blast furnaces; concrete chimneys; freight or passenger elevators; fire-proofing of buildings; galvanized iron or tin work; marble, stone or brick work; roof work; slate work; plumbing work; metal smokestacks or chimneys; advertising signs; ornamental metal work in buildings; carpenter work not otherwise specified; marble, stone or tile setting; mantel setting; metal ceiling Ch. 131.1

work; painting of buildings or structures; concrete laying in floors or foundations; glass setting; building hot houses; lathing; paper hanging; plastering; wooden stair building.

Class 6. Electric light and power plants or systems, telegraph or telephone systems; cable or electric railways with or without rock work or blasting; water works or systems; steam heating plants; gas works or systems; installation of steam boilers or engines; placing wires in conduits; installing dynamos; putting up belts for machinery; installation of automatic sprinklers; covering steam pipes or boilers; installation of machinery not otherwise specified; installing electrical apparatus or fire alarm systems in buildings; house heating or ventilating systems.

Class 7. Steam railroads; logging railroads.

Class 8. Road making; street or other grading; concrete laying in street paving; asphalt laying.

Class 9. Ship or boat building with scaffold; ship wrighting; ship or boat rigging; floating docks.

OPERATIONS (INCLUDING REPAIR WORK) OF

Class 10. Logging; saw mills; shingle mills; lath mills; masts and spars with or without machinery.

Class 12. Dredges; dry or floating docks.

Class 13. Electric light or power plant or systems; steam heat or power plants or systems; electric systems not otherwise specified.

Class 14. Street railways.

Class 15. Telegraph systems; telephone systems.

Class 16. Coal mines.

Class 17. Quarries; stone crushing; mines other than coal.

Class 18. Blast furnaces; smelters; rolling mills.

Class 19. Gas works.

Class 20. Steamboats; tugs; ferries.

Class 21. Grain elevators.

Class 22. Laundries.

Class 23. Water works.

Class 24. Paper or pulp mills.

Class 25. Garbage works; fertilizer.

FACTORIES (USING POWER-DRIVEN MACHINERY).

Class 26. Stamping tin or metal.

Class 27. Bridge work; making steam shovels or dredges; tanks; water towers.

Class 28. Railroad car or locomotive making or repairing.

Class 29. Cooperage; staves; veneer; box; packing cases; sash, door or blinds; barrel; keg; pail; basket; tub; wood-ware or wood fibre ware; kindling wood; excelsior; working in wood not otherwise specified.

Class 30. Asphalt.

Class 31. Cement; stone with or without machinery; building material not otherwise specified.

Class 32. Canneries of fruits or vegetables.

Class 33. Canneries of fish or meat products.

Class 34. Iron, steel, copper, zinc, brass or lead articles in wares; hardware; boiler works; foundries; machine shops not otherwise specified.

Class 35. Tile; brick; terra cotta; fire clay; pottery; earthen ware; porcelain ware.

Class 36. Peat fuel; briquettes.

Class 37. Breweries; bottling works.

Class 38. Cordage; working in wool, cloth, leather, paper, brush, rubber or textile not otherwise specified.

Class 39. Working in foodstuffs, including oils, fruits, vegetables.

Class 40. Condensed milk, creameries.

Class 41. Printing; electrotyping; photo-engraving: engraving; lithographing; making jewelry.

Stevedoring: longshoring; wharf op-Class 42. eration.

Stock yards; packing houses; mak-Class 43. ing soap, tallow, lard, grease; tanneries.

Class 44. Artificial ice, refrigerating or cold storage plants.

Class 45. Theatre stage employes.

Fireworks manufacturing; powder Class 46. works.

Creosoting works; pile treating Class 47. works.

If a single establishment or work comprises sev- Premiums eral occupations listed in this section in different ment comrisk classes, the premium shall be computed according to the payroll of each occupation if clearly separable: otherwise an average rate of premium shall be charged for the entire establishment, taking into consideration the number of employes and the relative hazards. In computing the payroll the entire compensation received by every workman employed in extra hazardous employment shall be included, whether it be in the form of salary, wage, piece work, overtime, or any allowance in the way of profit-sharing, premium or otherwise, and whether payable in money, board, or otherwise.

SEC. 4. That Section 6604-5 of Rem. & Bal. Code be amended to read as follows:

Section 6604-5. Each workman who shall be in- Compensa-tion schedule. jured whether upon the premises or at the plant, or he being in the course of his employment, away from the plant of his employer, or his family or dependents in case of death of the workman, shall receive out of the accident fund compensation in accordance with the following schedule, and, except

for establishnrising different risks.

as in this act otherwise provided, such payment shall be in lieu of any and all rights of action whatsoever against any person whomsoever.

## Compensation Schedule.

(a) Where death results from the injury the expenses of burial not to exceed seventy-five dollars (\$75.00) in any case where the deceased was an unmarried man, or one hundred dollars in any case where the deceased left a widow or an orphan child or children and

(1) If the workman leaves a widow or invalid widower, a monthly payment of thirty dollars (\$30.00) shall be made throughout the life of the surviving spouse, to cease at the end of the month in which remarriage shall occur, and the surviving spouse shall also receive five dollars (\$5.00) per month for each child of the deceased under the age of sixteen years at the time of the occurrence of the injury until such minor child shall reach the age of sixteen years. An invalid child over sixteen years of age shall be here and in paragraphs (2), (3), and (4) of sub-division (a), and in paragraphs (2) and (3) of subdivision (b), and in subdivision (c) and in paragraphs (1) and (3) but not in paragraph (2)of subdivision (d) considered to be a child under sixteen years of age until such invalid child shall arrive at the age of eighteen years, but the total monthly payment under this paragraph (1) of subdivision (a) shall not exceed fifty dollars (\$50.00): Provided, that in addition to the monthly payments above provided for, a surviving widow of any such deceased workman shall be forthwith paid the sum of two hundred and fifty dollars (\$250.00) in any case where the commission shall be satisfied and shall make of record in their office a finding that the burial expenses have not exceeded and shall not exceed the amount above specified for burial ex-

Burial expenses.

Monthly payment to surviving spouse and children.

penses; and further, that no part of said additional payment can be diverted to the payment of burial expenses.

Upon remarriage of a widow she shall receive Remarriage once and for all, a lump sum of two hundred forty dollars (\$240.00), but the monthly payment for the child or children shall continue as before.

(2) If the workman leave no wife or husband, Orphans. but a child or children under the age of sixteen years, a monthly payment of ten dollars (\$10.00) shall be made to each such child until such child shall reach the age of sixteen years, but the total monthly payment shall not exceed forty dollars (\$40.00), and any deficit shall be deducted proportionately among the beneficiaries.

(3) If the workman leaves no widow, widower, Other deor child under the age of sixteen years, but leaves a dependent or dependents, a monthly payment shall be made to each dependent equal to fifty per cent of the average monthly support actually received by such dependent from the workman during the twelve months next preceding the occurrence of the injury, but the total payment to all dependents in any case shall not exceed twenty dollars (\$20.00) per month. If any dependent is under the age of sixteen years at the time of the occurrence of the injury, the payment to such dependent shall cease when such dependent shall reach the age of sixteen years. The payment to any dependent shall cease if and when, under the same circumstances, the necessity creating the dependency would have ceased if the injury had not happened.

If the workman is under the age of twenty-one Parents of years and unmarried at the time of his death, the workman. parents or parent of the workman shall receive twenty dollars (\$20.00) per month for each month after his death until the time at which he would have arrived at the age of twenty-one years.

minor

of widow.

pendents.

#### SESSION LAWS, 1919.

Death of surviving spouse.

Permanent total disability

defined.

Compensation allowances. (4) In the event of a surviving spouse receiving monthly payment shall die, leaving a child or children under the age of sixteen years, the sum he or she shall be receiving on account of such child or children shall be thereafter, until such child shall arrive at the age of sixteen years, paid to the child increased 100 per cent, but the total to all children shall not exceed the sum of forty dollars (\$40.00) per month.

(b) Permanent total disability means the loss of both legs, or arms, of one leg and one arm, total loss of eyesight, paralysis or other condition permanently incapacitating the workman from performing any work at any gainful occupation.

When permanent total disability results from the injury, the workman shall receive monthly during the period of such disability:

(1) If unmarried at the time of the injury, the sum of thirty dollars (\$30.00).

(2) If the workman have a wife or invalid husband, but no child under the age of sixteen years, the sum of thirty dollars (\$30.00). If the husband is not an invalid, the monthly payment of thirty dollars (\$30.00) shall be reduced to fifteen dollars (\$15.00).

(3) If the workman have a wife or husband and a child or children under the age of sixteen years, or, being a widow or widower, having any such child or children, the monthly payment provided in the preceding paragraph shall be increased by five dollars (\$5.00) for each such child until such child shall arrive at the age of sixteen years, but the total monthly payment shall not exceed fifty dollars (\$50.00).

(4) In case of total permanent disability, if the character of the injury is such as to render the workman so physically helpless as to require the services of a constant attendant, the monthly pay-

ment to such workman shall be increased twenty dollars (\$20.00) per month so long as such requirement shall continue, but such increase shall not obtain or be operative while the workman is receiving care under or pursuant to any of the provisions of section 6604-33 to 6604-46 inclusive.

(c) If the injured workman die, during the period of permanent total disability, whatever the cause of death, leaving a widow, invalid widower, or child under the age of sixteen years, the surviving widow or invalid widower shall receive thirty dollars (\$30.00) per month until death or remarriage, to be increased five dollars (\$5.00) per month for each child under the age of sixteen years until such child shall arrive at the age of sixteen years; but if such child is or shall be without father or mother, such child shall receive ten dollars (\$10.00) per month until arriving at the age of sixteen years. The total combined monthly payments under this paragraph shall in no case exceed fifty dollars (\$50.00). Upon remarriage the payments on account of the child or children shall continue as before to such child or children.

An invalid child while being supported and cared for in a state institution shall not receive compensation under this act.

(d) (1) When the total disability is only tem- Temporary porary, the schedule of payment contained in paragraphs (1), (2) and (3) of the foregoing subdivision (b) shall apply, so long as the total disability shall continue, (2) but if the injured workman has a wife or husband and have no child or have a wife or husband with, or being a widow or widower with one or more children under the age of sixteen years, the compensation for the case during the first six months or such lesser period of time as the total temporary disability shall continue, shall be per month as follows, to-wit: Injured workman whose

husband is not an invalid, twenty-two and 50/100 dollars (\$22.50); injured workman having one child, whose husband is not an invalid, thirty dollars (\$30.00); injured workman having two children, whose husband is not an invalid, thirty-seven and 50/100 dollars (\$37.50); injured workman having three children, whose husband is not an invalid, forty-five dollars (\$45.00); injured workman having four or more children, whose husband is not an invalid, fifty-two and 50/100 dollars (\$52.50); injured workman with wife or invalid husband and no child, thirty-seven and 50-100 dollars (\$37.50); injured workman with a wife or invalid husband and one child, or being a widow or widower and having one child, forty-five dollars (\$45.00); injured workman with a wife or invalid husband and two or more children, or being a widow or widower and having two or more children, fifty-two and 50/100 dollars (\$52.50). (3) If such temporary total disability shall endure longer than said six months' period, the schedule of compensation contained in paragraphs (1), (2), and (3) of the foregoing sub-division (b) shall at the end of said six months' period again obtain. (4) As soon as recovery is so complete that the present earning power of the workman, at any kind of work, is restored to that existing at the time of the occurrence of the injury the payments shall cease. If and so long as the present earning power is only partially restored, the payments shall continue in the proportion which the new earning power shall bear to the old. No compensation shall be payable out of the accident fund unless the loss of earning power shall exceed five per cent.

Reserve fund. (e) There is hereby created in the office of the state treasurer a fund to be known and designated as the reserve fund out of which shall be made the payments specified in this section for all cases of

death or permanent total disability including future payments to be made for the cases of that character which have heretofore arisen. Into the reserve fund there shall be forthwith placed all unexpended funds, in cash or invested, heretofore set aside for cases requiring a reserve. For every case resulting in death or permanent total disability hereafter arising it shall be the duty of the department to make transfer on their books from the accident fund of the proper class to the reserve fund of that class a sum of money for that case equal to the estimated present cash value of the monthly payments provided for it, to be calculated upon the basis of an annuity covering the payments in this section provided to be made for the case. Such annuities shall be based upon tables to be prepared for that purpose by the state insurance commissioner and by him furnished to the state treasurer, calculated upon standard mortality tables with an interest assumption of four (4) per cent per annum.

The department shall notify the state treasurer Investment from time to time of such transfers as a whole and the state treasurer shall invest the reserve in either state capitol building bonds issued to take up capitol building warrants now outstanding, or in the class of securities provided by law for the investment of the permanent school fund, and the interest or other earnings of the reserve fund shall become a part of the reserve fund itself. The department shall, on October 1st of each year, apportion the interest or other earnings of the reserve fund as. certified to it by the state treasurer, to the various class reserve funds according to the average class balance for the preceding year. As soon as possible after October 1st, of each year beginning in the year 1918, the state insurance commissioner shall expert the reserve fund of each class to ascertain its standing as of October 1st, of that year, and the

Transfers from acci-dent fund.

of reserve fund.

relation of its outstanding annuities at their then value to the cash on hand or at interest belonging to that fund. He shall promptly report the result of his examination to the department and to the state treasurer in writing not later than December 31st. If the report show that there was on said October 1st. in the reserve fund of any class in cash or at interest a greater sum than the then annuity value of the outstanding pension obligations of that class, the surplus shall be forthwith turned over to the accident fund of that class, but if the report show the contrary condition of any class reserve, the deficiency shall be forthwith made good out of the accident fund of that class. The state treasurer shall keep accurate account of the reserve fund and the investment and earnings thereof, to the end that the total reserve funds shall at all times, as near as may be, be properly and fully invested, and to meet current demands for pension or lump sum payments may, if necessary, make temporary loans to the reserve fund out of the accident funds for that class, repaying same from the earnings of that reserve fund or from collections of its investments. or, if necessary, sales of the same.

Permanent partial disability. (f) Permanent partial disability means the loss of either one foot, one leg, one hand, one arm, one eye, one or more fingers, one or more toes, any dislocation where ligaments were severed where repair is not complete, or any other injury known in surgery to be permanent partial disability. For the permanent partial disabilities here specifically described, the injured workman shall receive compensation as follows:

Loss of one leg amputated so near the hip

that an artificial limb cannot be worn..\$2,000.00 Loss of one leg at or above the knee so that

an artificial limb can be worn......\$1,900.00

Loss of one leg below the knee.....\$1,300.00 Loss of the major arm at or above the el-

bow .....\$1,900.00 Loss of the major hand at wrist......\$1,600.00 Loss of one eye by enucleation......\$1,200.00 Loss of sight of one eye.....\$900.00 Complete loss of hearing in both ears....\$1,900.00 Complete loss of hearing in one ear.....\$500.00

Compensation for any other permanent partial disability shall be in the proportion which the extent of such other disability shall bear to that permanent partial disability above specified which most closely resembles and approximates in degree of disability such other disability, but not in any case to exceed the sum of two thousand dollars (\$2,000.00). If the injured workman be under the age of twenty-one years and unmarried, the parents or parent shall also receive a lump sum payment equal to ten per cent of the amount awarded the minor workman.

(g) Should a further accident occur to a workman who has been previously the recipient of a lump sum payment under this act, his future compensation shall be adjudged according to the other provisions of this section and with regard to the combined effect of his injuries, and his past receipt of money under this act.

Should such further accident result in the permanent total disability of such injured workman, he shall receive the pension to which he would be entitled notwithstanding the payment of a lump sum for his prior injury.

(h) If aggravation, diminution, or termination Readjustment of disability takes place or be discovered after the pensation. rate of compensation shall have been established or compensation terminated, in any case the department may, upon the application of the beneficiary

Further injuries. or upon its own motion, readjust for further application the rate of compensation in accordance with the rules in this section provided for the same, or in a proper case terminate the payment.

(i) A husband or wife of an injured workman, living in a state of abandonment for more than one year at the time of the injury or subsequently, shall not be a beneficiary under this act.

(j) If a beneficiary shall reside or remove out of the state the department may, in its discretion, convert any monthly payments provided for such case into a lump sum payment (not in any case to exceed the value of the annuity then remaining, to be fixed and certified by the state insurance commissioner, but in no case to exceed the sum of \$4,000.00) or, with the consent of the beneficiary, for a smaller sum.

(k) Any court review under this section shall be initiated in the county where the workman resides or resided at the time of the injury, or in which the injury occurred.

(1) No workman injured after June 30th, 1917, shall receive or be entitled to receive compensation out of the accident fund for or during the day on which his injury was received or the seven days following the same, but if at the end of thirty days following the day of the receipt of his injury his incapacity shall still exist, there shall be included in the next payment to him out of the accident fund compensation for said omitted period.

SEC. 5. That section 6604-6 of Rem. & Bal. Code be amended to read as follows:

Section 6604-6. If injury or death results to a workman from the deliberate intention of the workman himself to produce such injury or death, neither the workman nor the widow, widower, child or dependent of the workman shall receive any payment whatsoever out of the accident fund. If injury or

Abandoned spouse.

Payment on removal from state.

Venue for court reviews.

Compensation for week fellowing injury.

Self-inflicted injuries. death result to a workman from the deliberate intention of his employer to produce such injury, or Intentional death, the workman, the widow, widower, child or employer. dependent of the workman shall have the privilege to take under this act, and also have cause of action against the employer, as if this act had not been enacted, for any excess of damages over the amount received or receivable under this act.

A minor working at an age legally permitted Minors. under the laws of this state shall be deemed sui juris for the purpose of this act, and no other person shall have any cause of action or right to compensation for an injury to such minor workman except as expressly provided in this act. but in the event of a lump sum payment becoming due under this act to such minor workman, the management of the sum shall be within the probate jurisdiction of the courts the same as other property of minors: Provided, that in the event it is necessary to procure the appointment of a guardian to receive the money to which any minor workman is entitled under the provisions of this act, the commission may allow from the accident fund, toward the expenses of such guardianship, not to exceed the sum of twenty-five dollars (\$25.00) in any one case: Provided, further, that in case any such minor shall be awarded a lump sum payment of the sum of two hundred fifty dollars (\$250.00) or less, the industrial insurance commission shall have power, in its discretion, to make payment direct to such minor without the necessity of the appointment of a guardian.

That section 6604-10 of Rem. & Bal. SEC. 6. Code be amended to read as follows:

Section 6604-10. No money paid or payable Exemption under this act out of the accident fund shall, prior to issuance and delivery of the warrant therefor, be capable of being assigned, charged, nor ever be

of awards.

Ch. 131.1

taken in execution or attached or garnisheed, nor shall the same pass to any other person by operation of law. Any such assignments or charge will be void: Provided, that if any workman shall suffer a permanent partial injury, and shall die from some other cause than the accident which produced such injury before he shall have received payment of his award for such permanent partial injury, or if any workman shall suffer any other injury and shall die from some other cause than the accident which produced such injury before he shall have received payment of any monthly installment covering any period of time prior to his death, the amount of such permanent partial award, or of such monthly payment or both, shall be paid to his widow, if he leave a widow, or to his child or children if he leave a child or children and shall not leave a widow, provided if the injured workman shall have resided in the United States as long as three years such payment will not be made to any widow or child who is at the time a non-resident of the United States.

If any beneficiary shall reside without the United States and shall so direct in writing, the commission may cause any warrant or warrants to which such beneficiary is entitled to be issued in the name of and delivered to the consul or consular agent of the country in which such beneficiary is resident, designated by such beneficiary.

SEC. 7. That section 6604-22 of Rem. & Bal. Code be amended to read as follows:

Section 6604-22. The salary of each of the commissioners shall be forty-two hundred dollars (\$4,200.00) per annum, and he shall be allowed his actual and necessary traveling and incidental expenses; and any assistant to the commissioners shall be paid for each full day's service rendered by him, his actual and necessary traveling expenses and

Alien beneficiaries.

Salary and expenses of commissioners. such compensation as the commission may deem Each commissioner shall give a surety proper. company bond in the sum of twenty-five thousand dollars (\$25,000.00) payable to the State of Wash-surety bonds. ington, conditioned upon the faithful performance of his duties, and the person designated by the said commission as claim agent shall give a surety company bond in the sum of twenty thousand dollars (\$20,000.00) payable to the State of Washington. conditioned upon the faithful performance of his duties.

SEC. 8. That section 6604-23 of Rem. & Bal. Code be amended to read as follows:

Section 6604-23. The commissioners may ap-Assistants point a sufficient number of auditors and assistants physicians. to aid them in the administration of this act and fix the compensation of such auditors and assistants at a total expense of not to exceed one hundred twenty thousand dollars (\$120,000.00) per year. They may employ one or more physicians in each county for the purpose of official medical examinations, whose compensation shall be limited to five dollars (\$5.00) for each examination and report therein. They may procure such record books as Records. they may deem necessary for the record of the financial transactions and statistical data of the department, and the necessary documents, forms and blanks. They may establish and require all employers to install and maintain a uniform form of payroll.

SEC. 9. For all cases of injuries to workmen Application which occurred before this act shall go into effect tory act. Sections 6604-3, 6604-5, 6604-6, and 6604-10 shall continue in force as they were prior to and they shall be unaffected by the passage of this amendatory act. The amendatory provisions of sections 2, 4, 5, and 6 of this act shall apply only to injuries occurring after they shall go into effect.

SESSION LAWS, 1919.

Emergency.

SEC. 10. This act is necessary for the immediate preservation of the public health and safety and shall take effect immediately.

Passed the House, March 3, 1919. Passed the Senate, March 10, 1919.

Approved by the Governor March 15, 1919.

## CHAPTER 132.

#### [H. B. 48.]

#### CARNAL ABUSE OF MINOR CHILDREN.

- An Act relating to carnal knowledge and abuse of children, prescribing penalties therefor, and amending section 2436 of Remington & Ballinger's Annotated Codes and Statutes of Washington.
- Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 2436 of Rem. & Bal. Code be amended to read as follows:

Section 2436. Every male person who shall carnally know and abuse any female child under the age of eighteen years, not his wife, and every female person who shall have sexual intercourse with any male child under the age of eighteen years, not her husband, shall be punished as follows:

(1) When such child is under the age of ten years, by imprisonment in the state penitentiary for life;

(2) When such child is ten and under fifteen years of age, by imprisonment in the state penitentiary for not less than five years;

(3) When such child is fifteen and under eighteen years of age, by imprisonment in the state penitentiary for not more than ten years, or by impris-

Penalties.

Ch. 133.1

onment in the county jail for not more than one year.

Passed the House, February 10, 1919. Passed the Senate, March 12, 1919. Approved by the Governor March 15, 1919.

## CHAPTER 133.

#### [H. B. 50.]

## EXAMINATION AND LICENSING OF INSURANCE COMPANIES.

AN ACT relating to insurance and amending section 6059-7 of Remington's Annotated Code and Statutes of Washington.

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

SECTION 1. That section 6059-7 of Remington's Code be amended to read as follows:

Section 6059-7. Certificate of Authority-License-Examination.

The commissioner shall see that all laws respecting insurance companies are faithfully executed. He shall issue all certificates and licenses under the seal of his office provided for by the terms of this act. Before granting certificates of authority to Certificates any insurance company to issue policies or make contracts of insurance in this state, the commissioner shall be satisfied by such examinations as he may make, or such evidence as he may require, that such company is otherwise duly qualified under the laws of this state to transact business herein. He shall require every domestic insurance company to keep its books, records, accounts and vouchers in such manner that he or his authorized representatives may readily verify its annual statements and ascertain whether the company is solvent and has complied with the provisions of law. All certifi-

of authority.

cates of authority issued to insurance companies in this state shall expire on the thirty-first day of March next succeeding date of issue and may be renewed on approval of the commissioner and payment of the annual fee as provided in section 17 of the insurance code.

At least once each year, and whenever he determines it to be prudent to do so, he shall personally or by his deputy or examiner visit the home office of each domestic insurance company transacting insurance business and thoroughly inspect and examine its affairs to ascertain its true financial condition, its ability to meet and fulfill its obligations; whether it has complied with the provisions of law; and all other facts that he may require relating to its business methods and management, and its dealings with its policy holders. Whenever he deems it advisable he shall cause a complete audit of the books and accounts of the company to be made by a disinterested expert accountant.

Investigation of foreign companies.

When he determines it to be prudent for the protection of policy holders in this state, he shall in like manner visit and examine or cause to be visited and examined by some competent person or persons whom he may appoint for that purpose, any insurance company incorporated or organized in any other state, territory, district, or country, applving for admission or already admitted to do business in this state. For the purpose aforesaid, the commissioner, his deputy, or examiner making the examination shall have free access to all the books, records, accounts, vouchers, papers and files of an insurance company which relate to its business, and to books, records, accounts, vouchers, papers, and files kept by any of its agents, and for any of said purposes the commissioner, his deputy, or examiner conducting such investigation and examination shall have power to subpoena and administer

Inspection of domestic

companies.

the oath to, and examine as witnesses, the trustees, directors, officers, agents, servants and employes of any such company and any other persons relative to its affairs, transactions and conditions. Said subpoena shall have the same force and effect and shall be served in the same manner as if issued from a court of record. Any person who shall fail, neglect, or refuse to obey such subpoena, or, having obeved such subpoena, shall refuse to be examined as a witness and give evidence concerning any and all matters relating to such investigation when so required, shall be liable to the same penalties as though such subpoena had been issued by, or such person had refused to give evidence in, a court having jurisdiction in equity and common law. Whenever any person shall fail, refuse or neglect to obey such subpoena, or shall refuse to give evidence concerning any and all matters pertaining to such investigation or examination, the commissioner, his deputy, or examiner having charge of such investigation or examination may forthwith report in writing such disobedience, and file such report and such subpoena with proof of service thereof in a court having said jurisdiction in session in the county where such investigation is being had, and if no court is in session, then with any judge of such court; thereupon such court or judge shall forthwith cause such person so subpoenaed or refusing to give evidence in such investigation to be brought before such court or judge, and such court or judge shall thereupon administer and impose like terms and penalties as though such person had been subpoenaed or had refused to testify or give evidence in any proceedings before such court.

Witness fees and mileage, if claimed, shall be witness and allowed the same as to witnesses testifying in court. which witness fees and mileage with the actual expense, if any, necessarily incurred in securing the

mileage fees.

attendance of witnesses and their testimony, shall be itemized and charged against and be paid by the company so being examined. Every person shall be obliged to attend as a witness at the place of such investigation or examination when subpoenaed anywhere within this state.

Passed the House January 28, 1919. Passed the Senate March 12, 1919. Approved by the Governor March 15, 1919.

## CHAPTER 134.

#### [H. B. 54.]

AMENDMENT OF MEDICINE AND SURGERY PRACTICE ACT.

An Act relating to the practice of medicine and surgery, amending sections 8386, 8387, 8391, 8392, 8395, 8396, 8397, 8400, 8402, 8403 and 8405 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 8386 Rem. & Bal. Code be amended to read as follows:

Section 8386. The Governor shall appoint a board of medical examiners to be known as the Board of Medical Examiners of the State of Washington, consisting of nine members, who shall be appointed as follows: Seven members from the regular profession and two from the homeopathic profession. On the first day of July, 1919, the terms of the two members of the osteopathic profession shall terminate, and the Governor shall appoint in their place and stead two licensed practitioners of medicine and surgery of the regular profession who shall serve for the remainder of the respective terms of said osteopathic members. Except as herein provided, the appointment of each

Board of Medical Examiners. member shall be for a term of three years, and until his successor is appointed and qualified: *Provided*. That no member shall serve more than two consecutive terms. It shall require the affirmative vote of a majority of the members of said board to carry any motion or resolution, to adopt any rule, to pass any measure, or to authorize the issuance of any certificate as in this Act provided.

SEC. 2. That section 8387 of Rem. & Bal. Code be amended to read as follows:

Section 8387. Each member of said board shall, Oaths of before entering upon the duties of his office, take the constitutional oath of office, and shall, in addition, make oath that he is a graduate in medicine and surgery, and a licensed practitioner of medicine and surgery of this state. The president and secretary are hereby empowered to administer the oath of office.

Sec. 3. That section 8391 of Rem. & Bal. Code be amended to read as follows:

Section 8391. Only one form of certificate shall Certificates to practice. be issued by the said board. Such certificate shall be under the seal of the board and signed by the president and secretary, and shall authorize the holder thereof to practice medicine and surgery within this state. Upon compliance with the requirements of this act by an applicant for a license to practice medicine and surgery in this state, the board shall issue such certificate, authorizing the holder thereof to use drugs or what are known as medicinal preparations in or upon human beings and to sever or penetrate the tissues of human beings and to use any and all other methods in the treatment of diseases, injuries, deformaties, or other physical or mental conditions.

In order to procure a certificate to practice med-Qualifica-tions re-icine and surgery, the applicant for such certificate certification.

must file with said board at least thirty days prior to a regular meeting thereof, satisfactory testimonials of his moral character, and a diploma issued by some legally chartered medical school, the requirements of which shall have been at the time of granting such diploma in no particular less than those prescribed by the Association of American Medical Colleges for that year, or satisfactory evidence of having possessed such diploma, and he must file with such diploma an application sworn to before some person authorized to administer oaths, and attested by the hand and seal of such officer, if he have a seal, stating that he is the person named in said diploma, that he is the lawful holder thereof. and that the same was procured in the regular course of instruction and examination. without fraud or misrepresentation. From and after July 1, 1919, said applicant must furnish evidence that he has served for not less than one year as interne in a thoroughly equipped hospital which shall have had at least twenty-five beds for each interne devoted to the treatment of medical, surgical, gynecological and special diseases, and he also must have had a service of six weeks, or the equivalent thereof in the maternity department of the same or some other hospital, during which time he shall have attended or participated in the attendance upon not less than six confinements. He shall furnish evidence that he has had some experience in, and a practical working knowledge of pathology, and the administration of anaesthetics: Provided. That when an applicant who has graduated before July 1, 1919, has not completed one year as interne as above provided, he must furnish evidence that he has been engaged in the active practice of medicine and surgery for a period of at least two years prior to that date. The said application shall be made upon a blank furnished by said board.

and it shall contain such information concerning said medical instruction and the preliminary education of the applicant as said board may by rule provide. Applicants who have failed to meet the requirements must be rejected.

SEC. 4. That section 8392 of Rem. & Bal. Code be amended to read as follows:

Section 8392. In addition to the requirements Examination of applicants. above set forth, such applicants for a certificate must be personally examined by said board as to their qualifications. The examination shall be conducted in the English language, shall be practical in character and designed to discover the applicant's fitness to practice medicine and surgery, and shall be, in whole or in part, in writing on the following fundamental subjects, to-wit: Anatomy, histology, gynecology, pathology, bacteriology, chemistry, toxicology, physiology, obstetrics, general diagnosis, hygiene, practice of medicine and surgery and any other branches thereof that the board shall deem advisable. Examinations in each subject shall consist of not less than ten questions, answers to which shall be marked upon a scale of zero to ten. All applicants must obtain not less than sixty per cent in any one subject: Provided, that applicants who can show at least ten years of reputable practice shall be granted a credit of five per cent upon the general average, and five per cent additional for each subsequent ten years of such practice. The examination papers shall form a part of the records of the board and shall be kept on file by the secretary for a period of one year after each examination. In said examination the applicant shall be known and designated by number only, and the name attached to the number shall be kept secret until after the board has finally voted upon the application.

375

SEC. 5. That section 8395 of Rem. & Bal. Code be amended to read as follows:

Section 8395. Every person holding a certificate authorizing him to practice medicine and surgery in this state, must have it recorded in the office of the county clerk of the county in which the holder of said certificate is practicing his profession, and the fact of such recording shall be indorsed on the certificate by the county clerk recording the same. Every such person, on each change of his residence, must have the certificate recorded in the county to which he shall have changed his residence. The absence of such record shall be prima facie evidence of the want of possession of such certificate. And any person holding a certificate to practice medicine and surgery in this state who shall attempt to practice medicine or surgery in this state, without first having filed his certificate with the county clerk as herein provided shall be guilty of a misdemeanor.

SEC. 6. That section 8396 of Rem. & Bal. Code be amended to read as follows:

Section 8396. The county clerk shall keep in a book provided for the purpose, a complete list of the certificates recorded by him, with the date of the record; and said book shall be open to public inspection during his office hours. The county clerk shall forthwith give written notice to the secretary of the board, notifying him of the name of each licensee recorded after this act shall go into effect, together with the date of such recording.

SEC. 7. That section 8397 of Rem. & Bal. Code be amended to read as follows:

Section 8397. Said board must refuse a certificate to any applicant guilty of unprofessional conduct; but before such refusal the applicant must be cited by citation, signed by the secretary of the

Clerk's record of

certificates.

Unprofessional conduct.

Certificates must be

recorded with county

clerk.

board, and sealed with its seal. No such citation shall be issued except upon a sworn complaint filed with the secretary of the board, charging the applicant with having been guilty of unprofessional conduct, and setting forth the particular act constituting such unprofessional conduct. On filing of such Hearing on complaints. complaint the secretary must forthwith issue a citation and make the same returnable at a regular or special meeting of said board, occurring at least thirty days next after filing the complaint. Such citation shall notify the applicant of the time and place when and where the matter of said unprofessional conduct shall be heard, the particular unprofessional conduct with which the applicant is charged, and that the applicant shall file his written answer, under oath, within twenty days next after service upon him of said citation, or default will be taken against him, and his application for certificate refused. The attendance of witnesses at such hearing shall be compelled by subpoenas issued by the secretary of the board under its seal; and said secretary shall in no case refuse to issue any such subpoena, upon a fee of twenty cents being paid him for each subpoena. Said citation and said subpoenas shall be served in accordance with the statutes of this state then in force as to the service of summons and subpoenas generally and all provisions of the statutes of this state then in force relating to subpoen as are hereby made applicable to the subpoenas provided for herein. If any person refuses to obey a subpoena served upon him in accordance with the statutes of this state then in force providing for the manner of serving subpoenas, the fact of such refusal shall be certified by the secretary of said board, under the seal thereof, to the superior court of the county in which the service was had and the said court shall thereupon proceed to hear said matter in accordance with the statutes

of this state then in force as to contempt for disobedience of process of the court, and should said court find that the subpoena had been legally served and that the party so served has wilfully disobeved the same, it shall proceed to impose such penalty as provided in cases of contempt of court. In all cases of alleged unprofessional conduct arising under this act, testimonies of witnesses may be taken, the same as in civil cases, and all the provisions of the statutes of this state then in force as to the taking of testimony are hereby made applicable to the taking of depositions under this section. If the applicant shall fail to file with the secretary of said board his answer, under oath, to the charges made against him, within twenty days after service on him of said citation or within such further time as the board may give him, and the charges on their face be deemed sufficient by the board, default shall be entered against him and his application refused. If the charges on their face be deemed sufficient by the board, and issue be joined thereon by answer, the board shall proceed to determine the matter. and to that end shall hear such evidence as may be adduced before it; and if it appear to the satisfaction of the board that the applicant is guilty as charged, no certificate shall be issued to him. No certificate shall be refused on the grounds of unprofessional conduct unless the applicant has been guilty of such conduct within two years next preceding his application. Whenever any holder of a certificate to practice medicine and surgery in this state is guilty of unprofessional conduct. as the same is defined in this act, and said unprofessional conduct has been brought to the attention of the board in the manner hereinafter pointed out, or whenever a certificate has been procured by fraud or misrepresentation, or issued by mistake, it shall be their duty to, and they must, revoke the same at

Refusal and revocation of certificates.

once, and the holder of said certificate shall not be permitted to practice medicine and surgery in this state. But no such revocation shall be made unless such holder is cited to appear and the same proceedings are had as is hereinbefore provided in this section in case of refusal to issue certificates. Said secretary in all cases of revocation shall enter on his register the fact of such revocation and shall certify the fact of such revocation under the seal of the board, to the county clerk of each county in which the certificate of the person whose certificate has been revoked is recorded: and said clerk must thereupon write upon the margin or across the face. of his register of the certificate of such person, the following: "This certificate was revoked on the -----day of ------," giving the day, month and year of revocation in accordance with certification to him by the secretary. The record of such revocation so made by said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all the proceedings of said board in the matter of said revocation. From the time of the revocation of a certificate the holder thereof shall be disqualified from practicing medicine or surgery in this state.

SEC. 8. That section 8400 of Rem. & Bal. Code be amended to read as follows:

Section 8400. Any person who shall practice or Practicing attempt to practice, or hold himself out as practic- without license. ing medicine and surgery in this state, without having, at the time of so doing, a valid, unrevoked certificate as provided in this act, shall be guilty of a misdemeanor. In each such conviction the fine shall Penalty. be paid, when collected, to the state treasurer, and shall constitute a special fund for the prosecution of illegal practitioners as defined in this act, and Special fund from the said board is authorized to prosecute all per-

without

sons guilty of a violation of the provisions of this act.

SEC. 9. That section 8402 of Rem. & Bal. Code be amended to read as follows:

Section 8402. Any person assuming to act as a member of the state board of medical examiners without so being, or who shall sign, or subscribe, or issue, or cause to be issued, or seal, or cause to be sealed, a certificate authorizing any person to practice medicine or surgery in this state, shall be guilty of a misdemeanor.

SEC. 10. That section 8403 of Rem. & Bal. Code 'be amended to read as follows:

Section 8403. Any person who holds a license authorizing him to practice medicine and surgery from the board of medical examiners heretofore existing, under the provisions of any laws of this state, past or present, shall be entitled to practice medicine and surgery in this state the same as if issued under this act: and said board is hereby authorized to issue under proper application, but without examination, certificates to practice medicine and surgery to any person who was legally practicing medicine and surgery in this state prior to the organization of the first board of medical examiners in 1890, and also to any person who is the legal holder of a certificate of examination from the National Medical Examining Board: Provided, however, that all licenses herein mentioned may be revoked for unprofessional conduct, in the same manner and upon the same grounds as if issued under this act.

Licenses of other states.

SEC. 11. Applicants for a certificate, who have been examined and licensed by a state board of medical examiners of another state, which through a reciprocity provision in its law, similarly accredit the holders of certificates from the board of med-

Prior licenses validated.

False person-

medical examiner.

Issuance without examination authorized.

ical examiners of this state to the full privileges of practice within its boundaries, on payment of a fee of \$25.00 to the board, and on filing with the secretary of the board a copy of such license certified by the president or secretary of the state board of medical examiners issuing the same to be a full, true copy thereof, and showing also that the standard of requirements adopted by such state board of medical examiners as provided by the law of such state is equal to that provided for by the provisions of this act, shall without further examinations receive a certificate to practice medicine and surgery in this state: *Provided*, that such applicant has not previously failed at an examination held by the board of medical examiners of this state.

SEC. 12. That section 8405 of Rem. & Bal. Code be amended to read as follows:

Section 8405. Nothing in this act shall be con- Application strued to prohibit service in the case of emergency, tion of act. or the domestic administration of family remedies, or the practice of midwifery; nor shall this act apply to any commissioned medical officer in the United States army, navy, or marine hospital service, in the discharge of his official duties; nor to any licensed dentist when engaged exclusively in the practice of dentistry; nor shall this act apply to any practitioner from any other state or territory in which he resides: Provided, that such practitioner shall not open an office or appoint a place of meeting patients or receive calls within the limits of this state. This act shall not be construed to apply in any manner to the practice of osteopathy or to any drugless method of treating the sick or afflicted, or to apply to or interfere in any way with the practice of religion or any kind of treatment by prayer; nor to any person now holding a license from the state board of medical examiners for any system of drugless practice.

Repealing clause. SEC. 13. That sections 8389 and 8406 of Rem. & Bal. Code are hereby repealed: *Provided*, that those who were shown to be entitled to licenses as applicants of June 1909 under the supreme court decision In re Christensen reported in 59 Washington, be issued license to practice.

Passed the House February 17, 1919. Passed the Senate March 10, 1919. Approved by the Governor March 15, 1919.

## CHAPTER 135.

#### [S. B. 19.]

#### AMENDMENT OF METROPOLITAN PARK DISTRICTS ACT.

- AN ACT relating to Metropolitan Park Districts and amending Sections 5838 and 5848 of Remington & Ballinger's Annotated Codes and Statutes of Washington.
- Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 5838 of said Remington & Ballinger's Code be so amended as to read as follows:

Section 5838. When the said Metropolitan Park District shall be created as hereinbefore provided for, it shall at once be and become a separate and distinct corporation, the officers of which shall be a board of park commissioners consisting of five members, and said board of park commissioners shall annually elect one of their number as president and another of their number as clerk of said board. Such corporation is hereby given the right of eminent domain, and may purchase, acquire and condemn lands lying within or without the boundaries of said park district, for public parks, parkways, boulevards, aviation landings and playgrounds, and may condemn such lands to widen,

Board of park commissioners.

Power to purchase and condemn lands. alter and extend streets, avenues, boulevards, parkways, aviation landings and playgrounds, to enlarge and extend existing parks, and to acquire lands for the establishment of new parks, boulevards, parkways, aviation landings and playgrounds. Said park commissioners shall have authority to pass orders, providing for all condemnations which they may desire to institute for the purpose of this act, and to bring actions in the proper courts for the condemnation of lands, to employ counsel, and to regulate, manage and control the parks, parkways, boulevards, streets, avenues, aviation landings and playgrounds under its control, and to provide for park policemen, for a sec- Employees. retary of the board of park commissioners and for all necessary employees, and to fix their salaries and duties: *Provided*, however, that all employees of such metropolitan park district, except the attorney for such park district, shall be under civil service, and the said park commissioners shall constitute a civil service board to pass upon the qualifications of applicants for positions. Said board of park commissioners, as such civil service commission, shall adopt rules for the employment of necessary employees, shall provide for examinations at such times and upon such subjects as they may deem necessary, and the employment of such park employees shall be wholly upon the merit system. No park employee shall be discharged except for incompetency, inability to perform duties, offensive partisanship or such other reasons as may be deemed sufficient by such board, and then only after a full and fair hearing upon written charges filed with such board: Provided, however, that when the necessity for further continuing any park employee shall cease, such park commissioners shall have power to discharge such employee. It being the true intent and meaning of this act to place the sole

acquisition, management, improvement and control of all parks, boulevards and parkways belonging to, or under the control of, said city, whether within or without the limits of said city, in such board of park commissioners, and to create a metropolitan park district pursuant to this act, in which said district said sole acquisition, management, improvement and control, shall immediately vest: *Provided*, *however*, that all such parks, boulevards, parkways aviation landings and playgrounds shall be subject to the police regulations of any city within which they may lie.

SEC. 2. That section 5848 of said Remington & Ballinger's Code be so amended as to read as follows:

Powers of board enumerated.

Said park commissioners shall Section 5848. have power to improve, acquire, extend and maintain, open and lay out, parks, parkways, boulevards. avenues, aviation landings and playgrounds, within or without said park district, and to authorize, conduct and manage the letting of boats, or other amusement apparatus, the operation of bath houses, the purchase and sale of foodstuffs or other merchandise, the giving of vocal or instrumental concerts or other entertainments, the establishment and maintenance of aviation landings and playgrounds, and generally the management and conduct of such forms of recreation or business as they shall judge desirable or beneficial for the public, or for the production of revenue for expenditure for park purposes; and may pay out moneys for the maintenance and improvement of any such parks, parkways, boulevards, avenues, aviation landings and playgrounds as now exists, or may hereafter be acquired, within or without the limits of said city, and for the purchase of lands within or without the limits of said city, whenever they shall deem such

purchase to be for the benefit of the public and for the interests of said park district, and for the maintenance and improvement of the same, and for all expenses incidental to their office and duties.

Passed the Senate February 11, 1919. Passed the House March 12, 1919. Approved by the Governor March 17, 1919.

#### CHAPTER 136.

#### [S. B. 257.]

#### PROPOSED CONSTITUTIONAL AMENDMENT AS TO POWER OF EMINENT DOMAIN.

An Act providing for the amendment of section 16 of article 1 of the constitution of the State of Washington, relating to Eminent Domain.

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

SECTION 1. That at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1920, there shall be submitted to the qualified electors of the state, for their adoption and approval or rejection, an amendment to section 16 of article 1 of the Constitution of the State of Washington, so that the same shall when amended, read as follows:

Section 16. Private property shall not be taken for private use, except for private ways of necessity, and for drains, flumes, or ditches on or across the lands of others for agricultural, domestic, or sanitary purposes. No private property shall be taken or damaged for public or private use without just compensation having been first made, or paid into court for the owner, and no right-of-way shall

---13

be appropriated to the use of any corporation other than municipal until full compensation therefor be first made in money, or ascertained and paid into court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived, as in other civil cases in courts of record, in the manner prescribed by law. Whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be really public shall be a judicial question, and determined as such, without regard to any legislative assertion that the use is public: Provided, that the taking of private property by the state for land reclamation and settlement purposes is hereby declared to be for public use.

Passed the Senate March 8, 1919. Passed the House March 11, 1919. Approved by the Governor March 17, 1919.

## CHAPTER 137.

#### [S. B. 270.]

#### NATIONAL GUARD PAY AND ALLOWANCE.

AN ACT providing for the pay and allowance of former members of the National Guard of Washington and amending Section 7224 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 7224 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 7224. Commissioned officers while on duty requiring pay shall receive the same pay and

Commissioned officers.

allowance as commissioned officers of the United States of the same grade and term of service: Provided, that for travel only actual necessary expenses shall be allowed.

For the purpose of pay and allowance as an officer of the national guard, service with the First Washington Volunteer Infantry, as an officer or enlisted man until muster out of that organization shall be considered equivalent to three years' service in the national guard of Washington. For the purpose of pay and allowance of an officer in the national guard, service as an enlisted man in the national guard of Washington shall be considered equivalent to service as an officer: Provided, that said service as an enlisted man and officer be continuous.

For all duty requiring pay, enlisted men of the Rate for enlisted men. land branches in the national guard of Washington shall receive pay at rates equivalent to twice those allowed for corresponding grades in the regular service of the United States army: Provided, that the pay of cooks and bandsmen shall be three dollars (\$3.00) per day. Enlisted men of the naval militia branch of the national guard of Washington shall receive pay at rates equivalent to those allowed for corresponding grades in the regular service of the United States navy, plus an addition to each respective rate of pay sufficient to make the same equal the next higher of the following seven per diem rates of pay, viz.: three dollars (\$3.00), two dollars and fifty cents (\$2.50), two dollars (\$2.00), one dollar and seventy-five cents (\$1.75), one dollar and fifty cents (\$1.50), one dollar and twenty-five cents (\$1.25), and one dollar (\$1.00).

For each re-enlistment, after serving a full term of three years, there shall be added ten per cent. For the purpose of pay and allowance, service for a full term of enlistment in the regular or volunteer

Ch. 137.]

army of the United States, or in the First Washington Volunteer Infantry until muster out of that organization, shall be equivalent to a full enlistment. Enlisted men proving such service shall be allowed ten per cent additional on their pay.

This schedule of pay shall apply only to the first thirty days of any tour of duty and after the thirtieth day of any such tour, officers and men shall receive the pay allowed officers and men in the regular service of the United States of corresponding organizations, grades and terms of service.

Extra duty pay to men detailed as clerks and on similar duty may be allowed by the commanding officers of troops on duty, but in no case shall pay and extra pay exceed two dollars and fifty cents (\$2.50) per day.

Upon completion of his enlistment, or upon discharge by proper authority, each enlisted man shall receive in addition to the pay above mentioned, the sum of fifty cents (50c) for each day of state paid service not exceeding fifty days, less all proper deductions for fines or lost property: *Provided*, that claims for such additional pay shall not be valid unless filed with the adjutant-general within twelve (12) months from the date of discharge: *Provided*, *further*, that members of the national guard who have enlisted in or been emerged into service of the United States army, navy or marine shall have twelve (12) months from their discharge from the United States service in which to file their claim for such additional pay.

In addition to the pay herein provided the commander-in-chief, or such other state official as may be designated by federal authority, is authorized to receive and disburse, in accordance with federal laws and regulations, any moneys which may be appropriated by the congress of the United States and allotted to the State of Washington for the pay-

Extra duty pay.

Discharge allowance.

Disbursement of federal allotments to date. ment of officers and enlisted men of the organized militia as reimbursement for expenses incurred in, and compensation for, the time devoted to military training during times of peace.

Passed the Senate March 12, 1919. Passed the House March 12, 1919. Approved by the Governor March 17, 1919.

## CHAPTER 138. [H. B. 211.]

#### OPERATION OF MUNICIPAL STREET RAILWAYS BEYOND CORPORATE LIMITS.

- AN ACT relating to and authorizing the extension and operation of any municipally owned street railway to points outside of the corporate boundaries of any city and amending section 1 of chapter 59 of the Laws of 1917.
- Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 1 of chapter 59 of the Laws of 1917 be amended to read as follows:

Section 1. Any municipal corporation in the Eight mile State of Washington which now owns or operates, authorized. or which may hereafter own or operate, any street railway within the corporate limits thereof, may acquire, construct and extend, own and operate such street railway to any point or points not to exceed eight miles outside of its said corporate limits, measured along the line of such railway: And provided, that this act shall not be construed to prevent the operation of any municipally owned street railway which now extends beyond the city limits of any city.

Passed the House March 8, 1919. Passed the Senate March 11, 1919. Approved by the Governor March 17, 1919.

## CHAPTER 139.

## [H. B. 276.]

#### ELECTIVE PUBLIC OFFICERS.

#### AN ACT relating to the qualifications of public officers.

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

SECTION 1. That no person shall be competent to qualify for or hold any elective public office within the State of Washington, or any county, district, precinct, school district, municipal corporation or other district or political subdivision, unless he be a citizen of the United States and State of Washington and an elector of such county, district, precinct, school district, municipality or other district or political subdivision.

Passed the House February 27, 1919. Passed the Senate March 10, 1919. Approved by the Governor March 17, 1919.

## CHAPTER 140. [H. B. 317.]

#### DIVISION OF COUNTY INTO ROAD DISTRICTS.

An Act relating to the formation of road districts, validating certain tax levies made, providing for their collection and amending Section 5576 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 5576 of Remington & Ballinger's Code be amended to read as follows:

Section 5576. The board of county commissioners shall, as often as they deem it necessary,

Must be citizens and electors.

County com-

missioners to form

districts.

390

but not oftener than once each year, form their respective counties or any part thereof into one or more suitable and convenient road districts, not ex-. ceeding nine in number, and cause a description thereof to be entered upon the county records: *Provided*, that the size and form of each road district shall be such as to permit personal oversight and management by one road supervisor.

Passed the House March 4, 1919. Passed the Senate March 11, 1919. Approved by the Governor March 17, 1919.

#### CHAPTER 141.

#### [H. B. 142.]

#### SALARY OF COURT BAILIFFS IN COUNTIES HAVING MORE THAN 150,000 POPULATION.

AN ACT relating to the salaries of Superior Court bailiffs in counties having a population of more than one hundred fifty thousand.

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

SECTION 1. Bailiffs of the several superior courts, appointed by the respective judges thereof, in counties of this state having a population of more than one hundred fifty thousand, shall be paid for their services one hundred and twenty-five dollars per month by the county in which the court is held.

Passed the House February 27, 1919.

Passed the Senate March 11, 1919.

Approved by the Governor March 17, 1919.

## CHAPTER 142.

[H. B. 322.]

#### BASIS FOR ASSESSMENT OF PROPERTY BY TAXING DISTRICTS.

An Act defining taxing districts and assessed value of property for purposes of taxation, providing that all tax levies shall be made upon such assessed value, amending section 9112 of Remington & Ballinger's Code, and declaring that this act shall take effect immediately.

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

SECTION 1. The term "taxing district" as used in this act shall be held and construed to mean and include the state and any county, city, town, township, port district, school district, metropolitan park district, or other municipal corporation authorized or having the power to levy taxes now or hereafter existing; and the term "assessed value of property" as used in this act shall be held and construed to mean the aggregate valuation of the property subject to taxation by any taxing district as placed on the last completed and balanced tax rolls of the county next preceding the date of any tax levy.

SEC. 2. The terms "assessed valuation of taxable property", "valuation of taxable property", "value of taxable property", "taxable value of property", "property assessed" and "value" whenever used in any statute, law, charter or ordinance with relation to the levy of taxes in any taxing district, shall be held and construed to mean "assessed value of property" as hereinabove in section 1 of this act defined.

SEC. 3. Whenever any taxing district or the officers thereof shall, pursuant to any provision of law or of its charter or ordinances, levy any tax,

"Taxing district" defined.

"Assessed value of property" defined.

Construction of statutory terms.

Taxable value for levies. the assessed value of the property of such taxing district shall be taken and considered as the taxable value upon which such levy shall be made.

SEC. 4. That section 9112 of Remington & Ballinger's Code be and the same is hereby amended to read as follows:

All property shall be assessed Assessment ts true and fair value in money. Assessment true and fair value in money. Section 9112. fifty per cent. of its true and fair value in money. In determining the true and fair value of real or personal property, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation; nor shall he adopt as a criterion of value the price for which the said property would sell at auction, or at a forced sale, or in the aggregate with all the property in the town or district; but he shall value each article or description of property by itself, and at such time or price as he believes the same to be fairly worth in money at the time such assessment is made. The true cash value of property shall be that value at which the property would be taken in payment of a just debt from a solvent debtor. In assessing any tract or lot of real property, the value of the land, exclusive of improvements, shall be determined: also, the value of all improvements and structures thereon and the aggregate value of the property, including all structures and other improvements, excluding the value of crops growing on cultivated lands. In valuing any real property on which there is a coal or other mine, or stone or other quarry, the same shall be valued at such price as such property, including the mine or quarry, would sell at a fair, voluntary sale for cash. Taxable leasehold estates shall be valued at such a price as they would bring at a fair, voluntary sale for cash.

SEC. 5. This act is necessary for the immediate Emergency. preservation of the public peace, health and safety

1.1.1.1.1.1

Chan, c at

and for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Passed the House March 13, 1919. Passed the Senate March 13, 1919. Approved by the Governor March 17, 1919.

#### CHAPTER 143.

[H. B. 115.]

SCHEDULE OF FEES IN JUSTICE OF PEACE COURTS.

AN ACT relating to fees and compensation of justices of the peace and amending section 1 of chapter 138 of the Laws of 1915.

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

SECTION 1. That section 1 of chapter 138 of the Laws of 1915 be amended to read as follows:

Section 1. The fees and compensation of justices of the peace shall be as follows, to-wit:

Docket fee.

When each case is filed the sum of \$2.00 shall be paid by the plaintiff, which said sum shall include the docketing of the cause, the issuing of notice and summons, the trial of the case and the entering of judgment: *Provided*, that no further fee shall be required of either party to the suit for issuing subpoena, for approving any bond, including justification, incident to the case, or for orders and filing of publication of summons, or for any continuance by either party, or for issuing any writ of replevin, attachment and one writ of garnishment, or order, transcript and filings on change of venue. For each additional writ of garnishment a fee of 50 cents shall be charged.

Change of venue. The sum of \$2.00 shall be paid by the party taking the change of venue to the justice to whom the case is transferred: *Provided*, that said sum shall include all fees for transcripts of garnishments or other proceedings incident to the main action.

For transcript of judgment the sum of \$1.00 Transcript shall be paid by the party applying therefor, which said sum shall include all fees for transcript of garnishment or other proceedings incident to the main action and for approval of bonds on appeal.

For hearing of a cause occupying more than one Trial of day in the trial thereof an additional fee of two dollars (\$2.00) shall be charged for each and every day so occupied after the first day of the trial: *Provided*, This act shall not apply to any continuance granted for any reason or cause other than as stated in this paragraph: *Provided further*, This provision shall not apply to justices of the peace receiving a fixed salary.

For order and filings for commission to take

depositions\$.50 Miscellan-
For issuing writ of venire
For taking affidavits and acknowledgments,
each
For taking depositions, each folio
For issuing warrants in criminal cases50
For taking recognizance of bail, including
justification
For committing to jail
Passed the House February 18, 1919.
Passed the Senate March 11, 1919.
Approved by the Governor March 17, 1919.

395

#### CHAPTER 144.

#### [S. B. 38.1

#### THE OPTOMETRY LAW.

AN ACT defining the practice of Optometry, providing for the regulation of the same, creating a Board of Examiners and providing penalties for the violation thereof.

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

SECTION 1. Any person shall be deemed to be practicing optometry within the meaning of this act, who shall in any manner, except as provided in section 15 of this act, 1st, display any sign, circular, advertisement or device purporting or offering to in any manner examine eyes, test eyes, fit glasses, adjust frames or setting himself or herself forth as an optometrist, optician, specialist, optical specialist, evesight specialist or refractionist, with intent shall do induce people to patronize himself, herself, or any other person; 2d, who shall make in any manner a test or examination of the eve or eves of another, to ascertain the refractive, muscular or pathalogical condition thereof; 3d, who shall in any manner adapt lenses to the human eye for any purpose either directly or indirectly.

> It shall be unlawful for any person to Sec. 2. practice optometry in the State of Washington without first obtaining a certificate of registration or other permit from the Board of Examiners, and filing the same for record with the clerk of each and every county in which he may desire to practice.

> SEC. 3. A board is hereby created to be known as the State Optometry Board. It shall be composed of three regularly registered optometrists. each of whom shall have been in actual continuous practice for a period of three years immediately

Practice of optometry defined.

Permit to

practice.

State Optometry Board.

: • 1

Ch. 144.1

prior to the appointment to said board. The members of the present optometry board shall hold office under this act until their respective terms expire or until their successors are appointed and qualified. Each member of the board shall, within thirty days after the appointment, file with the proper official, the usual oath of office. No person who is in any way connected with any school teaching optometry, nor who is an owner or employe of or stockholder in any regular wholesale optical firm, or other firm or corporation having a wholesale optical department, shall be eligible to appointment on said board. Each member of the board shall hold office for a term of three years and until his successor is appointed and qualified. On or before the first day of April in each year the governor shall appoint a member of said board, and may make such other appointments from time to time as may be necessary to fill any unexpired terms. The governor may remove from the board any members, for neglect of duty, or for any cause for which the board might revoke a certificate of registration. No member of the board shall be financially interested in any purchase or contract in which the board shall be financially interested in the sale of any optical wares or appliances to any prospective candidate before said board.

SEC. 4. The powers and duties of the optometry board shall be as follows:

1. To organize and elect from among their Officers members a president and treasurer of said board. who shall hold office for one year or until their successors are elected, and to elect a secretary who may or may not, be a member of said board, and who may be removed from office at any time by a majority vote of the board. To adopt and use a common seal, which shall be in the custody of the sec-

of board.

Duties and bond of secretary. retary. The secretary shall execute a bond in the sum of one thousand dollars (\$1,000.00), which shall meet the approval of the board. The secretary shall collect all moneys due the board and pay the same to the treasurer, shall keep all records and perform such other duties as may from time to time be prescribed by the board. All moneys received or collected by said board, or any member or officer thereof, during any month shall be turned over before the 10th of the succeeding month to the state treasurer, together with a verified statement showing source from which such money is derived.

2. The treasurer shall furnish a good and sufficient bond in the sum of one thousand dollars (\$1,000.00), and shall safely deposit all moneys of the board in a suitable bank, which shall be approved by the board, and shall pay the same out only on orders signed by the secretary and president of the board, and no such orders shall be issued for any other purpose than may be necessary for the execution of the provisions of this act.

3. To employ agents, attorneys and inspectors to secure evidence of, report on, and to prosecute any violations of any of the provisions of this act, and to employ other necessary assistants for the execution of this act: *Provided*, that no state officer shall be eligible to employment by the board.

4. To hold meetings of the board in the month of August in each year, and as often in addition as may be necessary for the examination of candidates or the transaction of other necessary business. Such meetings may be held at such times and at such places as shall be deemed expedient by the board: *Providing* that one meeting each year shall be held in the city of Spokane.

5. To keep an accurate record of the proceedings of all meetings and actions of the board, and of all receipts and disbursements of the funds of

Bond and duties of treasurer.

Employees of board.

Meetings.

Records.

the board, together with all vouchers for same. Of all prosecutions for violations of this act, of all examinations for certificates, recording the names and addresses of all persons taking such examinations and the record of their standing in the examination. To keep an accurate inventory of all property of the board and to obtain a receipt therefor from their successors in office. All records of the board shall be public and shall be kept in the office of the board.

To visit and examine public schools wherein Accrediting 6 the science of optometry is taught in this state, and teaching optometry. accredit the same if found to be furnishing a sufficient course of study for the preparation of optometrists.

To keep a book to be known as the Official Register of practitioners. 7. Optometry Register, in which shall be recorded the names and addresses of all optometrists registered in the state of Washington, together with the number and date of issue of the certificate of registration, and a complete record of the renewals or revocations thereof.

To grant or refuse to grant certificates of Issuance and revocation 8. registration as herein provided and to revoke the difficates. certificate of registration of any optometrist for any of the causes specified in section 11 of this act.

To administer oaths for any purpose con- Oaths. 9. nected with the work of the board, including the taking of testimony regarding the revoking of certificates.

To make rules for the procedure of the Rules. 10. board and for the conduct and government of candidates for examination, which shall not be inconsistent with the provisions of this act.

To report to the governor annually, between Annual reports. 11. the first and fifth days of January the official acts of the board for the preceding year, giving an ac-

revocation

count of all funds collected and disbursed during the year.

Qualifications and examination of applicants.

Persons eligible for examination for Sec. 5. registration, shall be any citizen of the United States of America, who shall have a preliminary education of or equal to, two years in a state high school, has completed a full attendance course in a regularly chartered school of optometry maintaining a standard which is deemed sufficient and satisfactory by the optometry board, or who has studied at least three years in the office of a regularly registered optometrist or who has successfully passed an examination before a board of optometry in some other state, who is of good moral character, who is not afflicted with any contagious or infectious disease, who has a visual acuity in at least one eye, of a standard known as 20/40 under correction. Such person shall file an application for examination and registration with said board at any time fifteen days prior to the time fixed for such examination, or at a later date if approved by the board, and such application must be on forms approved by the board, and properly attested, and if found to be in accordance with the provisions of this act shall entitle the applicant upon payment of the proper fee, to take the examination prescribed by the board. Such examination shall not be out of keeping with the established teachings and adopted text books of the recognized schools of optometry, and shall be confined to such subjects and practices as are recognized as essential to the practice of optometry. All candidates without discrimination. who shall successfully pass the prescribed examination, shall be registered by the board and shall, upon payment of the proper fee, be issued a certificate of registration.

SEC. 6. It is hereby made the duty of the county clerk of each organized county in this state to keep

a book known as the "Optometry Register" of such county, and set apart one full page for the registration of each optometrist, and to record in said optometry register, the name and record of each optometrist who presents a certificate from the board of examiners, issued under this act. The county clerk shall receive the sum of one dollar (\$1.00) from each optometrist so registered, which shall be his full compensation for all duties required under this act. When an optometrist shall die, or remove to another county, or have his certificate revoked, it shall be the duty of said clerk to make a note of the fact at the bottom of the page as closing the record. On January 1st in each year said clerk shall, upon request of the board, certify to the office of the State Optometry Board, a correct list of the optometrists then registered in the county, together with such other information as said board may require. Any county clerk upon conviction of knowingly violating any of the provisions of this act shall of county be fined not less than ten dollars (\$10.00) or more than fifty dollars (\$50.00). A copy from the "Optometry Register", pertaining to any person, certified to by said county clerk, under the seal of his office, also a certificate issued by said official, certifying that any person named has or has not registered in said office, as required by this act, shall be admitted as evidence in all hearings for revocation of certificates.

SEC. 7. It shall be unlawful for any person:

1 To sell or barter, or offer to sell or barter Unlawful any certificate of registration issued by the optometry board: or

To purchase or procure by barter any certificate or registration with intent to use the same as evidence of the holder's qualification to practice optometry: or

Optometry register kept hy county clerk.

Penalty for misfeasance 3. To alter with fraudulent intent in any material regard such certificate of registration; or

4. To use or attempt to use any such certificate of registration which has been purchased, fraudulently issued, counterfeited or materially altered as a valid certificate of registration; or

5. To practice optometry under a false or assumed name, or as a representative or agent of any person, firm or corporation with which the accused has no connection; or

6. To wilfully make any false statements in material regard in an application for an examination before the optometry board, or for a certificate of registration; or

7. To practice optometry in this state without having at the time of so doing a valid unrevoked certificate of registration, or other permit, issued by the optometry board of this state, and properly recorded as provided in this act; or

8. To in any manner barter or give away as premiums either on his own account or as agent or representative for any other purpose, firm or corporation, any eye-glasses, spectacles, lenses or frames.

9. To use drugs in the examination of the eyes.

SEC. 8. The optometry board may at its discretion, issue a permit to practice optometry during the interim between examinations, to any person who has filed an application for examination which has been accepted by said board as admitting the applicant to the next examination. Such permit shall be valid only until the date of the next examination and shall not be issued sooner than thirty days following any regular examination, and no permit shall be issued to any person who has failed before the optometry board, nor where a certificate has been revoked.

SEC. 9. The fee for application for examination shall be fifteen dollars (\$15.00) and the fee for issu-

Temporary permits to practice.

Fees.

ing a certificate of registration shall be ten dollars (\$10.00), which shall be paid to the board as they shall prescribe.

SEC. 10. The board shall have power to act upon Board proany question that may require a decision, by mail. such action shall be by form of resolution and shall be signed by each member of the board, properly attested, and shall bear the seal of the board and become a part of the regular records of the proceedings of the board, and shall be admitted as evidence in any court, or hearing for revocation of certificate.

The board may, at its discretion, re- causes for Sec. 11. voke the certificate of registration of any optometrist for any one of the following causes:

1. Conviction of the accused of any crime of the grade of felony, or one which involved moral turpitude; or

2. Any form of fraud or deceit used in securing a certificate of registration; or

Any grossly unprofessional conduct, of a na-3. ture likely to deceive or defraud the public: or

The obtaining of any fee by fraud or misrep-4. resentation; or

The employing either directly or indirectly 5. of any person or persons commonly known as "cappers" or "steerers" to obtain business; or

6. To employ any person to solicit from house to house, or to personally solicit from house to house; or

The employment of any unregistered person 7. to perform the work covered by this act; or

8. To advertise in any way in which untruthful. improbable or impossible statements are made regarding treatments, cures or values; or

9. The use of the term "Eye Specialist" in connection with the name of such optometrist; or

10. For habits of intemperance or habitual drunkenness, addiction to the drug habit, in a man-

ner likely to destroy the accuracy of the work of an optometrist; or

11. Affliction with a contagious or infectious disease, or one which is likely to destroy the accuracy of the work of the afflicted; or

12. For any cause for which the optometry board might refuse to admit a candidate to their examination; or

13 For the violation of any of the provisions of this act; or

14. Gross ignorance regarding the work of an optometrist, which shall be deemed to mean, "inability to demonstrate in manner satisfactory to the optometry board, their practical ability to correctly measure eyes, fit glasses, adjust frames and neutralize lenses correctly".

SEC. 12. Before any certificate shall be revoked, the optometry board shall mail to the holder of such certificate, at the last known post office address, a notice of the charges against him, and the holder of said certificate shall have ten days from the date of such notice, in which to file his answer with the optometry board and shall, if requested, be given a public hearing and opportunity to produce testimony in his favor and to confront the witness against him, and the revocation of any certificate of registration revoked for any of the above causes except those specified in one and two of section 11 may be set aside upon application of the holder of said certificate, at any time within six months from the date of such revocation, upon proof being made to the satisfaction of the optometry board, that the cause of such revocation no longer exists and that the applicant has been sufficiently punished. Before setting aside the revocation of any certificate, the board may, at its discretion, require the applicant to pass the regular examination given for applicants for certificates of registration.

Notice of charges.

Hearings.

SEC. 13. During the month of January of each Annual renewal fee. year, every registered optometrist shall pay to the optometry board the sum of two dollars (\$2.00), as a renewal fee, and failure to pay such fee within the prescribed time shall ipso facto, cause the suspension of such optometrist. The secretary shall mail a notice of said suspension to the last known post office address of the one so suspended, between the first and fifth days of February, March and April, next following, and if the fee is not paid by the first of May, the board may declare the certificate revoked in the regular manner, and shall immediately notify the county clerk of the county in which the revoked certificate is recorded.

SEC. 14. Each member of the optometry board shall receive as a compensation for services, the sum of ten dollars (\$10.00) per day for each day actually spent in carrying out the provisions of this act, together with all actual traveling and hotel expenses actually incurred while attending the regular or special meetings or work of the board, and the secretary shall receive such further compensation as may from time to time be decided upon by the board. provided that such compensation shall not exceed the sum of three hundred dollars (\$300.00) per year. All of such compensation shall be paid only out of the funds of the state appropriated to the optometry board upon warrants drawn by the state auditor upon the presentation of proper vouchers to be approved by a majority of said board as in case of state officers.

SEC. 15. Nothing in this act shall be construed Inapplicable to oculists to pertain in any manner to the practice of any reg- and merularly qualified oculist or physician, who is regularly licensed to practice medicine in the state of Washington, nor to any person who in the regular course of trade, sells or offers for sale, spectacles or eveglasses as regular merchandise without pretense of

Compensation and expenses of optometry board.

adapting them to the eyes of the purchaser, and not in evasion of this act.

SEC. 16. All funds which are in the state treasury to the credit of the state board of optometry, and which may not be in excess of two hundred dollars (\$200.00), shall upon passage of this act, be turned over to the optometry board for its use in compliance with the provisions of this act.

SEC. 17. Any certificate which may have been issued by any optometry board of this state, and which shall be in full force and effect at the time of the passage of this act, shall be continued under the provisions of this act.

SEC. 18. Any question of unconstitutionality arising concerning any of the sections or provisions of this act shall in no wise affect any other section or provision of the act.

SEC. 19. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 20. This act shall be known, and may be referred to as, "The Optometry Law".

SEC. 21. This act shall be in full force and effect after its passage.

SEC. 22. Any person violating any provision of this act shall, upon conviction thereof, be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), or imprisoned not less than thirty days nor more than six months, or both.

Passed the Senate February 18, 1919. Passed the House March 13, 1919. Approved by the Governor March 17, 1919.

Transfer of state moneys credited to board.

Prior certificates to remain in force.

Partial invalidity.

Repealing clause.

Designation of act.

When act effective.

Penalty for violations.

### CHAPTER 145.

#### [H. B. 277.]

#### INSPECTION AND GRADING OF AGRICULTURAL SEED CROPS.

AN ACT relating to the inspection, grading and certification of growing crops of agricultural or vegetable seed, providing for the collection of fees therefor, creating an agricultural seed revolving fund in the state treasury and making an appropriation.

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

SECTION 1. There is hereby created in the state Agricultural treasury a special fund to be known as the agri- ing fund. cultural seed revolving fund.

SEC. 2. The commissioner of agriculture shall Power conhave the power and it shall be his duty to adopt, regulate seed inspection. promulgate and enforce rules and regulations for the inspection, grading and certification of growing crops of agricultural or vegetable seed grown in this state, and to inspect, grade and certify the same at the request of the grower and to fix and collect fees for such inspection, grading and certification, and to pay the same into the state treasury to the agricultural seed revolving fund.

SEC. 3. For the purpose of carrying out the pro- Appropriavisions of this act, there is hereby appropriated \$50,000.00. out of the agricultural seed revolving fund the sum of fifty thousand dollars (\$50,000.00): Provided, that no warrant shall be drawn upon the agricultural seed revolving fund in excess of the amount in the state treasury to the credit of the seed fund.

Passed the House, March 9, 1919.

Passed the Senate, March 12, 1919.

Approved by the Governor March 18, 1919.

seed revolv-

#### CHAPTER 146.

#### [H. B. 285.]

# GUIDE POSTS AND DANGER SIGNALS ON PUBLIC HIGHWAYS.

An Act relating to public highways, providing for the construction and maintenance of uniform signboards or guideposts thereon, and marking dangerous portions thereof by sufficient danger signals or warnings, and prohibiting the defacing, removal, counterfeiting or destruction of such sign-'boards or guideposts and such danger signals or warnings, and providing penalties for the violation of this act and amending sections 2, 4, and 5 of chapter 78 of the Laws of 1917, and further amending said act by adding thereto new sections to be known as sections 3a, 3b, and 4a.

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

SECTION 1. That section 2 of chapter 78 of the Laws of 1917 be amended to read as follows:

Section 2. It shall be the duty of the county commissioners of each county to construct and maintain on the public highways outside of incorporated cities and towns, at all crossroads or forks of roads, signboards or guide posts according to the plans and specifications furnished by the state highway commissioner.

SEC. 2. That chapter 78 of the Laws of 1917 be amended by adding thereto a new section to be known as section 3a and to read as follows:

Section 3a. It shall be the duty of the state highway commissioner to designate such places upon the public highway as are dangerous to travelers, and to furnish at once a list of such dangerous localities to boards of county commissioners of each county and to the governing body of each incorporated city and town within the state.

SEC. 3. That chapter 78 of the Laws of 1917 be amended by adding thereto a new section to be known as section 3b, and to read as follows:

Section 3b. It shall be the duty of the county commissioners of each county to place and maintain

Plans furnished by highway commissioner.

Dangerous places to be designated.

Danger signals to be maintained. at such localities on said highways, suitable signals and warnings, which shall sufficiently warn travelers, by night and day, of such dangerous localities.

SEC. 4. That section 4 of chapter 78 of the Laws of 1917 be amended to read as follows:

Section 4. It shall be unlawful for any person Destruction to remove, deface, mutilate or destroy any of the prohibited. public signboards or guide posts, or inscriptions thereon, or danger signals or warnings, herein provided for, and it shall be unlawful for any person to fraudulently imitate or counterfeit said public signboards or danger signals or warnings, either for use on private roads and highways or for the purpose of advertising and use on public highways. Provided, that nothing herein shall be construed to prevent associations of standing, in constructing, placing and maintaining as a public gift the official signboards or guide posts herein provided for.

SEC. 5. That Chapter 78 of the Laws of 1917 be amended by adding thereto a new section to be known as section 4a, and to read as follows:

Section 4a. If, at the expiration of thirty days construction after the state highway commissioner has trans- of county mitted to the proper county authorities plans and specifications for the erection of signposts as set forth above, the county commissioners have not actually begun the erection of said signposts, then the highway commissioner shall immediately take steps to have the necessary signposts erected on the state highways passing through said counties and deduct the cost of same from the permanent highway funds held by the state treasurer to the credit of any such county having failed to comply with this law.

SEC. 6. That section 5 of chapter 78 of the Laws of 1917 be amended to read as follows:

Section 5. Any person violating any of the pro- Penalty for violations visions of section four of this act or failing to com-

to act.

ply with any of these provisions, shall be guilty of a gross misdemeanor.

SEC. 7. The county commissioners of any county are hereby authorized to offer and pay out of the Current Expense Fund of such county not more than twenty-five dollars (\$25) for the arrest and conviction of any person or persons violating the provisions of this act.

Passed the House, March 3, 1919.

Passed the Senate, March 11, 1919.

Approved by the Governor March 18, 1919.

# CHAPTER 147.

#### [H. B. 38.]

#### CENTRALIA NORMAL SCHOOL.

An Act establishing a state normal school at Centralia, creating a commission to select and accept a site therefor, providing for the management, operation, and maintenance, fixing the conditions for the operation, and directing the levying of a tax for the maintenance and operation thereof.

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

SECTION 1. There is hereby established a state normal school to be known as the State Normal School at Centralia for the purpose of education and training of teachers in the art of instruction and government in the public schools of the state.

SEC. 2. The governor of the state shall appoint two citizens of the state, who, with himself, as chairman, shall constitute a commission to examine and select a site for said normal school, which site shall be selected with a view to the economical operation of said school and for the convenience of the pupils and training classes thereof. The said commission shall meet in the city of Centralia within ninety days

Establishment.

Commission to select site.

after the taking effect of this act and select a site within the corporate limits of the city of Centralia. Lewis county, Washington, for such normal school: Provided. That if said commission shall determine that there is no suitable site within the corporate limits of the city of Centralia, the commission may select a suitable site within one mile of the corporate limits of the city of Centralia. The said commission shall have power to accept on behalf of the state deeds conveying any site so located as a gift to the state.

SEC. 3. As soon as said site shall have been selected, the governor shall, in the manner provided of trustees. by law, appoint a board of trustees for such normal school, whose terms, duties and powers shall be as provided by law.

SEC. 4. The board of trustees shall provide for the opening of said normal school without unnecessary delay, provided that the board may postpone the opening of said normal school until the first day of January, 1922, unless the city of Centralia shall furnish to the state, until the first day of January. 1922, without expense therefor, except for the maintenance and operating, the necessary rooms or buildings for the proper operation and efficient conduct of said school.

SEC. 5. There is hereby created a fund to be known as the "Centralia Normal School Fund", all sums of money produced by the tax provided for in this act and all bequests, gifts or gratuities made to said school shall be placed in said fund, and are hereby set apart for the use of said school for the purpose of maintenance, repairs, and construction of buildings and equipment therefor.

SEC. 6. The state board of equalization shall at Tax levy for fund. its regular meeting in the year 1921, and annually thereafter, at the time of levying taxes for state pur-

Appointment of board

Opening of school.

Centralia Normal School Fund.

poses, levy upon all property subject to taxation a tax of ten one hundredths (10/100) of a mill for the Centralia Normal School Fund.

SEC. 7. It shall be the duty of the joint board of higher curricula in the report to be made next preceding the convening of the legislature in 1921 to recommend any changes in the levy herein provided for which the said board may deem necessary or proper, and to give their specific grounds and reasons therefor, for the purpose of having the levy herein provided for readjusted by the legislature of 1921.

Passed the House, March 4, 1919. Passed the Senate, March 12, 1919. Approved by the Governor March 18, 1919.

#### CHAPTER 148. [H. B. 198.]

#### REGISTRATION AND RECOVERY OF ESTRAYS.

- AN ACT relating to estrays and amending sections 3244 and 3246 of Remington & Ballinger's Annotated Codes and Statutes of Washington.
- Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 3244 of Rem. & Bal. Code be amended to read as follows:

Registration by finder.

Section 3244. Any person about whose premises any animal may be in the habit of running at large at any time between the first day of October and the first day of March east of the Cascade ranges and between the first day of December and the first day of March, west of the Cascade range, and at any time of the year within a district in which live stock shall not run at large, established as provided by

Changes in tax levy.

section 3172-3 of Rem. & Bal. Code, may take up such animal and shall within ten days thereafter cause the same to be registered with the county auditor of his county under "Estrays found," giving the information required by the record as fully as practicable, and the auditor shall charge against such estrays the said fee of fifty cents for each animal so registered. Breachy or vicious animals may be taken up and registered as herein provided. The word "animal" or "animals" for the purpose of this chapter, shall include only horses, mules, cattle and hogs.

SEC. 2. That Section 3246 of Rem. & Bal. Code be amended to read as follows:

Section 3246. The owner of any estray upon Recovery learning that the same has been found, shall pay to the auditor the fee for registering the estrav as found, and take his receipt therefor with his official seal attached, which receipt shall describe the animal registered, and upon exhibiting such receipt and making out his title, and paying the finder the sum of one dollar for taking up the animal and reporting Fees payable. the same to the auditor, and the further sum of fifteen cents per day for keeping the estray, from the time of registering the same as found, shall be allowed to take possession of the animal. The claimant's possession of the auditor's receipt showing payment of the fee for registering the same as lost, and of the auditor's receipt, showing payment of the fee for registering the same as found, shall be proof of ownership sufficient to justify the finder in surrendering possession of the estray. Any taker-up of an estray who shall work such animal, or other- Estrays not wise use the same so as to derive benefit therefrom shall forfeit all pay for the keep thereof.

to be worked.

Passed the House, February 21, 1919. Passed the Senate, March 11, 1919. Approved by the Governor March 18, 1919. hy owner.

#### CHAPTER 149.

[H. B. 213.]

#### DAMAGE CLAIMS AGAINST COUNTIES.

#### AN ACT relating to claims for damages against counties.

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

SECTION 1. That all claims for damages against any county must be presented before the county commissioners of such county and filed with the clerk thereof within sixty days after the time when such claim for damages accrued. All such claims for damages must locate and describe the defect which caused the injury, describe the injury, and contain the amount of damages claimed, together with a statement of the actual residence of such claimant at the time of presenting and filing such claim and for a period of six months immediately prior to the time such claim for damages accrued, and be sworn to by the claimant. No action shall be maintained for any claim for damages until the same has been presented to the Board of County Commissioners and sixty days have elapsed after such presentation: *Provided*, that if the claimant shall be incapacitated from verifying and filing his claim for damages within the time prescribed, or if the claimant be a minor, or in case the claim is for damages to real or personal property, and if the owner of such property is a non-resident of such county or is absent therefrom during the time within which a claim for damages to said property is required to be filed, then the claim may be verified and presented on behalf of said claimant by any relative or attorney or agent representing the injured person, or in case of damages to property, representing the owner thereof, and no action for damages now pending or hereafter brought shall be

Presentation and contents.

Verification by other than claimant.

Extension of time for filing.

defeated by the failure of the person to verify or file the claim in person if action be brought within three years after the taking effect of this act where a claim has heretofore been verified and filed within the time and in compliance with the terms of this act if said claim has been rejected.

Passed the House, March 6, 1919. Passed the Senate, March 11, 1919. Approved by the Governor March 18, 1919.

# CHAPTER 150. [H. B. 128.]

AMENDMENTS OF TEACHERS' RETIREMENT FUND ACT.

AN ACT in relation to Teachers' Retirement Fund and amending sections 8, 11, 15, 16 and 17 of "An Act providing for the establishment and regulating the operation of Teachers' Retirement Funds in school districts of the first class, defining all powers and duties of certain officers in relation thereto, providing for the levy and collection of taxes therefor and providing for appeals from the decisions of the trustees of such fund." Also amending said act by adding a new section thereto to be known as Section 26.

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

SECTION 1. Section 8 of chapter 163, Laws of 1917, is hereby amended to read as follows:

Section 8. All applications for membership shall Certificates be considered by the board of trustees at the next bership. regular meeting after the same are filed, or at a special meeting called for that purpose before the next regular meeting, and, if the application is found to be in proper form and accompanied by the proof required by the trustees, the applicant's name shall be entered upon the membership register of the funds together with the respective totals of years and months of service allowed, in the district, in

of mem-

this state, and elsewhere, respectively, and a certificate of membership showing the date of issue and the former teaching serve allowed, shall be delivered to the applicant and a duplicate thereof transmitted to the secretary of the district, who shall cause the same to be entered upon the records of the district. In making allowance for former service, a year of service shall be a legal school year where the service was rendered and fractions of years of service may be counted in computing the total years of service when the sum of such fraction equals one or more years, *Provided*, That no teacher shall receive more than one year's credit for teaching in any school year, as defined by the school code of this state.

SEC. 2. Section 11 of chapter 163, Laws of 1917, is hereby amended to read as follows:

Section 11. It shall be the duty of the secretary of the district, at the time of issuing the transfer warrants hereinabove provided for, to certify to the secretary of the fund the names of the teachers assessed and respective number of months of serving since the last certificate, and the respective amounts deducted from the salary of each. Upon receiving such certificate, it shall be the duty of the secretary of the fund to credit the members with the respective months of service and respective amounts contributed by each, in the proper columns of the membership register after their respective names. Each member of the fund not employed by the district or granted leave of absence for professional preparation by the board of directors, may on or before the 10th day of November, and on or before the 10th day of May of each year present his receipt from the county treasurer for his payment for the benefit of the fund, to the secretary of the fund, together with a verified statement of the amount and character of services rendered during

Credits for service and contributions.

the preceding half year, and it shall be the duty of the secretary to credit such service and contribution to such member on the membership register and endorse such credit on the receipt and return it to the member: Provided, that credit shall not be allowed a member absent on leave for professional preparation in excess of two years of total absence on such leave, or in excess of one year of absence on such leave in any ten year period of total service.

SEC. 3. Section 15 of chapter 163, Laws of 1917, is hereby amended to read as follows:

Section 15. Any member who leaves the employ- Credits for ment of the district in which a retirement fund has retered has service. been established under the provision of this act, and subsequently re-enters the employment of such district, shall be entitled to credit for contributions previously made, and, upon satisfactory proof, to credits for such service in teaching as has been rendered in the interim, and any member who leaves the employment of such district and enters the employment of another district in this state in which a retirement fund has been or shall be established under the provisions of this act, shall be entitled to have the amount such member has contributed Transfers to the fund of the first district, but without interest districts. thereon, transferred to, and shall be given credit therefor in the fund of the second district, and shall be entitled to have not more than three years of service in the first district credited as service in the second district in case the member shall apply for an annuity from the fund of the second district under the provisions of this act: *Provided*, that such transferred service shall not reduce the total amount of service required, or the amount of service required in this state.

SEC. 4. Section 16 of chapter 163, Laws of 1917, is hereby amended to read as follows:

----14

re-entry into

of credits

Length of service for retirement annuities.

Section 16. Any member of the fund who shall have been a teacher for a period of, or periods aggregating thirty years, embracing not less than two hundred and forty months of service, fifteen vears of which service shall have been in the public schools of this state, and twelve years of which service shall have been in the district where such person is a member, shall be entitled, upon and during retirement from service in the public schools to receive a retirement annuity of four hundred and eighty dollars (\$480.00): Provided, that any member of the fund who shall have been a teacher for a period of or periods aggregating thirty-five years, embracing not less than two hundred and eighty months of service, fifteen years of which shall have been in the public schools of this state, and who is employed as a teacher in the district at the time the fund is established, shall be entitled upon and during retirement from service in the public schools to receive an annuity of four hundred and eighty dollars (\$480.00): And provided further, that no retirement annuity shall be credited or paid until the expiration of one year from the date of the establishment of the fund: And provided further, that in case the credit for membership dues of any member, at the date of retirement, shall be less than the sum of seven hundred and twenty dollars (\$720.00), and thereafter shall be paid such annuity, unless the member shall elect to pay into such fund the necessary amount to make up the total credit of seven hundred and twenty dollars (\$720.00), in which case the annuity shall be paid to the member.

SEC. 5. That chapter 163, Session Laws of 1917, be amended by adding a new section thereto, to be known as section 26, to read as follows:

Section 26. If at the time of making the annual estimate of receipts and disbursements, as provided in section 13 of this act, it shall appear that the total

Tax levies for benefit of retirement fund.

Minimum of contribu-

tion credits.

estimated receipts for the current fiscal year together with the total assets of the fund at the close of the preceding fiscal year, will be insufficient to meet the total estimated disbursements for the curcent fiscal year, it shall be the duty of the secretary of the board of trustees to certify the amount of such deficiency to the board of directors on or before the third Monday in July, and it shall be the duty of the board of directors to report to the board of county commissioners the amount required to make up such deficiency with the annual estimate of the amount required for the support of the schools of the district and the board of county commissioners shall include such amount in the general tax levy for the district, and the same shall be collected as other taxes and when collected shall be credited to the teachers' retirement fund of the district. provided, however, that the amount of such levy for the benefit of any retirement fund shall not in any year exceed a sum equal to the total amount contributed to the fund by its members during the preceding fiscal year.

Passed the House, February 21, 1919. Passed the Senate, March 11, 1919. Approved by the Governor March 18, 1919.

#### CHAPTER 151.

#### [S. B. 211.]

#### COMPULSORY ATTENDANCE IN PART-TIME SCHOOLS.

An Act to provide for the establishment of Part-Time Schools and classes and to define conditions under which attendance therein shall be compulsory.

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

SECTION 1. For the purpose of this act the person or persons designated by the board of school directors in districts of the first class and of the second class and the county superintendent of schools or person or persons designated by him acting for districts of the third class shall be known as permit officers. The State Board for Vocational Education shall be referred to as the State Board and the Federal Board for Vocational Education shall be referred to as the Federal Board.

Minors excepted from compulsory attendance. SEC. 2. All minors of the state residing or employed in school districts of the state in which parttime schools are maintained, as hereinafter provided, shall attend school until the age of eighteen (18) years unless (1) they are graduates from a four year high school course or its equivalent, (2) they are in a part-time school and are employed in accordance with the terms of any state or federal act regulating the employment of such minors under the age of eighteen (18) years, (3) shall have been excused from school attendance in accordance with the provisions of this act.

Issuance of employment permits to minors. SEC. 3. Any minor fourteen years of age and under eighteen years of age who has completed the eighth grade or who in the judgment of the superintendent of schools for districts of first and second class or of the county superintendent for districts of the third class can not profitably pursue further regular school work as evidenced by statements filed with such superintendent: and any minor fifteen years of age and under eighteen years of age may apply to the board of school directors or the permit officer for the district where such minor resides for permission to leave school and to enter upon employment and if upon investigation said board of school directors or permit officer finds that the needs of the family or the welfare of such minor require it, and if in the judgment of such board of school directors or permit officer such minor may legally engage in such employment the said board of school directors or permit officer shall issue an employment permit which shall state the age of the minor as shown by the school register, the grade attained in school, and the person, firm or corporation which is to employ the minor. The board of school directors or the permit officer shall have power and in all cases, of reasonable doubt it shall be their duty to require additional proofs of the age of minors seeking permission to leave school and enter upon employment. The term "employment" as used in "Employ-ment" this act shall be interpreted to include such home occupation, home study or private instruction under the supervision and direction of a responsible parent or guardian as may be approved by the Board of School directors or permit officers.

SEC. 4. Any person, firm or corporation employing any minor under the age of eighteen years, except during vacation, shall require the permit as set forth in Section 3 of this act from the minor it proposes to take into its employment and shall keep such permit on file during the employment of such minor and shall within ten (10) days after the beginning of such employment, report to the board of school directors or the permit officer upon blanks furnished by him or them, the fact of such employment, and upon the termination of the employment

defined.

Duties of

of such minor shall return such permit to the proper school authorities within ten (10) days after the termination of such employment.

SEC. 5. For districts of the first and second class the boards of school directors or person or persons designated by them and for districts of the third class the county superintendent shall keep a record of all permits issued and the data contained in such permits and shall submit to the Superintendent of Public Instruction duplicate copies of such records on the first day of October, January, April, and July of each year and the Superintendent of Public Instruction shall in turn furnish a copy of such records to the State Commissioner of Labor.

SEC. 6. Boards of school directors in all organized school districts, upon the written request of twenty-five (25) or more adult bona fide residents of such districts, may, within one year from date of such request, establish part-time schools or classes when there are fifteen (15) or more minors over fourteen years of age and under eighteen years of age resident or employed in such districts and who are not in attendance upon a regular full-time school and who would, by the provisions of this act, be required to attend such part-time schools or classes. All part-time schools or classes established under this act shall be held at least four hours per week during the weeks when the public schools of the district are in session, and such schools or classes shall be conducted between the hours of eight A. M. and five P. M. on school days, or between the hours of eight A. M. and twelve-thirty P. M. on Saturdays. It shall be the duty of the board of school directors in organizing part-time schools or classes which are to participate in federal funds available for the encouragement of vocational education to provide equipment, instruction and courses of study

Records of permits.

Establishment of part-time schools.

Vocational training.

in accordance with the plans of the State Board approved by the Federal Board.

SEC. 7. Whenever a part-time school or class is Required established and maintained in accordance with this of minors. act by the district in which any minor under eighteen years of age resides or in which he is employed. the parent, guardian or other person having control or charge of such minor shall cause him or her to attend such part-time school or class at least four hours per week during the time the public schools of the district where such school or class is located are in session, unless (1) such minor is in attendance upon a regular full-time day school supported by either public or private funds, or (2) shall have completed a four-year high school course, or its equivalent or (3) is in attendance upon a part-time school maintained in accordance with the provisions of this act, and approved by the State Board although not qualifying for reimbursement, or (4) shall have been excused by the board of school directors or permit officer for the district in which such minor resides upon a certificate of a reputable physician or the recognized medical authority of the district stating that such attendance upon the parttime school or class would be injurious to the health of such minor, or (5) shall have been excused under the provisions of Section 3 of this act. Any parent, guardian or other person having control or charge of any such minor and failing to comply with the Penalty for provisions of this act shall be liable upon conviction comply with act. to be punished by a fine of not less than five dollars (\$5.00), or more than twenty-five dollars (\$25.00) for each such offense, or by imprisonment in the county or city jail not less than one day nor more than ten days or both such fine and imprisonment at the discretion of the court.

SEC. 8. Whenever the number of hours for which minors less than eighteen years of age may be em-

failure to

School attendance counted as part of hours of labor.

Employers to permit school attendance.

Penalty for failure.

Application of act.

Rules and regulations.

Reimbursement of expense. ployed shall be fixed by federal or state law the hours of attendance upon a part-time school or class organized in accordance with the terms of this act shall be counted as a part of the number of hours fixed for legal employment by federal or state law.

SEC. 9. Any person, firm or corporation employing a minor less than eighteen years of age, except during vacation, shall permit the attendance of such minor upon a part-time school or class for at least four hours per week whenever such part-time school or class shall have been established in the district where such minor resides or may be employed, and any person, firm or corporation employing any minor less than eighteen years of age contrary to the provisions of this act shall be subject to a fine of not less than ten dollars (\$10.00) and not more than five hundred dollars (\$500.00) for each offense, or by imprisonment in the county or city jail not less than one day and not more than ten days or by both such fine and imprisonment at the discretion of the court.

SEC. 10. The requirement of attendance upon part-time schools or classes provided for in this act shall not apply to minors who were regularly and legally employed during the school year ending June 30, 1919.

SEC. 11. The State Board shall establish rules and regulations governing the organization, courses and maintenance of part-time schools or classes and shall prescribe the form of the necessary blanks to enable the districts to carry out the provisions of this act.

SEC. 12. Whenever any part-time schools or classes shall have been established in accordance with the provisions of this act and the rules and regulations established by the State Board and shall have been approved by the State Board, the

district shall be entitled to reimbursement from federal funds available for the provisions of vocational education for the expenditures made for the salaries of teachers of such part-time schools or classes and such reimbursement shall be apportioned by the State Board.

SEC. 13. The officer charged by law with the Enforcement responsibility for enforcement of attendance upon ance. regular public schools of children over eight (8) vears of age shall also be charged with the responsibility for the enforcement of attendance upon part-time schools or classes of minors over fourteen (14) and under eighteen (18) years of age in accordance with the provisions of this act.

SEC. 14. All acts and parts of acts in conflict Repealing with the provisions of this act are hereby repealed.

Passed the Senate March 3, 1919.

Passed the House March 11, 1919.

Approved by the Governor March 18, 1919.

#### CHAPTER 152.

#### [S. B. 70.1

#### DESTRUCTION OF ANIMAL PESTS INJURIOUS TO AGRICULTURE.

AN ACT relating to the destruction or extermination of rodents and other animal pests detrimental to the agricultural interests in any community, providing a fund therefor, the creation of pest districts, and the levying of taxes or assessments thereon.

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

SECTION 1. For the purpose of destroying or Agricultural exterminating squirrels, prairie dogs, gophers, districts. moles or other rodents, or of rabbits or any predatory animals that destroy or interfere with the

of attend-

crops, fruit trees, shrubs, valuable plants, fodder, seeds or other agricultural plants or products, thing or pest injurious to any agricultural plant or product, or to prevent the introduction, propagation, growth or increase in number of any of the above described animals, or rodents, the board of county commissioners of any county may create a pest district or pest districts within such county and may enlarge any district containing a lesser territory than the whole county, or reduce any district already created, or combine or consolidate districts or divide, or create new districts from time to time in the manner hereinafter set forth.

Formation and alteration of pest districts.

Hearing of petition.

SEC. 2. Whenever ten or more resident freeholders in any county petition the board of county commissioners, asking that their lands be included, either separately or with other lands designated in the petition in a district to be formed for the purpose of preventing, destroying, or exterminating any of the animals, rodents or other such things described in section 1 of this act. or that such lands be included within a district already formed by the enlargement of such district, or a new district or districts be formed out of a district or districts then in existence or out of territory partly in districts already formed and not included in any district, and such petiton indicating the boundaries of such proposed district, whether all or any part of such county, and stating the purpose of such district, the board shall fix a time for the hearing of such petition and shall give at least thirty days notice of the time and place of such hearing by posting copies of such notice of the time and place of such hearing in three conspicuous places within the proposed district and posting one copy of such notice at the court house or place of business of the board, and also by mailing to each freeholder within the proposed district a copy of such notice, to his last

known residence, if known, and if not known to the freeholders. clerk of such board, then and in that event the posting shall be deemed sufficient: Provided, however, If the board shall deem it impractical to mail notices to each freeholder, within the proposed district, or if the post office address of all the freeholders are not known, then in that event when recited in a resolution adopted by the board, the notice in addition to posting, shall be published once a week for three successive weeks in the county official paper if there is such, and if there be no official paper, then in some paper published in said county, and if there be no paper published in said county, then in some paper of general circulation within the proposed district. The persons in whose name the property is assessed shall be deemed the owners thereof for the purpose of notice as herein reguired: Provided, however, That for lands belong- Public ing to the state, the commissioner of public lands shall be notified, and for lands belonging to the county, the county auditor shall be notified, and if such lands are under lease or conditional sale the lessee or purchaser shall also be notified in the manner above provided. Any person interested may appear at the time of such hearing and may under such rules and regulations as the board may prescribe give his or her reasons for or objections to the creation of such a district.

SEC. 3. Upon the hearing of such petition the Determinaboard shall determine whether such a district shall county be created and shall fix the boundaries thereof, but shall not enlarge the boundaries of proposed districts or enlarge or change the boundary or boundaries of any district or districts already formed without first giving the notice to all parties interested as provided in section 2 of this act.

SEC. 4. If the board shall deem the interests Record and designation of the county or of any particular section thereof

lands.

of district.

will be benefited by the creation of such a district or districts, or the changing thereof, it shall make a record thereof upon the minutes of the board and shall designate such territory in each such district as "Pest District..........for...........County".

SEC. 5. The county treasurer shall be ex-officio treasurer for each of such districts so formed and the county assessor and other county officers shall take notice of the formation of such district or districts and shall be governed thereby according to the provisions of this act. The assessment or the tax levies as hereinafter provided for shall be extended on the tax rolls against the property liable therefor the same as other assessments or taxes are extended, and shall become a part of the general tax against such property and be collected and accounted for the same as other taxes are, with the terms and penalties attached thereto. The moneys so collected shall be held and disbursed as a special fund for such district and shall be paid out only on warrant issued by the county auditor upon voucher approved by the board of county commissioners.

Supervisors, who act as.

agricultural expert in counties Sec. 6. The having an agricultural expert, shall under the direction of the State College of Washington have general supervision of the methods and means of preventing, destroying or exterminating any animals or rodents as herein mentioned within his county, and of how the funds of any pest district shall be expended to best accomplish the purposes for which such funds were raised; in counties having no such agricultural expert each county commissioner shall be within his respective commissioner district, ex-officio supervisor, or the board may designate some such person to so act, and shall fix his compensation therefor. Whenever any member of the board shall act as supervisor he shall be entitled to his actual expenses and his per diem

Duties of county officers.

.

Assessment

for taxation.

as county commissioner the same as if he were doing other county business.

SEC. 7. For the purposes herein specified the Tax levy. board of county commissioners shall annually levy on all the taxable property within any district a tax for such district not to exceed five mills on the dollar to be levied and collected as in this act prescribed.

If, however, they shall deem that the prevention, Local assessdestruction or extermination of any such animals, special benefits. or other pests shall be of special benefit to the lands within any such district they may in lieu of a tax, levy an assessment against the lands therein at not to exceed ten cents per acre. For this purpose they may classify the lands into tillable, grazing, and waste lands and fix the assessment for each class in such amount as shall seem just, but which shall be uniform per acre in its respective class. The finding by the board of such special benefits, when so declared by resolution and spread upon the minutes of the board shall be conclusive that the same is of special benefit to the lands within the district.

SEC. 8. Whenever there shall be included with-Assessments in any pest district lands belonging to the state or and county lands. to the county the board of county commissioners shall determine the amount of the tax or assessment for which such land would be liable if the same were in private ownership for each subdivision of forty acres or fraction thereof. The assessor shall transmit to the county commissioners a statement of the amounts so due from county lands and the county commissioners shall appropriate from the current expense fund of the county sufficient money to pay such amounts. A statement of the amounts due from state lands within each county shall be annually forwarded to the commissioner

ment for

for state

of public lands who shall examine the same and if he finds the same correct and that the determination was made according to law, he shall certify the same to the state auditor who shall issue a warrant for the payment of same against any funds in the state treasury appropriated for such purposes.

The commissioner of public lands shall keep a record of the amounts so paid on account of any state lands which are under lease or contract of sale and such amounts shall be added to and become a part of the annual rental or purchase price of the land, and shall be paid annually at the time of payment of rent or payment of interest or purchase price of such land. When such amounts shall be collected by the commissioner of public lands it shall be paid into the general fund in the state treasury.

SEC. 9. No district shall be permitted to contract obligations in excess of the estimated revenues for the two years next succeeding the incoming of such indebtedness and it shall be unlawful for the county commissioners to approve of any bills which will exceed the revenue to any district which shall be estimated to be received by such district during the next two years.

SEC. 10. For the purpose of meeting and paying any assessment that may be levied against state lands as herein provided during the fiscal biennium ending April 1, 1921, there is hereby appropriated the sum of ten thousand dollars (\$10,000.00).

Passed the Senate February 11, 1919. Passed the House March 11, 1919. Approved by the Governor March 18, 1919.

Claims against leased and contracted state lands.

Obligations in excess of revenues prohibited.

Appropriation, \$10,000.00.

# CHAPTER 153.

#### [S. B. 87.]

#### TRACK CONNECTIONS BETWEEN RAILROADS.

An Act relating to the power of the public service commission to order physical track connections between railroads, the apportionment of the expense thereof, and amending section 8626-61 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 8626-61 of Rem. & Bal. Code be, and the same is, hereby amended to read as follows:

Section 8626-61. Whenever the commission shall Public find, after a hearing made upon complaint or upon its own motion, that the public necessities and conveniences would be subserved by having track connections made, between any two or more railroads at any of the points hereinafter specified, the commission shall order any two or more railroads of the same or similar gauge to make physical connections at any and all crossings, and at all points where a railroad shall begin or terminate at or near any other railroad, and at or near all towns or cities, so that the cars of any such railroad company may be speedily transferred from one railroad to another, and shall order whether the expense thereof shall be borne jointly or otherwise.

Passed the Senate February 25, 1919. Passed the House March 11, 1919.

Approved by the Governor March 18, 1919.

service commission empowered to order.

#### CHAPTER 154.

[S. B. 164.]

#### AUTHORIZING ISSUANCE OF SERIAL BONDS BY IRRIGA-TION DISTRICTS.

An Act relating to the issuance and sale of irrigation district serial bonds, amending sections 1 and 5 of chapter 99 of the Laws of 1915, and further amending said chapter by adding thereto a new section to be known as section 2a.

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

SECTION 1. That section 1 of chapter 99 of the Laws of 1915 be amended to read as follows:

Section 1. That any irrigation district now organized or hereafter to be organized under the laws of this state shall have the power to issue its bonds to run for a period of forty years, at a rate of interest and to be paid in the manner hereinafter provided; and shall also have the power to issue its serial bonds to run for a period of forty years and to be issued in such blocks and issues and at such rates of interest and to be paid in the manner hereinafter provided; and for the purposes or for any purpose prescribed by the irrigation district laws of the state in force at the time of the issuance of said bonds

SEC. 2. That chapter 99 of the Laws of 1915 be further amended by adding thereto a new section to be known as section 2a as follows:

Section 2a. In case the board of directors shall determine that it is for the best interest of the district to issue serial bonds under the power hereinabove conferred, the board shall estimate and determine the amount necessary to be raised, including in such amount a sum sufficient to pay the first four years' interest to accrue upon said bonds and shall immediately thereafter call a special election.

Bond issues authorized.

Elections for authorization of serial bonds.

At such election there shall be submitted to the electors of said district the proposition whether or not the serial bonds of the district in the estimated amount shall be issued. The ballot shall contain the words: "Serial Bonds under Forty-year Plan-Yes," and "Serial Bonds under Forty-Year Plan---No," or words equivalent thereto. If a majority of the votes cast at the election are in favor of the proposition the board of directors shall immediately, and from time to time thereafter as the financial needs of the district may require, cause to be issued such portions of the total authorized issue of bonds as in its judgment the financial needs of the district may require: if a majority of the votes cast are against the proposition, the result shall be so declared and entered of record in the minutes of the district. Each issue of said bonds shall be payable in gold coin of the United States in 25 series, as follows, to-wit: At the expiration of 16, Method of 17, 18, 19 and 20 years respectively, 2 per cent of tion. the issue of bonds; at the expiration of 21, 22, 23, 24, and 25 years respectively, 3 per cent of the issue of bonds: at the expiration of 26, 27, 28, 29, and 30 years respectively, 4 per cent of the issue of bonds: at the expiration of 31, 32, 33, 34, and 35 years respectively, 5 per cent of the issue of bonds; and at the expiration of 36, 37, 38, 39, and 40 years respectively, 6 per cent of the issue of bonds; and such bonds shall bear interest at a rate not exceeding 6 per cent per annum as the board of directors may determine, payable semi-annually on the first day of January and July of each year.

SEC. 3. That section 5 of chapter 99 of the Laws of 1915 be amended to read as follows:

Section 5. Nothing herein contained shall be Act cumconstrued as in any manner repealing the original irrigation district act, or any acts amendatory

amortiza-

ulative.

thereof, or as in any manner impairing the validity of bonds heretofore issued, or as repealing the method of bond issue provided in said act and amendatory acts, but this act is intended and shall be considered as providing alternative plans for the issuance of irrigation district bonds.

Passed the Senate February 21, 1919. Passed the House March 12, 1919. Approved by the Governor March 18, 1919.

#### CHAPTER 155.

#### [S. S. B. 148.]

LEASING PETROLEUM AND GAS LANDS OF STATE.

AN ACT relating to the leasing and re-leasing of state lands for the mining and extraction of petroleum and natural gas, amending sections 6794 and 6797 of Remington and Ballinger's Annotated Codes and Statutes of Washington, adding a new section to be known as section 6798a, and making the provisions of this act applicable to all such leases heretofore executed and not in default.

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

SECTION 1. That section 6794 of Rem. & Bal. Code be amended to read as follows:

Section 6794. No lease shall be made by the

Rental and royalty.

state for any sum less than twenty-five dollars (\$25.00) per quarter section of land for each year during the term of said lease, and in addition thereto the said lease shall provide that the state shall be entitled to receive a sum not less than ten per cent of the gross value of all petroleum and natural gas extracted therefrom during the term of the said lease, payable semi-annually during said term. The term "gross value" shall be interpreted to mean the value of the oil or gas at the well when pro-

"Gross value" defined. Ch. 155.]

duced, without deduction for expense of production. The term of said lease to be any term not to exceed five years.

SEC. 2. That section 6797 of Rem. & Bal. Code be amended to read as follows:

Section 6797. All leases under the terms of this Necessary work under chapter shall be deemed to be void and of no effect lease. unless the lessee or his assigns shall commence the work of drilling or boring for petroleum oil and gas within such period as may be designated by the commissioner of public lands, not exceeding two years from and after the date of the execution of such lease: Provided. That such work shall proceed continuously and at no time cease for a greater period than ninety (90) days: And provided further. That whenever oil and natural gas be discovered by such work in paving quantities then no further work need be done under the terms of such lease than to mine, secure and store the same, but failure to operate after discovery of oil or natural gas in paying quantities for any period of ninety consecutive days shall work a forfeiture of the lease.

SEC. 3. That a new section be added to Rem. & Bal. Code, to be known as section 6798a, and to read as follows:

Section 6798a. If, at the expiration of any such Application of lessee lease for the mining and extraction of petroleum for renewal or natural gas, or any renewal thereof, the lessee desires to re-lease the lands covered thereby, he may make application to the commissioner of public lands for a re-lease. Such application shall be made within thirty days after the expiration of the lease. and shall be in writing and under oath, setting forth the character and value of all improvements existing on the land, the name and postoffice address of the owner thereof, the purpose for which he de-

of lease.

sires to re-lease the land, the amount considered by such lessee as the reasonable annual rental value thereof, and such other information as the commissioner of public lands may require, and shall be accompanied with a deposit of ten dollars (\$10.00), which deposit, if the land be not leased, through the failure or refusal of the applicant to accept a lease at the rate fixed by the commissioner of public lands, shall be forfeited to the state and by the commissioner paid to the state treasurer and credited to the general fund of the state. The commissioner of public lands may, upon the filing of such application, cause the lands to be inspected by a state land inspector; and if he deems it for the best interests of the state to re-lease said lands. he shall fix the rental value thereof and, upon receipt of the first year's rental, together with the fees required by law, the commissioner of public lands shall issue to the applicant a renewal lease for any period not exceeding five years. The commissioner of public lands shall notify the applicant by mail, of the rental value fixed, and if, within thirty days after the date of such notice, the applicant fails or refuses to pay to the commissioner of public lands the first year's rental, together with the statutory fee for issuing a lease, the application shall be rejected and the applicant thereunder permitted to remove such improvements from the land as may be removed without injury thereto, within ninety days from such rejection; the commissioner of public lands may cause the improvements existing upon the land to be appraised, in the same manner as in the case of the sale of land, offer the land for lease at public auction to the highest bidder, as provided for original leases, and if the successful bidder be not the owner of the improvements, he shall deposit with the officer making the sale the appraised value of the improvements. The amount so deposited

Procedure by commissioner of public lands.

as the appraised value of improvements, together with the first year's rental and the fees required by law, shall be transmitted to the commissioner of public lands, and upon confirmation of the lease by the commissioner of public lands, the amount so deposited in payment for the improvements shall be disposed of by the commissioner of public lands in the same manner as in the case of the sale of the land: Provided, That no bid shall be received for less than the minimum price fixed by the commissioner of public lands.

SEC. 4. The provisions of this act shall be and are hereby made applicable to all leases heretofore Application of act. executed by the State of Washington and which are not in default.

Passed the Senate March 3, 1919. Passed the House March 11, 1919. Approved by the Governor March 18, 1919.

#### CHAPTER 156.

#### S. B. 155.1

#### COMPENSATION OF CLERKS OF SECOND AND THIRD CLASS SCHOOL DISTRICTS.

AN ACT authorizing the compensation of clerks of second and third class school districts, and amending section 4542 of Remington and Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 4542 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 4542. The district clerk of districts of the second class shall receive three dollars per day Second class for the time actually and necessarily spent in taking

the census and making his report, and he shall receive such other reasonable compensation for other services as the directors shall allow, said accounts to be audited and paid by the directors out of the funds of the district: Provided, That a director elected as clerk in a third class district may be allowed not to exceed sixty dollars per year for taking the census and making his report, for performing his other duties as clerk and for rendering such other services for the district as the director shall approve: Provided, further. That no account for services rendered by any district clerk shall be audited or allowed by any board of directors, or any warrant issued for the payment of any such accounts, until he shall have filed with the board of directors a certificate of the county superintendent of his county that all reports required by law have been properly made; and it shall be the duty of the county superintendent to make and transmit to the clerks of such districts as have made all reports required by law, on or before the first Saturday of the month of August of each year, the certificate required by this section.

Passed the Senate February 27, 1919. Passed the House March 12, 1919. Approved by the Governor March 18, 1919.

Third class districts.

Prerequisites for payment.

Dromoquigiton

#### CHAPTER 157.

#### [S. B. 114.]

#### STATE CONTROL OF POWDER FOR LAND CLEARING AND ROAD CONSTRUCTION.

AN ACT providing for the purchase and sale of powder and other explosives, prescribing the power and duties of certain officers in relation thereto, creating a "Powder Revolving Fund" in the state treasury, regulating expenditures therefrom, providing penalties for violations of this act, and making appropriations.

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

SECTION 1. It shall be the duty of the state state purboard of control, within thirty days after this act powder and takes effect, to make an investigation of the practicability of purchasing manufactured powder and other explosives for the purposes of sale by the state for land clearing purposes in the manner hereinafter provided. If the state board of control shall determine from such investigation that all the powder required to carry out the provisions of this act can be acquired by contract from manufacturers at a reasonable price as to justify the purchase thereof, it shall be the duty of the state board of control from time to time to advertise for bids for the quantities needed for the purposes of carrying out the provisions of this act, in the manner required by law for the purchase of supplies by the state board of control, and to enter into contracts for the purchase of the same with the lowest and best responsible bidders therefor.

SEC. 2. The explosives purchased under the Resale provisions of this act, at any time within five years from the date of approval thereof, shall be sold for cash for actual use within this state for land clearing and road building purposes, at prices equalling

explosives.

price.

the actual cost of purchase plus the actual cost of delivery at the warehouse where sold.

The county commissioners may estab-Sec. 3. lish a warehouse for the storage and distribution of explosives purchased under the provisions of this act, in each county in the state when petitioned so to do. Whenever a warehouse shall be established in any county, the board of county commissioners of such county shall provide and maintain, at the expense of the county, a suitable building for use as such warehouse. The state board of control shall, from time to time, employ or contract with persons, firms or corporations, to transport explosives from the point of delivery to this state to such warehouse. The county auditor of the county in which any such warehouse is established shall keep a record of all purchases and sales and make monthly report to the board of county commissioners. The county commissioners shall have the power to appoint a warehouse superintendent who shall have charge of the county powder warehouse, and the sale of powder to the county. 'The said warehouse superintendent shall furnish a sufficient bond to insure the safe handling of the funds: the amount of the bond together with his salary shall be fixed by the county commissioners. The county auditor shall provide vouchers for the sales of powder and the uses thereof, and it shall be the duty of the warehouse superintendent to have each purchaser sign a voucher for each amount purchased and the use thereof, and he shall report all sales with the voucher and purchase price to the auditor each day for the preceding day's sale: Provided, however. That if in the judgment of the county commissioners the county's use of powder shall not justify them in hiring the warehouse superintendent, the county auditor may deputize the county

County warehouses for explosives.

#### Ch. 157.1

agriculturalist or county engineer to act as warehouse superintendent.

The board of county commissioners Requisitions SEC. 4 shall be entitled to obtain explosives by requisition filed with the state board of control at such times and in such amounts as shall be reasonably necessary to supply the demands of the consumers in their locality (and shall be liable upon their bond to account for the proceeds of the sale of the same).

SEC. 5. The county auditor shall, on or before Settlements the tenth day of each calendar month, report to, and settle his accounts with the board of control for all sales of explosives made by him for the preceding month.

SEC. 6. All proceeds from the sale of explosives shall be turned into the state treasury and Fund" credited to a special fund to be known as the "Powder Revolving Fund," except that from and after the expiration of five years from the date of approval of this act, two per cent of the actual purchase price of the explosives sold shall be credited to the general fund until such time as the state is reimbursed for the amounts hereinafter appropriated from the general fund. The powder revolving fund shall be used exclusively for the purchase and distribution of explosives as provided in this act, and for the cost of distribution of explosives, including transportation.

SEC. 7. It shall be unlawful for any person to sell explosives purchased under the provisions of this act for any sum in excess of the selling price thereof as fixed by the state board of control, and it shall be unlawful for any person knowingly to sell explosives purchased under the provisions of this act, or to purchase the same except for actual use in this state for land clearing purposes. Anv person found guilty of violating the provisions of Penalty. this section shall be guilty of a gross misdemeanor.

control.

"Powder

Violations of selling price and use conditions.

#### SESSION LAWS, 1919.

Appropriations, \$75,000.00, \$500,000.00. SEC. 8. For the purpose of creating the "Powder Revolving Fund" there is hereby appropriated out of the general fund in the state treasury the sum of seventy-five thousand dollars (\$75,000.00). For the purposes of carrying out the provisions of this act there is hereby appropriated out of the "Powder Revolving Fund" the sum of five hundred thousand dollars (\$500,000.00), or so much thereof as may be necessary: *Provided*, That no warrant shall be drawn upon the "Powder Revolving Fund" in excess of the amount in the state treasury to the credit of said fund.

Passed the Senate February 10, 1919. Passed the House March 11, 1919. Approved by the Governor March 18, 1919.

# CHAPTER 158. [H. B. 200]

#### STATE RECLAMATION ACT.

An Acr providing for the development of the agricultural resources of the state and the reclamation of arid, swamp, overflow, and logged-off lands, establishing a state reclamation revolving fund, and providing for tax levies to produce revenues therefor, creating a state reclamation board and defining its powers and duties, conferring certain powers upon districts organized for the reclamation of lands, and making appropriations.

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

SECTION 1. This act shall be known and cited as the "State Reclamation Act".

Designation of act. SEC. 2. The object of this act is to provide for the reclamation and development of such of the arid, swamp, overflow, and logged-off lands in the State of Washington as shall be determined to be suitable and economically available for reclamation and development as agricultural lands, and the State of Washington in the exercise of its sovereign and police powers declares the reclamation of such lands to be a state purpose and necessary to the public health, safety and welfare of its people. For that purpose there shall be and hereby is established a department of state government state recto be known as "The State Reclamation Service of tablished. Washington," which shall consist of the state reclamation board and such field experts, and other assistants and employes, as the board shall from time to time deem necessary.

SEC. 3. The state reclamation board, herein- organization and duties after called the board, shall consist of five commis- of board. sioners,—the state commissioner of public lands, the state treasurer, the state hydraulic engineer, the state commissioner of agriculture, and the president of the State College of Washington, ex-officio. The board shall, on its organization and biennially thereafter on the first day of April, elect from among its members a chairman and a secretary, and shall maintain offices at the state capital and hold such regular and special meetings as the business of the department shall require, and keep a record of its proceedings, and may from time to time adopt rules and regulations for the transaction of its business. Three members of the board shall constitute a quorum, and may exercise all the power and authority conferred on the board. The attorney general shall be the legal advisor of the board. The members of the board shall receive no compensation for services rendered as members, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members of the board, to be paid from the moneys appropriated for the administrative expenses of the board.

Reclamation revolving fund.

Sec. 4. For the purpose of carrying out the provisions of this act there is hereby created in the state treasury a state reclamation revolving fund, hereinafter called the reclamation fund, which shall consist of all sums that may from time to time be appropriated thereto by the legislature from other funds in the state treasury; all gifts, donations, bequests, and devises, made to the state therefor. and the proceeds of the sale thereof; the proceeds of the sale or redemption of and the interest earned bv securities purchased or acquired with the moneys thereof; all reimbursements for moneys advanced for the payment of assessments upon state. school. granted and other public lands for the improvement thereof, as hereinafter provided: and all taxes received under levies authorized by the legislature therefor.

Reimbursement of moneys drawn from other state funds. Whenever the total amount in the reclamation fund, including cash on hand, market value of property, and par value and accrued interest of securities owned, reimbursements due or to become due for moneys advanced for the improvement of state, school, granted and other public lands, and all uncollected taxes, including the current levy, less all outstanding warrants drawn against such fund, shall equal five million dollars (\$5,000,000.00), all taxes from future levies authorized by this act made therefor shall be paid over to the respective funds in the state treasury from which moneys have been appropriated for the reclamation fund, until such funds are reimbursed for all sums so appropriated.

Expenditures payable from reclamation fund. From the moneys appropriated from the reclamation fund there shall be paid, upon vouchers approved by the board and signed and attested by the chairman and secretary, the administrative expenses of the board and such amounts as shall be found necessary or expedient for the investigation and survey of reclamation projects proposed to be financed in whole or in part by the board, and such amounts as may be authorized by the board for the reclamation of logged-off lands and for the reclamation of lands of diking, drainage, diking and drainage, and irrigation districts duly and regularly organized under the laws of this state, and such other districts as shall from time to time be authorized by law for the reclamation or development of waste or undeveloped lands, and all of the respective districts hereinabove referred to shall, for the purposes of this act, be known and designated herein as reclamation districts.

SEC. 5. In carrying out the purposes of this Powers of board. act the board shall be authorized and empowered:

To make surveys and investigations of the unreclaimed and undeveloped lands in this state and to determine the relative agricultural values, pro- surveys, ductiveness and uses, and the feasibility and cost of reclamation and development thereof;

To formulate and adopt a sound policy for the Development reclamation and development of the undeveloped tural reagricultural resources of the state, and from time to time select for reclamation and development such lands as may be deemed advisable, and the board may in its discretion advise as to the formation and assist in the organization of reclamation districts under the laws of this state;

To purchase the bonds of any reclamation dis- Aid to trict whose project is approved by the board and districts. which is found to be upon a sound financial basis, and to contract with any such district for making surveys and furnishing engineering plans and supervision for the construction of its project, and to accept the bonds of such district in payment therefor, and to expend the moneys appropriated from the reclamation fund in the purchase of such bonds or in carrying out such contracts;

of agriculsources.

#### SESSION LAWS, 1919.

Sale of district bonds.

To safeguard bona fide development.

Clearing logged-off lands.

Employment of experts.

Use of departmental and official records.

Cooperating

with United States. To sell and dispose of any reclamation district bonds acquired by the board, at public or private sale, and to pay the proceeds of such sale into the reclamation fund, *Provided*, That such bonds shall not be sold for less than the purchase price plus accrued interest;

To, whenever it shall deem it advisable, require any district with which it may contract, to provide such safeguards as it may deem necessary to assure *bona fide* settlement and development of the lands within such district, by securing from the owners of lands therein agreements to limit the amount of their holdings to such acreage as they can properly farm and to sell their excess land holdings at reasonable prices;

To clear and reclaim logged-off lands in the manner hereinafter in this act provided;

To employ all necessary experts, assistants and employes, and fix their compensation, and to enter into any and all contracts and agreements necessary to carry out the purposes of this act;

To have the assistance, cooperation and services of. and the use of the records and files in, all the departments and institutions of the state, particularly the office of the commissioner of public lands, the state department of agriculture, the office of the state hydraulic engineer, the bureau of farm development, the bureau of statistics, agriculture and immigration, the State College of Washington, and the University of Washington; and all state officers and the governing authorities of all state institutions are hereby authorized and directed to cooperate with the board in furthering the purposes of this act;

To cooperate with the United States in any plan of land reclamation or land settlement or agricultural development which the congress of the United States may provide and which may affect the development of agricultural resources within the State of Washington, or the settlement of soldiers, sailors, and other worthy persons, on the agricultural lands within this state, and the board shall have full power to carry out the provisions of any cooperative land settlement act that may be enacted by the United States.

The board shall prepare and report to the legis- Biennial lature, at the commencement of each biennial session, a full statement of its operations and recommendations.

Sec. 6. The board shall have the power to co- Reclamation operate and to contract with the United States for with United States. the reclamation of arid, swamp, overflow, or loggedoff lands in this state by the board or by the United States, and shall have the power to contract with the United States for the handling of such reclamation work by the United States and for the repayment of such moneys as the board shall invest from the reclamation fund, under such terms and conditions as the United States laws and the regulations of the interior department shall provide for the repayment of reclamation costs by the lands reclaimed.

SEC. 7. Every diking, drainage, diking and Diking, drainage, and irrigation district duly and regularly irrigation organized under the laws of this state, or such other reclamation contracts. district as shall hereafter be authorized by law and organized for the reclamation or development of waste or undeveloped lands, shall be and is hereby authorized and empowered to enter into all contracts with the reclamation board for the reclamation of the lands of such district in the manner provided in this act, or such manner as such districts are now authorized by law to contract with the United States or with individuals or corporations, for the making of surveys and furnishing engineer-

reports.

district

ing plans and supervision for the construction of, or for the construction of, all works and improvements necessary for the reclamation of its lands, and for the sale or delivery of its bonds.

Inclusion of state lands in projects.

SEC. 8. Whenever in the judgment of the commissioner of public lands any state, school, granted. or other public lands of the state will be specially benefited by any proposed reclamation project approved by the board, he may consent that such lands be included in any reclamation district organized for the purpose of carrying out such reclamation project, and in that event the reclamation board shall be authorized to pay, out of the current appropriations from the reclamation fund, the district assessments levied as provided by law against such lands, and any such assessments paid shall be made a charge against the lands upon which they were levied, and the amount thereof, but without interest, shall be added to the appraised value and included in the sale price of such lands when sold. and the state treasurer shall, upon the certificate of the state land commissioner, credit such amount of the proceeds of the sale, when received, to the reclamation fund.

SEC. 9. Whenever the commissioner of public lands shall believe that any tract of cut-over forest or logged-off state, school, granted, or other public lands of the state, is of such quality and so situated that it may be profitably cleared and made ready for cultivation for agricultural purposes under the provisions of this act, he may request the state reclamation board to make a survey and investigation thereof and to determine the cost of clearing the same and whether such clearing will increase the value of the land sufficiently to warrant the expense.

Report on feasibility.

Survey of state's

logged-off land.

SEC. 10. Upon the filing of such request by the commissioner of public lands the board may in its

Ch. 158.1

discretion cause a survey and investigation of the lands described in the request to be made, and determine whether the land is of such character and so situated that it can be profitably cleared and made ready for cultivation for agricultural purposes under the provisions of this act. In making such determination the board shall take into con-(a) the character and quantity of sideration : stumps and debris on the land and the cost of removing and destroying the same; and (b) the character of the soil, its depth and fertility, the number and kinds of crops to which it is adapted, the local climatic conditions, the local annual rainfall, the water supply upon the land, the drainage, the number and extent of the markets accessible, the distance and means of transportation to market, the amount of similar land already under cultivation and accessible to the same market or markets. and the ordinary margin of profit per acre between the cost of production and the market price of the various crops to which the land is adapted.

Upon completion of the investigation the board shall make a detailed report of its findings and furnish a copy thereof to the commissioner of public lands and such report shall be kept on file for the information of the board and the commissioner and shall be open to public inspection.

SEC. 11. If the board shall determine that the Cost of clearing state lands investigated as provided in the preced- added to sale ing section can be profitably cleared and made state lands. ready for cultivation and sold at an advanced price sufficient to cover the cost of clearing, it may cause the same to be cleared and pay the cost of such clearing out of the moneys appropriated from the reclamation fund for the reclamation of lands, and the cost of such clearing shall be made a charge against the lands cleared and included in the sale ---15

price of

price thereof when sold, and such lands may be sold upon such terms as to deferred payments, including the cost of clearing, as is provided by law for the sale of state, school, granted, or other public lands of the state.

For the purpose of raising revenue SEC. 12 for the carrying out of the provisions of this act. the state board of equalization shall, beginning the fiscal year of 1919, and annually thereafter, at the time of levving taxes for state purposes, levy upon all property subject to taxation, and the proper officers shall collect, a tax of one-half of one mill. The revenue so raised shall be paid into the state treasury and credited to the state reclamation revolving fund.

SEC. 13. There is hereby appropriated out of the general fund in the state treasury into the state

reclamation revolving fund the sum of one hundred

thousand dollars (\$100,000.00); for the purpose of making surveys and investigations of unreclaimed and undeveloped lands in this state and for general Appropriation, \$50,000.00.

administrative expenses of the state reclamation board there is hereby appropriated out of the state reclamation revolving fund the sum of fifty thousand dollars (\$50,000.00) or so much thereof as may be necessary; for the purpose of carrying out the provisions of this act relating to the purchase of the bonds of reclamation districts, the performance of contracts made with such districts, the payment of reclamation district assessments levied against lands of the state, and the payment of the cost of clearing logged-off lands of the state, there is hereby appropriated out of the state reclamation revolving fund the sum of one million dollars (\$1,-000,000.00) or so much thereof as may be necessary: Appropriation, \$1.000,000.00. *Provided*. That no warrant shall be drawn upon the state reclamation revolving fund in excess of the

Tax levy for reclama-

tion purposes.

Appropriation, \$100,000.00. amount in the state treasury to the credit of said fund.

SEC. 14. If any section or provision of this act Partial invalidity. shall be adjudged to be invalid or unconstitutional. such adjudication shall not affect the validity of the act as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SEC. 15. This act is necessary for the imme- Emergency. diate preservation of the public peace, health and saftey, and shall take effect immediately.

Passed the House March 6, 1919.

Passed the Senate March 11, 1919.

Approved by the Governor March 18, 1919.

#### CHAPTER 159.

#### [S. H. B. 71.]

#### JUVENILE INSURANCE BY FRATERNAL BENEFIT SOCIETIES.

. AN ACT relating to Fraternal Benefit Societies; further extending and defining the powers of such societies; and making provision for writing juvenile insurance by Fraternal Benefit Societies.

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

SECTION 1. Any fraternal benefit society oper- Juvenile death ating on the lodge system and authorized to trans- benefits act the business of fraternal insurance in this state may provide in its constitution and by-laws, in addition to other benefits provided for therein, for the payment of death or annuity benefits upon the lives of children between the ages of two and eighteen years at next birthday, for whose support and maintentnce a member of such society is responsible. Any such society may at its option organize and operate branches for such children and mem-

authorized.

451

bership in local lodges and initiation therein shall not be required of such children, nor shall they have any voice in the management of the society. The total benefits payable, as above provided, shall in no case exceed the following amounts at ages at next birthday at time of death, respectively, as follows: Two, \$34; three, \$40; four, \$48; five, \$58; six, \$140; seven, \$168; eight, \$200; nine, \$240; ten, \$300; eleven, \$380; twelve, \$460; thirteen to fifteen, \$520, and sixteen to eighteen years, where not otherwise authorized by law, \$600.

Conditions attaching to issuance of certificates.

No benefit certificate as to any child Sec. 2. shall take effect until after physical examination or inspection by a licensed physician, in accordance with the laws of the society, nor shall any such benefit certificate be issued unless the society shall simultaneously put in force at least 500 such certificates. on each of which at least one assessment has been paid. nor where the number of lives represented by such certificate falls below 500. The death benefit contributions to be made upon such certificate shall be based upon the "Standard Industrial Mor-. tality Table" or the "English Life Table Number Six," and a rate of interest not greater than 4 per cent per annum, or upon a higher standard: Provided, that contributions may be waived or returns may be made from any surplus held in excess of reserve and other liabilities, as provided in the bylaws; and, Provided further, that extra contributions shall be made if the reserves hereafter provided for become impaired.

Reserve fund. SEC. 3. Any society entering into such insurance agreements shall maintain on all such contracts the reserve required by the standard of mortality and interest adopted by the society for computing contributions as provided in Section 2, and the funds representing the benefit contributions and all accretions thereon shall be kept as separate and distinct

Rates

funds, independent of the other funds of the society, and shall not be liable for nor used for the payment of the debts and obligations of the society other than the benefits herein authorized: Provided, that a society may provide that when a child reaches the minimum age for initiation into mem- Exchange bership in such society, any benefit certificate is- certificate. sued hereunder may be surrendered for cancellation and exchanged for any other form of certificate issued by the society, provided that such surrender will not reduce the number of lives insured in the branch below 500, and upon the issuance of such new certificate, any reserve upon the original certificate herein provided for shall be transferred to the credit of the new certificate. Neither the person who originally made application for benefits on account of such child, nor the beneficiary named in such original certificate, nor the person who paid the contribution shall have any vested right in such new certificate, the free nomination of a beneficiary under the new certificate being left to the child so admitted to benefit membership.

SEC. 4. An entirely separate financial statement Separate of the business transactions and of assets and liabilities arising therefrom shall be made in its annual report to the Insurance Commissioner by any society availing itself of the provisions hereof. The separation of assets, funds and liabilities required hereby shall not be terminated, rescinded or modified, nor shall the funds be divested for any use other than as specified in Section 3 as long as any certificate issued hereunder remain in force, and this requirement shall be recognized and enforced in any liquidation, reinsurance, merger or other change in the condition of the status of the society.

SEC. 5. Any society shall have the right to pro- Payments vide in its laws and the certificates issued here-

for adult

Nomination of beneficiary under new certificate.

financial statements for two classes,

under for specified payments on account of the expense or general fund, which payments shall or shall not be mingled with the general fund of the society as its constitution and by-laws may provide.

Continuance of juvenile certificate. SEC. 6. In the event of the termination of membership in the society by the person responsible for the support of any child on whose account a certificate may have been issued, as provided herein, the certificate may be continued for the benefit of the estate of the child: *Provided*, the contributions are continued or for the benefit of any other person responsible for the support and maintenance of such child, who shall assume the payment of the required contributions.

Passed the House March 8, 1919. Passed the Senate March 11, 1919. Approved by the Governor March 18, 1919.

#### CHAPTER 160.

#### [H. B. 250.]

#### VOCATIONAL EDUCATION.

AN ACT providing for the acceptance of the benefits of an Act of Congress making provision for the promotion of vocational education; designating the State Board of Education as the State Board for Vocational Education; defining the duties of the State Board for Vocational Education and of the State Superintendent of Public Instruction in connection therewith; providing for vocational schools or classes in school districts of the state and making provision for reimbursement of said districts in which vocational schools or courses are maintained.

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

Acceptance of federal act. SECTION 1. The State of Washington hereby accepts all the provisions and benefits of an act passed by the Senate and House of Representatives

of the United States of America in Congress assembled, entitled "An act to provide for the promotion of vocational education; to provide for cooperation with the states in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the states in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," and approved February 23, 1917.

SEC. 2. The State Treasurer is hereby designated and appointed custodian of all monies re- appropriated. ceived by the state from the appropriations made by the said act of Congress and is authorized to receive and to provide for the proper custody of the same and to make disbursements therefrom in the manner provided in said act and for the purposes therein specified. He shall also, upon the order of the State Board for Vocational Education, pay out any monies appropriated by the State of Washington for the purpose of carrying out the provisions of this act.

Sec. 3. The State Board of Education is hereby designated as the State Board for Vocational Education and shall have authority to administer any legislation enacted by the legislature of the State of Washington in pursuance of the aims and purposes of said act of Congress insofar as the provisions of said act of Congress may apply to the administration of vocational education in and for the State of Washington. It shall have power to administer the funds provided by the Federal Government, and by the State of Washington under the provisions of this act and of all acts passed by the legislature of the State of Washington for the promotion of vocational education in agricultural subjects, trade and industrial subjects and home economics subjects. It shall have full authority to formulate plans for the promotion of vocational education in

Custodian

Powers of State Board for Vocational Education.

such subjects as are an integral part of the public school system of the State of Washington and to provide for the preparation of the teachers of such subjects. It shall have authority to fix the compensation of such officials and assistants as it may deem necessary to administer the provisions of this act for the State of Washington and to pay such compensation and other necessary expenses of administration from funds appropriated for this purpose. It shall have authority to make investigations relating to vocational education: to promote and aid in the establishment. by school districts or institutions, of schools, departments or classes giving training in agricultural subjects, trade and industrial subjects and home economics subjects and to cooperate with such school districts or institutions in the maintenance of said schools. departments or classes. It shall have power to prescribe qualifications of the teachers, directors and supervisors of such vocational subjects in said schools, departments or classes and have full authority to provide for the certification of said teachers, directors and supervisors. It shall direct and control all instrumentalities and courses prescribed and established under its authority for the preparation of teachers, directors and supervisors of such subiects and it shall have power to maintain such classes under its own direction and control. It shall also establish and determine by general regulations the qualifications to be possessed by persons engaged in the training of vocational teachers. The State Board for Vocational Education shall have power to make any necessary rules and regulations to carry out any provisions of this act.

Executive officer of board.

SEC. 4. The Superintendent of Public Instruction shall be the chief executive officer of the State Board for Vocational Education and shall appoint, with the approval of said Board, the necessary experts, assistants and employees to carry out the provisions of this act.

SEC. 5. The Board of Directors of any organ-Establishized school district or any educational institution of vocational schools. less than college grade under public supervision or control may establish and maintain vocational schools or classes giving instruction of less than college grade in agriculture, trades and industries, or in home economics, and whenever such schools or classes shall have met the standards, courses and requirements established and prescribed or approved by the State Board for Vocational Education, as approved by the Federal Board for Vocational Education, such district or institution shall be entitled to share in the distribution of the federal funds available under the provisions of the federal acts providing for vocational education and also in any state funds appropriated for the promotion of vocational education. Whenever any such Reimburseschools or classes shall have been organized as ment for expenditures. herein provided the district or institution maintaining the same shall be entitled to reimbursement for monies expended for the salaries of teachers of vocational courses approved by said State Board for Vocational Education not to exceed fifty per cent. of the total monies so expended and such reimbursement shall be made to such school districts or institutions from the fund obtained by adding, to the federal funds available for the promotion of Vocational Education, any fund or funds set aside for this purpose by the State Board for Vocational Education from monies under its administrative Such reimbursement shall be apportioned control. under the direction of the State Board for Vocational Education.

SEC. 6. For the purposes of this act vocational Classification of schools. schools or classes may be established, (1) as all-day schools or classes giving instruction in agricultural,

home economics or trade and industrial subjects; (2) as part-time schools or classes giving instruction as prescribed by the State Board for Vocational Education to promote civic and vocational intelligence; (3) as evening school classes giving instruction supplemental to the daily employment.

Sec. 7. Any school district organizing vocational schools, departments or classes in accordance with the terms of this act, and in accordance with the rules, regulations and courses prescribed or approved by the State Board for Vocational Education may raise and expend monies for the purpose of organizing and maintaining such vocational schools or classes in the same manner in which monies are raised and expended for other school purposes, provided that in the event that the amount of money which can be legally so raised shall be insufficient to organize and maintain such schools, departments or classes, authority is hereby granted to the school directors of such district to increase the school levy not to exceed one mill above the limit otherwise provided for in the several classes of districts: and the amount so raised in excess of the said limit shall be used exclusively for the purpose of organizing and maintaining vocational schools, departments or classes as herein provided.

Passed the House March 3, 1919. Passed the Senate March 10, 1919. Approved by the Governor March 18, 1919.

Moneys for, how raised.

Tax levy authorized.

#### CHAPTER 161.

#### [S. B. 264.]

#### GRANT TO UNITED STATES OF BREMERTON HARBOR.

AN ACT granting to the United States of America the right to use certain harbor in front of the City of Bremerton for naval purposes and providing for the reversion of such title.

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

SECTION 1. There is hereby granted to the Grant of United States of America the right to use for naval naval purposes the following described harbor area in front of the city of Bremerton, to-wit:

harbor for purposes.

All harbor area belonging to the State of Washington and lying westerly of the line between Lots 8 and 9. Block 1 of the Town of Bremerton produced southeasterly to and across the harbor area to the outer harbor line, as shown on the official maps of Bremerton Tide Lands filed in the office of the Commissioner of Public Lands at Olympia, Washington, February 28, 1913; it being the intention to include in the above description all of the harbor area embraced within the area designated as Parcel 1 of Tract No. 2 in the proclamation of the President of the United States relating to title to and possession of land for naval purposes dated November 4, A. D. 1918.

SEC. 2. Whenever the lands designated in the Reversion said presidential proclamation as Parcel 1 of Tract No. 2 (including the harbor area described in section 1 of this act) shall cease to be held and used for naval purposes, the right to use the said harbor area belonging to the State of Washington shall be terminated thereby, and the title shall revert to the State of Washington.

Passed the Senate March 3, 1919. Passed the House March 13, 1919. Approved by the Governor March 18, 1919. to state.

### CHAPTER 162.

#### [S. B. 101.]

#### PROPOSED CONSTITUTIONAL AMENDMENT INCREASING SALARIES OF STATE OFFICERS.

AN ACT for the amendment of article III of the Constitution of the State of Washington relating to the salaries of state officers.

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

SECTION 1. That at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1920, there shall be submitted to the qualified electors of this state, for their adoption and approval or rejection, an amendment to article III of the Constitution of the State of Washington, so that sections 14, 16, 17, 19, 20, 21, and 22 of said article III shall, when amended, read as follows:

Governor.

Lieutenant Governor.

Secretary of State. Section 14. The governor shall receive an annual salary of ten thousand dollars.

Section 16. The lieutenant-governor shall be the presiding officer of the state senate, and shall discharge such other duties as may be prescribed by law. He shall receive an annual salary of two thousand five hundred dollars.

Section 17. The secretary of state shall keep a record of the official acts of the legislature and executive department of the state, and shall, when required, lay the same, and all matters relative thereto, before either branch of the legislature, and shall perform such other duties as shall be assigned him by law. He shall receive an annual salary of five thousand dollars.

Section 19. The treasurer shall perform such duties as shall be prescribed by law. He shall receive an annual salary of five thousand dollars.

Treasurer.

Ch. 162.1

Section 20. The auditor shall be auditor of pub- Auditor. lic accounts, and shall have such powers and perform such duties in connection therewith as may be prescribed by law. He shall receive an annual salary of five thousand dollars.

Section 21. The attorney general shall be legal Attorney General. adviser of the state officers, and shall perform such other duties as may be prescribed by law. He shall receive an annual salary of six thousand dollars.

Section 22. The superintendent of public in- Superintendstruction shall have supervision over all matters ent of Public pertaining to public schools, and shall perform such special duties as may be prescribed by law. He shall receive an annual salary of five thousand dollars.

The secretary of state shall cause the Publication of act. Sec. 2. amendment proposed in section 1 of this act to be published for three months next preceding said election in some weekly newspaper in every county where a newspaper is published, throughout the state.

Passed the Senate March 7, 1919. Passed the House March 11, 1919. Approved by the Governor March 18, 1919. Instruction.

### CHAPTER 163.

#### [H. B. 270.]

# AMENDMENTS OF PRIMARY AND GENERAL ELECTION LAWS.

AN Act relating to registration of voters and primary and general elections, and amending Sections 4757, 4762, 4763, 4765, 4769, 4766, 4767, 4771, 4772, 4784, 4793, 4801, 4815, 4821, 4823, 4827, 4904, 4910-10 and 4931 and repealing sections 4752, 4832, 4835, 4840, and 4932, of Remington & Ballinger's Annotated Codes and Statutes of Washington; and repealing sections 11 and 12 of Chapter 16, of the Laws of 1915.

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

SECTION 1. That Section 4752 of Rem. & Bal. Code be and the same hereby is repealed.

SEC. 2. That Section 4757 of Rem. & Bal. Code be amended to read as follows:

Section 4757. There shall be in 1920 and biennially thereafter to continue for two years, in incorporated cities and towns and quadrennially thereafter to continue for four years outside such cities and towns, except as hereinafter provided, in each precinct of the state, a new and complete registration of the legal voters therein. Such registration shall begin on the first Monday of January of such year, and the registration books shall be open for the registration of voters at all times except during the twenty days immediately preceding any general state or county or general municipal election or any primary election of any nature or any special municipal election, except as hereinafter provided.

SEC. 3. That Section 4762 of Rem. & Bal. Code be amended to read as follows:

Section 4762. It shall be the duty of the Comptroller or Clerk of any incorporated city or town to procure and open for the registration of voters, du-

Repealing clause.

Registration

of voters.

Opening books for registration. plicate poll books on the first Monday of January, 1920, for each precinct of such city or town; and on the first Monday of January of each biennial year thereafter to procure and open like books of registration for each of said precincts; and it shall be the duty of the board of county commissioners of each county, on the first Monday of January, 1920, and quadrennially thereafter, in like manner to procure and open a poll book for the registration of voters in each precinct of such county outside of incorporated cities and towns, and to designate a legal voter in each of said precincts, to be the registration officer in such precinct, whose duties shall be the same as those devolving upon the city or town clerk of incorporated cities or towns under the provisions of this act: *Provided* that the board of county commissioners of any county may, for the convenience of voters, designate a legal voter of such county at some convenient place to be the registration officer for one or more such precincts outside of incorporated cities and towns.

SEC. 4. That Section 4763 of Rem. & Bal. Code be amended to read as follows:

Section 4763. Such poll books shall at all times, Where books to be kept. except as herein otherwise provided, be kept in the office of such city or town clerk or precinct registration officer of such city, town or precinct; and the city or town clerk, and the person designated by the board of county commissioners as herein provided, shall be the registration officer of such city, town or precinct, and it shall be his duty to register all legal voters of such city, town or precinct on such poll books, as hereinafter provided: Provided. that in all cities of the first class, the city council may, by ordinance or resolution, direct that in all or certain of the precincts of such city, designated in such ordinance or resolution, the poll books of such precincts shall be kept open in such precincts

for the registration of voters thereof, at and during such time as shall be designated in such ordinance or resolution. It shall be the duty of the city clerk. in cities of the first class, to designate by the notice required by section 4765 the time and place where the registration poll books for each precinct so designated by ordinance or resolution will be open in such precinct for the registration of voters of such precincts; and the city clerk shall provide for the precinct book in charge of an officer of registration to be kept at the place and kept open for the registration of voters qualified to register, between the hours of 9 a.m. and 9:30 p.m. on the days designated in said published notice: Provided, further, that in precincts outside of incorporated cities or towns, the registration officer of any such precincts, may, with the written consent of the county auditor, during the time such poll books are kept open for the registration of voters therein, for the convenience of the voters, and at such time or times and by giving such notice of his intention so to do, as he may deem expedient, designate some centrally located place in addition to the usual place where such poll books are kept, where the said poll books will be kept open for the registration of voters of such precincts.

SEC. 5. That Section 4765 of Rem. & Bal. Code be amended to read as follows:

Section 4765. It shall be the duty of the city or town clerk of each incorporated city or town, beginning the first week in January, 1920, and biennially thereafter, and of the county auditor of each county, beginning the first week in January, 1920, and quadrennially thereafter, to cause to be published in a newspaper of general circulation in such city, town or county for two successive weeks, a notice that the legal voters of said city, town or county can register at the office of the said city or

Designation

of other

Notice of opening of registration books.

town clerk, or at the residence of the registration officers of the precincts of said county outside of incorporated cities and towns: and if in a city of the first class, in each precinct, at a place which has been designated by the city council, during the time designated in such notice: Provided, that the notices to be given by the county auditor shall refer only to precincts outside of incorporated cities or towns and shall in addition give the name of the registration officer of each precinct outside of such incorporated cities or towns, together with his place of residence, as near as may be.

That Section 4766 of Rem. & Bal. Code SEC. 6. be amended to read as follows:

Section 4766. The registration books in this Period chapter provided for, shall be open at all times during the biennium, or quadrennium as the case may be, for the registration of voters, except they shall be closed against original registrations in all general, state, county or municipal elections or any primaries and all special city, town or precinct elections, twenty days preceding any such election or primary to be held in said city, town or precinct: Provided, that the said books shall be open except on a day of any election, for transfers from one precinct within an incorporated city or town to another, within such city or town, as hereinafter provided. The city or town clerk, or the county auditor Notice of closing when the election concerns precincts outside of in- prior to elections. corporated cities or towns, shall give notice of the closing of said books, by notice to be published at least ten days prior thereto, in a newspaper of general circulation in such city, town or county, and by posting written or printed notices in three of the most public places in such city, town or county, at least ten days preceding the day of such closing. and such notice of publication shall have at least two insertions in such newspaper; in all special

when open for registration.

city, town or precinct elections such notice shall be given by the posting aforesaid only at least five days before such closing.

SEC. 7. That Section 4767 of Rem. & Bal. Code be amended to read as follows:

Section 4767. The registration books aforesaid shall be so arranged as to admit the alphabetical classification of the names of the voters, and ruled in parallel columns, with appropriate heads, as follows: Date of registration; voted; names; ages; occupation; place of residence; place of birth; time of residence in the state, county, ward and precinct; whether a taxpayer of the State of Washington; if of foreign birth, name and place of court and date of declaration of intention to become a citizen of the United States, or date of naturalization. Column headed "signature" for a signature of voter at time of registering, and another and similar column immediately following headed "identification" for the signature of the voter in case he be challenged when he offers to vote, and a column for "remarks". If the voter registering is of foreign birth, he shall at the time of registering be questioned by the registration officer, and shall produce satisfactory evidence to the registration officer, that he was at the time of the adoption of the constitution of the State of Washington, a qualified elector of this state, or that he is a naturalized citizen of the United States (in which latter case he shall be required to exhibit to the registration officer the original, or a duly certified copy, of his naturalization papers, or, if naturalized by virtue of the naturalization of his ancestor, then the original, or a duly certified copy, of the naturalization papers of such ancestor, unless the said officer shall know of his own knowledge that such voter is in fact a naturalized citizen), or if a woman of foreign birth that she has married a citizen of the

Arrangement of poll-books.

Voters of foreign birth. United States. Under the head of place and residence shall be noted the number of lot and block. or number and street where the applicant resides. or some other definite description sufficient to locate and establish the residence with reasonable certainty; and the voter so registered as provided in this act shall sign his name in each of the duplicate poll books to be procured and opened for the signature registration of voters in the precincts of incorpo- fication of rated cities and towns or in the poll book to be procured and opened for the registration of voters in each precinct outside of such incorporated cities or towns as provided by this chapter on the registry opposite the entry above required, in the column headed "signature", unless he is a qualified elector at the time of the taking effect of this act, and shall not be capable of writing his name, or in the case of physical infirmity he be unable to write his name, in either of which cases he shall on the left hand margin of said column make his mark or cross and such other mark as is usual in indicating his signature, and some person who personally knows said voter, and who is personally known to the registration officer, and who is capable of writing his name. shall sign in said column immediately opposite said mark, as an identifying witness thereto.

SEC. 8. That Section 4769 of Rem. & Bal. Code be amended to read as follows:

Section 4769. No person shall be entitled to voter vote at any election in any such city, town, or pre- must be registered. cinct who is not registered according to the provisions of this act: Provided, that this prohibition shall not extend to any qualified elector who has been prevented from registering by reason of his being in the military or naval service of the United. States, but any such elector shall, subject to the Excused other provisions of this act, be entitled to vote upon military making and filing with the election officers of his service.

voter

in case of or naval

voting precinct an affidavit setting forth facts showing that he is such qualified elector and was prevented from registering by reason of such service, whereupon such election officers shall enter his name and other data under the appropriate headings upon said registration book and deliver said affidavit to the proper registration officer upon the return of said registration book. The registration shall not be conclusive evidence of the right of any registered person to vote, but said person may be challenged and required to establish his right at the polls in the manner as may be required by law.

SEC. 9. That Section 4771 of Rem. & Bal. Code be amended to read as follows:

Section 4771. The registration books of any city or incorporated town shall be open at all times. except on primary and election days of whatever nature, and the day previous thereto, for the transfer of registration. If any qualified voter residing within the corporate limits of any city or town. having duly registered in a precinct thereof, shall, during the biennium for which he has been registered, change his residence from the said precinct to another precinct in the same city or town, he shall apply to the city or town clerk to have said removal noted on said registration books. The clerk or officer of registration shall register said person in the precinct to which he has removed, and run a red-ink line across his name in the precinct book of his former residence, and likewise note the transfer in the column for "remarks" in said poll book. In all other cases of removal from one precinct to another, during the biennium, or quadrennium, as the case may be, the elector shall register in the precinct to which he has removed and such registration shall be deemed an original registration, and in all cases of registration during any biennium, or quadrennium, as the case may be, the

Challenges.

Change of residence to be noted.

When new registration required.

registration officer shall inquire whether the voter has previously registered in any other precinct in the state during the biennium, or quadrennium, as the case may be, and shall ascertain the name or number of the precinct, and the city, town and county, and shall forthwith notify the registration officer of such precinct of the new registration, and upon receiving such notice the registration officer of the precinct of former registration shall cancel the same on the books in his office.

SEC. 10. That Sections 11 and 12 of Chapter 16 Repealing clause. of the Laws of 1915 be and the same hereby are repealed.

SEC. 11. That Section 4772 of Rem. & Bal. Code be amended to read as follows:

Section 4772. It shall be the duty of the clerk, Delivery of or officer of registration, immediately upon the close of registration books preceding any election to be held in said city, town or precinct, to certify to the authenticity of said registration books; and, in time for the opening of polls, as provided by law, to have one of said registration books at each of the polling places, and deliver the same to the inspector or one of the judges of said election, and take his receipt therefor: Provided, that in case of any general state or county election, the county auditor may in his discretion, require the delivery of the said registration books to himself, to be by said auditor delivered to the officers of election. The fees and expenses of the registration officer of precincts lying without the corporate limits of a city or town, for precincts. the delivery of the registration books to election officers or the county auditor as in this section provided, shall be fixed and paid as election expenses by the county commissioners, but mileage in no case shall exceed ten cents per mile for each mile necessarily traveled.

books to election officers. 0

Expense allowance in case of county

SEC. 12. That Section 4784 of Rem. & Bal. Code be amended to read as follows:

Section 4784. It shall be the duty of each county auditor to give at least thirty days' notice of any general election, and at least fifteen days previous to any special election, by posting or causing to be posted up, at each place of holding election in the county, a written or printed notice thereof; said notice to be as nearly as circumstances will admit, as following:

Notice is hereby given that on the — day of — next, at — in the — district or precinct of — , in the county of — , an election will be held for state, county, town, or district officers (naming the offices to be filled, as the case may be), which election will be opened at eight o'clock in the morning, and will continue until eight o'clock in the evening of the same day.

Dated this —— day of ——, A. D. 19—.

A. B. County Auditor.

SEC. 13. That Section 4793 of Rem. & Bal. Code be amended to read as follows:

Section 4793. The fees of officers of election shall be as follows:

To the inspectors, judges and clerks of an election fifty cents per hour for full time employed by each of them. The person carrying the returns to the county auditor shall be entitled to ten cents per mile for each mile traveled.

SEC. 14. That Section 4801 of Rem. & Bal. Code be amended to read as follows:

Section 4801. At any time not less than three days nor more than ten days before the election to fill any public office other than a municipal office, the clerk of the board of county commissioners of each county, shall cause to be published once in one or more newspapers within the county, the nomina-

Fees of election officers.

Publication of primary

nominations.

Form of election notice. tions to office, certified to him under the provisions of this chapter, but if there be no paper published within the county, written or printed notices shall he posted in not less than three conspicuous places in such precinct. In the case of municipal elections, such publication shall be made in one or more newspapers devoted to the dissemination of general news, and published within the municipal corporation in which the election is to be held at least three days before the election but not more than ten days prior thereto, and if there be no newspaper, the notices shall be posted as above provided.

SEC. 15. That Section 4815 of Rem. & Bal. Code he amended to read as follows:

Section 4815. Every qualified person, properly Party ballots. registered as a voter in his election precinct, shall be entitled to participate in the primary election. When he desires to vote at said primary each elector shall have the right to receive the ballot only of the party for which he asks; and in the latter event, he shall, if challenged, be required to make oath or affirmation that he intends to affiliate with said party at the ensuing election and intends to support its candidates generally. Thereupon he Method of voting. shall retire to one of the booths and without undue delay mark the ballot received by him and fold it so that its face shall be concealed. He shall thereafter deliver said ballot received by him to the election officers. In the event said voter shall soil or deface the ballot he desires to vote he shall at once return the ballot received by him and get a new ballot and the election officers shall destroy or render unfit for use the ballot so returned. The elector shall designate his choice on his ballot by making a cross in each of the small squares nearest the names of the candidates for whom he desires to vote and shall not vote for more candidates for an office than are to be elected thereto at the election to fol-

low the primary election as indicated on the ballot at the right of each office for which candidates are to be selected.

SEC. 16. That Section 4821 of Rem. & Bal. Code be amended to read as follows:

The polls in the several election Section 4821. precincts on the primary election day shall be kept open from eight o'clock in the morning until eight o'clock in the evening of said day. If at the hour of closing there are any electors in the polling place desiring to vote, and who are qualified to participate therein, and who have not been able to do so since appearing at the polling place, said polls shall be kept open reasonably long enough after the hour of closing to allow those so present at that hour to No one not present at the hour of closing vote. shall be entitled to vote because the polls may not be actually closed when he arrives. No adjournment or intermission whatever shall take place until the polls shall be closed, and until all the votes cast at such poll have been counted and the result publicly announced.

SEC. 17. That Section 4823 of Rem. & Bal. Code be amended to read as follows:

Section 4823. As soon as the polls are finally closed, the inspector and judges of election shall immediately open the ballot boxes at each polling place and proceed to take therefrom the ballots. Said officers shall count the number of ballots cast by each party, at the same time bunching the tickets cast for each party together in separate piles, and shall then fasten each pile together. As soon as the inspectors and judges shall have assorted and fastened together the ballots of each separate party, they shall take the tally sheets provided by the county auditor or city clerk, and shall count all the ballots for each party separately, until the count is

Voting hours.

Adjournment prior to count prohibited.

Counting votes.

Adio

472

completed, and shall certify to the number of votes cast for each candidate. The tally sheets shall be Tally sheets. so kept that such sheets shall show the number of votes received, the total votes cast for each candidate, and the total of all ballots cast. They shall then place the counted ballots in the box, but in no case shall they intermingle party votes. After all have been counted and certified to by the clerks and Sealed returns. judges, they shall seal the returns for all parties in one envelope, to be returned to the county auditor or city clerk.

SEC. 18. That Section 4827 of Rem. & Bal. Code be amended to read as follows:

Section 4827. Candidates for party offices who Nominations receive a plurality of the votes cast for such candi-vote. dates shall be the party nominees of such party: *Provided*. *however*. that no person who has offered himself as a candidate for nomination on one party Party canticket shall have his name printed on the ballot of another political party in the succeeding general election.

In the event that there are more than one posi- where tion of the same kind to be filled and more candidates of any political party receive majorities of the votes of such party cast at such election than there are positions to be filled, then in that event the number of candidates equal to the number of positions to be filled receiving the highest number of votes shall be the nominees of such political party for such positions.

SEC. 19. That Sections 4832, 4835 and 4840 of Repealing Rem. & Bal. Code are hereby repealed.

SEC. 20. That Section 4904 of Rem. & Bal. Code be amended to read as follows:

Section 4904. The clerk of the board of county Voting incommissioners of each county shall cause to be be posted. printed in large type on cards in English instruc-

by plurality

plural positions to be filled.

structions to

473

Ch. 163.1

tions for the guidance of electors in preparing their ballots. He shall furnish two such cards to the judges of election of each election precinct, which shall be posted by said judges in and about the polling places upon the day of election. Such cards shall be printed in large, clear type, and shall contain full instruction to the voters as to what should be done, viz:

1. To obtain ballots for voting.

2. To prepare the ballots for deposit in the ballot boxes.

3. To obtain a new ballot in the place of one spoiled by accident or mistake.

SEC. 21. That Section 4931 of Rem. & Bal. Code be amended to read as follows:

Canvass of votes.

Section 4931. On the tenth day after the day of each election or as soon as he shall have received the returns from each precinct of the county, if he receive them within that time, it shall be the duty of the county auditor, to notify the chairman of the board of county commissioners and prosecuting attorney, who with the county auditor shall be the county canvassing board of election returns, for all special and general county and state elections in each county, to be present at the office of said county auditor on a day named by said county auditor for the purpose of canvassing the votes cast at election, in the different precincts of the county, and it shall be the duty of the chairman of the board of county commissioners, as one of the canvassers of said votes, to administer the following oath or affirmation to the county auditor having in his possession the election returns of said county: "I do solemnly swear (or affirm) that the returns purporting to be the election returns of the several precincts in this county have been in no wise altered by additions, or erasures, and that they are the same as when I received them, so help me God".

Oath required of auditor.

The said oath or affirmation to be in writing and signed by the county auditor and certified to, by the aforesaid chairman of the board of county commissioners, and placed on file in said auditor's office, among the papers appertaining to said election; and then the said auditor, with the assistance of the two officers aforesaid, shall proceed to count the votes of said county or precincts, a statement of which shall be drawn up and signed by them. And it shall be deemed a misdemeanor in the county return auditor, if he shall neglect or refuse to return the total number of votes as counted, if such votes can be with reasonable certainty ascertained.

SEC. 22. That Section 4932 of Rem. & Bal. Code Repealing be and the same hereby is repealed.

SEC. 23. That Section 4910-10 Rem. & Bal. Code be amended to read as follows:

Section 4910-10. The county auditor of a county, voting the clerk of a city, or other district in which voting machines are to be used shall cause same to be properly prepared therefor: and for that purpose shall employ for such time as is necessary one or more competent persons who shall be known as the voting machine custodians, who shall be sworn to perform their duties honestly and faithfully, and for such purpose shall be considered as officers of election, and shall be paid for the time actually spent in the discharge of their duties in the same manner as Custodians. other election officers are paid. One custodian shall be employed for each twenty machines; if more than one be employed they shall be selected from the political parties entitled to representation on a board of election officers: Provided, however, the county auditor of a county, the clerk of a city, or other district having two hundred (200) voting machines or more, shall appoint as a permanent employe, a competent mechanic who shall be known

Penalty for failure to

clause

machines

salary of permanent custodian.

Bond and

as the chief custodian of voting machines, who shall be sworn to perform his duties honestly and faithfully, and shall furnish a corporate surety bond in the sum of Five Thousand (\$5,000.00) dollars for the honest and faithful performance of his duties, and whose salary shall be the sum of Two Hundred dollars per month, to be paid out of the general fund of said county, city or other district, in the same manner as provided by law for the payment of salaries.

Said chief custodian of voting machines shall supervise the work of all other voting machine custodians provided for by law, and shall school and instruct said custodians and have general charge and supervision of the work of said custodians in the preparation of voting machines for elections and shall check and approve the work of all custodians after the preparation of the voting machines for elections by said custodians, and shall also have charge of the instruction schools for election officials provided for by law, and shall have charge of the procuring and rental of all polling places in precincts where voting machines are to be used, and shall have continuous charge of the maintenance, upkeep and care of the voting machines of said county, city or district.

Eligibility for appointment. No persons shall be eligible for appointment to the office of chief custodian of voting machines who shall not have had an actual experience in the duties as prescribed herein for the period of at least two (2) years in the conduct of elections with voting machines in a county, city or district conducting its elections with at least one hundred (100) machines.

In preparing a voting machine for an election, the custodian shall, according to the printed directions furnished by such auditor or clerk, arrange the machine and labels therefor so that it will in

Preparation for elections.

Duties of chief custodian.

every particular meet the requirements for voting and counting at such elections, thoroughly test same, and certify thereto to said auditor or clerk. A voting machine may be so arranged for an election that the names of candidates nominated independently may be placed in the same party row with those nominated by a political party entitled to the use of a party voting device, provided such placing does not prevent such independently nominated candidates from being voted for individually, and provided it does not prevent or interfere with the operating of the party voting device of such party. It may also be so arranged that candidates nominated independently, or by political organizations which have nominated but one candidate, each shall be placed in the same party row and voted for individually: and in that event the party voting device of such party row shall be locked against movement, and the political designations of such candidates shall be printed upon the ballot labels in connection with their names. The auditor or clerk shall direct the arrangement of all ballot labels on such machine in case of nonpartisan primaries and elections in cities of the first class operating under freeholders' charters, the arrangement of the names of candidates upon ballot labels shall conform as nearly as practicable to such charter provisions for the arrangement of names on paper ballots. In all other cases of nonpartisan primaries and elections, and in all cases of party primaries and elections, the arrangement of names of candidates upon the ballot labels shall conform as nearly as practicable to the provisions of law for the arrangement of names on paper ballots.

After being prepared for the primary or elec- Examination, each machine shall be examined by the auditor machines. or clerk, and if the same be prepared in accordance with law for use thereat. he shall file a certifi-

cate thereof in his office. The custodian shall cause all voting machines to be delivered to the polling places in charge of an authorized official who shall certify to their delivery in good order on the certificate furnished therefor. After such delivery the auditor or clerk shall provide proper protection therefor. The custodian shall provide a lantern or proper light for every machine, which light shall be in good order and give sufficient light to enable voters while in the booth to read the ballot labels, and suitable for use by the election officers in examining the counters.

Necessary vote for primary nomination.

Vacancies.

SEC. 24. No candidate for a party nomination shall be the party nominee unless he shall receive a number of votes at least equal to ten per centum of the total number of the party ballots of his party cast at the primary election in the district in which he is a candidate, and no party committee shall fill a vacancy caused by the failure of any of its candidates to receive such required number of votes.

Passed the House, February 27, 1919.

Passed the Senate, March 10, 1919.

Approved by the Governor March 18, 1919.

Delivery to polling

places.

## CHAPTER 164.

## (H. B. 188.)

#### LOCAL ASSESSMENTS AGAINST STATE LANDS.

AN ACT authorizing the assessment for local improvements of lands owned by the State of Washington and situated within the limits of incorporated cities, towns, diking, drainage or port districts, and also authorizing such assessment of leasehold, contractual or possessory interest in tide and other lands owned by the state, situated within such cities, towns or districts and which have been leased or sold under contract.

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

SECTION 1. That all lands, including school State lands lands, granted lands, escheated lands, tide lands, local imshore lands, or other lands, (including harbor areas lying between tide or shore lands and outer harbor line) held or owned by the State of Washington in fee simple (in trust or otherwise), situated within the limits of any incorporated city, town, diking, drainage, or port district in this state, may be assessed and charged for the cost of local improvements specially benefiting such lands which may be ordered by the proper authorities of any such city, town, diking, drainage, or port district: Provided, that the leasehold, contractual or possessory interest of any person, firm, association, private or municipal corporation in any such lands shall be charged and assessed in the proportional amount such leasehold, contractual or possessory interest is benefited: Provided, further, that the interest of the state in such property shall not be sold to satisfy the lien of such assessment, but only such interest or contract or other right therein as may be in private ownership shall be subject to such sale.

SEC. 2. In all local improvement assessment Charging districts in any incorporated city, town, diking, provements.

benefited by provements.

Liability of leased and contracted lands.

drainage or port district in this state, property in such district, held or owned by the state shall be assessed and charged for its proportion of the cost of such local improvements in the same manner as other property in such district, it being the intention of this act that the state shall bear its just and equitable proportion of the cost of local improvements specially benefiting state lands: Provided, that none of the provisions of this act shall have the effect, or be construed to have the effect. to alter or modify in any particular any existing lease of any lands or property owned by the state. or release or discharge any lessee of any such lands or property from any of the obligations, covenants or conditions of the contract under which any such lands or property are leased or held by any such lessee.

SEC. 3. Where state lands are under lease, the proportionate amounts to be assessed against the leasehold interest, and the fee simple interest of the state, shall be fixed with reference to the life of the improvement and the period for which said lease has yet to run.

SEC. 4. Notice of the intention to make such improvement, together with the estimate of the amount to be charged to each lot, tract or parcel of land, or other property owned by the state to be assessed for said improvement, shall be forwarded by registered mail to the Commissioner of Public Lands, or to the State Board of Control (if such lands are occupied by, or used in connection with, any state institution), at least fifteen (15) days prior to the date fixed for hearing on the resolution or petition initiating said improvement, as provided by Sections 7892-9 and 7892-10, Remington & Ballinger's Code. Such city, town, diking, drainage or port district, shall not have jurisdiction to order such improvement as to the interest of the state in

Apportioning cost on leaseholds.

Notice to state of intention to improve.

.

harbor areas and state tide lands until the written Written Consent of consent of the Commissioner of Public Lands to the making of such improvement shall have been obtained. unless other means be provided for paying that portion of the cost which would otherwise be levied on the interest of the State of Washington in and to said tide lands, and nothing herein shall prevent the city from assessing the proportionate cost of said improvement against any leasehold, contractual or possessory interest in and to any tide land or harbor area owned by the state: Provided, however, that in the case of tide lands and harbor areas within the boundaries of any port district. notice of intention to make such improvement shall also be forwarded to the commissioners of said port district.

SEC. 5. Upon the approval and confirmation of the assessment roll for any local improvement ordered by the proper authorities of any incorporated city, town, diking, drainage or port district, the treasurer of such city, town, diking, drainage or port district shall certify and forward to the Commissioner of Public Lands, or to the State Board of Control (if such lands are occupied by, or used in connection with, any state institution), a statement of all the lots or parcels of land held or owned by the state and charged on such assessment roll for the cost of such improvement, separately describing each such lot or parcel of the state's land, with the amount of the local assessment charged against it, or the proportionate amount assessed against the fee simple interest of the state, in case said land has been leased: the Commissioner of Public Lands shall charge against each such lot or parcel of land owned or held by the state, the amount of the local assessment so certified by such treasurer, and shall then certify said statement to the State Auditor;

Certifying roll to state officials.

----16

and the State Board of Control shall cause a proper record to be made in its office of the cost of such improvement upon lands occupied by state institutions or used in connection therewith. and shall certify said statement to the State Auditor, and the State Auditor, at the next session of the legislature, shall certify to the legislature the amount of all local improvement assessments charged against such lands of the state, and the legislature shall provide for the payment of the same, with interest. by appropriation out of the general fund of the state: Provided. that if said improvement is essential to harbor and waterfront development and improvement, such appropriation may be deducted from the proceeds of rents received from leases of harbor areas and tide lands within port districts wherein the improvement is to be made; and provided further that no penalty shall be provided or enforced against the state, and no interest on the assessment levied to pay for said improvement greater than six per cent (6%) per annum shall be taxed to, or allowed by, the state for or on account of making such improvement.

SEC. 6. When any city, town, diking, drainage or port district has made or caused to be made an assessment against such leasehold, contractual or possessory interest for any such local improvement, the treasurer of said city, town, diking, drainage or port district shall immediately give notice to the Commissioner of Public Lands or to the State Board of Control (if such lands are occupied by or used in connection with any state institution); said assessment shall become a lien against the leasehold, contractual or possessory interest in the same manner as the assessments on other property, and its collection may be enforced against such interests as provided by law for the enforcement of other local improvement assessments: *Provided*,

Penalty and interest.

Liens against contractual interests. Ch. 164.1

that said assessment shall not be made payable in installments unless the owner of such leasehold. contractual or possessory interest shall first file with such treasurer a satisfactory bond guaranteeing the payment of such installments as they become due.

SEC. 7. Whenever any city, town, diking, drainage or port district shall have foreclosed the lien Foreclosure of any such delinquent assessments, as provided by law, and shall have obtained title to such leasehold, contractual or possessory interest, the Commissioner of Public Lands, or the State Board of Control, as the case may be, shall be notified by registered mail of such action and furnished a statement of all assessments against such leasehold. contractual or possessory interest, and such commissioner shall cause the amount of such assessments to be certified to the legislature for payment, and upon the receipt of an assignment from such city, Cancellation town, diking, drainage, or port district, shall cancel such lease or contract: Provided, however, that unless the municipal corporation making said local improvement and levying said special assessment shall have used due diligence in the foreclosure thereof, the Commissioner of Public Lands or the State Board of Control shall not be required to make such certification for a sum in excess of what they deem to be the special benefits accruing to the state's reversionary interest in said property; and provided further that if such delinquent assessment Delinquent or installment shall be against a leasehold interest in tide lands or harbor areas in a port district, the said Commissioner of Public Lands shall notify the commissioners of said port district of the receipt of such assignment, and said commissioners shall forthwith cancel such lease.

SEC. 8. If by reason of default in the payment state after of rentals or installments, or other causes, the state reversion.

of liens

of leases and contracts.

leaseholds in port districts.

shall cancel any lease or contract against which assessments have been levied as herein provided, the . Commissioner of Public Lands and the State Auditor shall cause such assessments or installments as shall fall due subsequent to the cancellation of said contract or leasehold interest to be properly certified to the legislature for payment, the same as if the assessments or installments thereof had been levied on the state's interest in said lands.

SEC. 9. When any land, other than lands occupied and used in connection with state institutions. owned or held by the state within incorporated cities, towns, diking, drainage or port districts in this state, against which local improvement assessments have been paid, as herein provided for, is offered for sale, there shall be added to the appraised value of such land, as provided by law, such portion of the local improvement assessment paid by the state as shall be deemed to represent the value added to such lands by such improvement for the purpose of sale, which amount so added shall be paid by the purchaser in cash at the time of the sale of said land, in addition to the amounts otherwise due to the state for said land, and no deed shall ever be executed until such local improvement assessments have been paid, and nothing herein shall be construed as canceling any unpaid assessments on the land so sold by the state, but such land shall be sold subject to all assessments unpaid at the time of sale.

Right of purchaser to assignment of contractual interest. SEC. 10. Whenever any such tide, state, school, granted or other lands situated within the limits of any city, town, diking, drainage or port district, has been included within any local improvement district by such city, town, diking, drainage or port district, and the contract, leasehold or other interest of any individual has been sold to satisfy the lien of such assessment for local improvement, the pur-

Assessments added to sale price of state lands. chaser of such interest at such sale shall be entitled to receive from the State of Washington, on demand. an assignment of the contract, leasehold or other interest purchased by him, and shall assume, subject to the terms and conditions of the contract or lease, the payment to the state of the amount of the balance which his predecessor in interest was obligated to pay.

SEC. 11. The provisions of this act shall apply Application to all municipal corporations, diking, drainage and port districts, any charter or ordinance provisions to the contrary notwithstanding.

SEC. 12. The provisions of this act shall apply Eminent to all local improvements initiated after the taking effect of this act, including assessments to pay the cost and expense of taking and damaging property by the power of eminent domain, as provided by law: Provided, that in case of eminent domain assessments, it shall not be necessary to forward to the Commissioner of Public Lands or to the State Board of Control, as the case may be, notice of the intention to make such improvement, but the eminent domain commissioners, authorized to make such assessment, shall, at the time of filing the assessment roll with the court in the manner provided by law, forward by registered mail to the Commissioner of Public Lands or to the State Board of Control (if such lands are occupied by or used in connection with any state institution) a notice of such assessment, and of the day fixed by the court for the hearing thereof: Provided, that no assess- when not ment against the state's interest in tide lands or harbor areas shall be binding against the state if the Commissioner of Public Lands shall file a disapproval of the same in court before judgment confirming the roll.

Passed the House, February 27, 1919. Passed the Senate, March 11, 1919. Approved by the Governor March 18, 1919.

binding on state.

domain assessments.

Ch. 164.1

### CHAPTER 165.

#### [H. B. 110.]

#### SALE OF OYSTER RESERVE LANDS.

AN ACT relating to the Oyster Lands of the State of Washington, and providing for the sale of certain isolated tracts of oyster reserve land.

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

SECTION 1. That any person, firm, or corporation, now entitled to and in possession of any oyster land within the State Reserves of the State of Washington, may at his, their, or its option, purchase such tract or parcel of tide land as may lay between said oyster land and the meander line of the adjoining shore, or any small or isolated tract of ground which may lay between adjoining oyster land owners by reason of the failure of the lines of said land to connect up, by complying with the provisions of this act.

Application to purchase.

SEC. 2. Any such person, firm, or corporation, may file with the Commissioner of Public Lands an application to purchase said land from the State of Washington. Such application to be accompanied by an abstractor's certificate of title or other evidence of title demanded by the State Land Commissioner, to his ovster land. The Commissioner shall examine such showing of title and if he finds such title to be in the applicant he shall certify such fact, together with a copy of the application, to the State Oyster Commission, which shall thereupon have the land applied for surveyed and platted, at the expense of the applicant, and if, after such hearing and investigation as they deem proper. they shall find the said land applied for to be of little value to the State in the future development of the State's Oyster Reserves, due to its size and

486

Sale of isolated tracts. Ch. 165.]

isolation, they shall thereupon appraise the value of said land, and certify such appraisements to the Commissioner of Public Lands. Upon the payment of the amount to the commissioners a deed shall be Deed. issued from the State of Washington to the applicant in the same manner as deeds of State, school, or Granted lands, are issued: such deed to contain a covenant or condition of defeasance to the effect that if said lands be used for any purpose other than the cultivation of ovsters or edible shell-fish. then such deed shall be cancelled, and the said lands shall revert to the State.

SEC. 3. That where the tract of land so applied Notice to for and which is not of greater area than three acres owners. and is located between two or more oyster land owners, then upon the application of either of the adjoining owners the others shall be notified of such application and given sixty (60) days' time within which to apply for the purchase of said land; and if the said land shall be applied for and offered for sale as in this act provided, and if others of said adjoining owners have made application to pur- Division chase, the State Oyster Commission shall determine an equitable division of said land between said applicants, and each shall be given the privilege of purchasing the part allotted to him, but if he fail for a period of sixty (60) days to purchase said land at the price fixed, then the other adjoining owner shall have the privilege of purchasing the whole thereof.

SEC. 4. In lieu of a deed as provided for in sec- Instalment tion 2 hereof, a contract may be issued to the applicant by the terms of which one-fifth (1/5) of the purchase price may be paid to the commissioner, and the remainder in four (4) equal annual payments, with interest on the deferred payments at the rate of 6% per annum, and if such applicant

adjoining

of land.

contracts.

shall comply with the terms of said contract and make the payments herein provided for, a deed as herein provided for shall issue to him from the State; *Provided* that said contract shall contain a covenant of defeasance as is provided in the case of deeds issued under the provisions of this act; *provided further*, that such contract shall be subject to a cancellation by the Commissioner of Public Lands for failure to comply with its provisions, *and provided further*, that whenever an installment shall mature, the applicant may, if he, they, or it, so elect, pay more than one installment.

Disposition of moneys. SEC. 5. All moneys received for the disposal of oyster lands, under the provisions of this act, shall be paid into the State Oyster Reserve Fund.

Passed the House, March 8, 1919. Passed the Senate, March 12, 1919. Approved by the Governor March 18, 1919.

#### CHAPTER 166.

#### [H. B. 121.]

#### CULTIVATION OF CLAMS AND OTHER SHELL FISH ON OYSTER LANDS.

An Act giving owners and holders of oyster lands the further privilege of cultivating and propagating clams and edible shell fish thereon.

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

SECTION 1. That any person, firm, or corporation in possession of tide lands from the State of Washington, and holding the same under contract or deed from the State of Washington, containing provisions restricting use of said lands or any portion thereof to the cultivation of oysters only, shall hereafter be, and they are hereby, given the further

Propagation of edible shell fish. Ch. 167.1

right to use said lands or any portion thereof, for the cultivation and propagation of clams and any and all edible shell fish.

Passed the House, February 5, 1919. Passed the Senate, March 10, 1919. Approved by the Governor March 18, 1919.

### CHAPTER 167.

#### [H. B. 113.]

#### TAXATION IN CITIES OF THIRD CLASS.

AN ACT relating to taxation in cities of the third class and amending section 17 of an act entitled "An Act relating to the government, powers and duties of cities of the third class" approved March 20th, 1915, and known as section 17 of chapter 184 of the Session Laws of 1915, also, known as 7671-17 Remington's 1915. Codes and Statutes of Washington.

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

SECTION 1. That section 17 of chapter 184 of the Session Laws of 1915, approved March 20th, 1915, be amended to read as follows:

Section 17. Any such city shall have power Amount of through its council to levy and collect annually, a property tax for the payment of current expenses not exceeding fifteen mills on the dollar of assessed valuation: Provided, that if the qualified electors of said city at a special election to be held for that purpose should vote in favor of a larger levy for the payment of current expenses, than fifteen mills on the dollar of assessed valuation, a larger levy for said purpose may accordingly be made: Provided, further, that the affirmative vote of threefifths of the electors voting at such election shall be necessary to authorize such levy.

tax levy.

Percentage of levy for special improvement. SEC. 2. When the city council of any such city does by unanimous vote so decide it may use not to exceed 2 mills of said levy in creating a special fund for any special improvement or purpose authorized by existing laws; such purpose to be specifically designated by resolution of said council when creating said fund and said fund shall not be used for any purpose other than authorized by said resolution except by unanimous vote of said council.

Passed the House, February 21, 1919.

Passed the Senate, March 5, 1919.

Approved by the Governor March 19, 1919.

# CHAPTER 168. [S. H. B. 193.]

# CLASSIFICATION OF COUNTIES FOR REGULATION OF COMPENSATION OF OFFICERS.

AN ACT classifying counties according to population, fixing the salaries of county officers of such counties according to class, and repealing sections 3884-1, 3888, 4031 and 4033 to 4061, both inclusive, Remington & Ballinger's Annotated Codes and Statutes of Washington, and chapter 88 of the Laws of 1917, and all other acts and parts of acts in conflict herewith.

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

Classification. SECTION 1. For the purpose of regulating the compensation of county officers and for all other purposes herein provided for, the several counties of the state are hereby classified according to their population as follows:

Counties containing a population of 210,000 or more shall belong to and be known as Class A counties;

Counties containing a population of 125,000 and under 210,000 shall belong to and be known as counties of the first class; Counties containing a population of 70,000 and under 125,000 shall belong to and be known as counties of the second class;

Counties containing a population of 40,000 and under 70,000 shall belong to and be known as counties of the third class;

Counties containing a population of 18,000 and under 40,000 shall belong to and be known as counties of the fourth class;

Counties containing a population of 12,000 and under 18,000 shall belong to and be known as counties of the fifth class;

Counties containing a population of 5,000 and under 12,000 shall belong to and be known as counties of the sixth class;

Counties containing a population of 4,000 and under 5,000 shall belong to and be known as counties of the seventh class;

Counties containing a population under 4,000 shall belong to and be known as counties of the eighth class.

SEC. 2. The salaries of the county officers of salaries. class A counties, and counties of the first, second, third, fourth, fifth, sixth, seventh and eighth classes, as determined by the last preceding federal census, shall be per annum respectively as follows:

Class A counties: Auditor, clerk, treasurer, sheriff, attorney, assessor, engineer, superintendent of schools, members of board of county commissioners, thirty-six hundred dollars (\$3600.00); coroner, two thousand dollars (\$2000.00).

Counties of the first class: Auditor, clerk, treasurer, sheriff, assessor, engineer, superintendent of schools, members of board of county commissioners and attorney, three thousand dollars (\$3000.00); coroner, fifteen hundred dollars (\$1500.00).

Counties of the second class: Auditor, clerk, treasurer, sheriff, attorney, assessor, engineer, su-

۱

perintendent of schools, members of board of county commissioners, twenty-four hundred dollars (\$2400.00); coroner, twelve hundred dollars (\$1200.00).

Counties of the third class: Auditor, clerk, treasurer, sheriff, attorney, assessor, engineer, superintedent of schools, twenty-two hundred and fifty dollars (\$2250.00); members of board of county commissioners, two thousand dollars (\$2000.00); coroner, eight hundred dollars (\$800.00).

Counties of the fourth class: Auditor, clerk, treasurer, sheriff, attorney, assessor, engineer, superintendent of schools, two thousand dollars (\$2000.00); members of the board of county commissioners, fifteen hundred dollars (\$1500.00); coroner, four hundred and fifty dollars (\$450.00).

Counties of the fifth class: Auditor, clerk, treasurer, sheriff, attorney, assessor, engineer, superintendent of schools, eighteen dollars (\$1800.00); members of board of county commissioners, six dollars (\$6.00) per day for time actually spent in the performance of their duties; coroner, three hundred dollars (\$300.00).

Counties of the sixth class: Auditor clerk, treasurer, sheriff, assessor, engineer, superintendent of schools, attorney, fifteen hundred dollars (\$1500.00); coroner, one hundred dollars (\$100.00); members of board of county commissioners, six dollars (\$6.00) per day for time actually spent in the performance of their duties.

Counties of the seventh class: Auditor, fourteen hundred dollars (\$1400.00); clerk, treasurer, sheriff, thirteen hundred dollars (\$1300.00); attorney, assessor, engineer, superintendent of schools, twelve hundred dollars (\$1200.00); coroner, one hundred dollars (\$100.00); members of the board of county commissioners, six dollars (\$6.00) per day Ch. 168.1

for the time actually spent in the performance of their duties.

Counties of the eighth class: Auditor, treasurer, twelve hundred dollars (\$1200.00); sheriff, one thousand dollars (\$1000.00); clerk, attorney, superintendent of schools, nine hundred dollars (\$900.00); coroner, sixty dollars (\$60.00); assessor, engineer, members of board of county commissioners, six dollars (\$6.00) per day for time actually spent in the performance of their duties.

All county officers shall be entitled to their nec- Traveling essary traveling expenses in the performance of their official duties, bills therefor to be audited by the county commissioners.

SEC. 3. Sections 3888, 4031, and 4033 to 4061, Repealing clause. both inclusive, of Rem. & Bal. Code, and chapter 88 of the Laws of 1917, and all other acts and parts of acts in conflict with this act, are hereby repealed.

SEC. 4. This act shall take effect on and after when the second Monday in January, 1921.

Passed the House, March 8th, 1919.

Passed the Senate, March 11th, 1919.

Approved by the Governor March 19, 1919.

expenses.

effective.

## CHAPTER 169.

#### [H. B. 78.]

# AMENDMENTS OF SAVINGS AND LOAN ASSOCIATIONS LAWS.

An Act relating to savings and loan societies or associations, providing for the voluntary dissolution thereof, prescribing certain penalties, amending sections 2, 3, 4, 5, 6, 7, 10, 14, 15, 16, 18, 19, 20, 23 and 24 of chapter 110 of the laws of 1913, and repealing section 27 of chapter 110 of the laws of 1913, and making an appropriation therefor.

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

SECTION 1. That section 2 of chapter 110 of the laws of 1913 be amended to read as follows:

By-laws.

Approval by state auditor.

Certification by auditor.

Section 2. Each association shall adopt by-laws for its government and therein describe the manner in which its business shall be transacted, which by-laws shall be in conformity with the provisions of this act, and the laws of this state, and at all times be open to the inspection of the state auditor and the members of the association at its home office. All by-laws shall be subject to the approval of the state auditor before going into effect, and in case any provision in such by-laws shall be contrary to the provisions of this act, or to the laws of this state, or be detrimental to the interests of the members of such organization, or against public policy, he shall require the same to be stricken out.

SEC. 2. That section 3 of chapter 110 of the laws of 1913 be amended to read as follows:

Section 3. Whenever said articles of incorporation are in due form and regularly executed and the by-laws have been duly approved as above required, and it shall be made to appear to the satisfaction of the state auditor that at least \$1500.00 have been actually paid in in cash upon the subscriptions for shares, the state auditor thereupon shall ascertain

from the best source of information at his command the responsibility, character and general fitness of the incorporators. If he shall be satisfied concerning the several matters, specified above, he shall, within a reasonable time, issue under his hand and official seal a certificate reciting in substance the filing in his office of the articles of incorporation and by-laws: that said articles and by-laws conform to all the requirements of law: that he has approved the same, and that he verily believes the incorporators are fit and proper to conduct the business of a savings and loan association as defined in this act and said by-laws. Said certificate shall be made in quadruplicate and attached to each copy of the articles of incorporation, one of which shall be re- Completion tained by the state auditor and the other three shall or incorbe returned to the incorporators who shall forthwith file one copy thereof in the office of the secretary of state, one in the office of the auditor of the county in which the chief place of business of said association is located, and the other shall be retained by the association, whereupon the incorporation of said association shall be deemed complete.

SEC. 3. That section 4 of chapter 110 of the laws of 1913 be amended to read as follows:

Section 4. No person shall be a director of an Directors. association unless he shall have subscribed and paid in in cash at least \$200.00 on his stock subscription. and such subscription shall not be reduced below the sum of \$200.00, either by withdrawal or by pledge for a loan with the association, or in any other manner, so long as he remains a director of the association. Any officer or director may be removed by the state auditor for cause. Any officer or director so removed by the state auditor and Removal. feeling himself aggrieved by such removal shall have a right of appeal from the order of removal

to the Superior Court of Thurston County by filing a written notice of appeal with the state auditor, who shall, upon the filing of such notice, certify to the court the causes upon which the order of removal was based, and all records and files in his office pertaining to the matter of the removal. The court shall hear the matter *de novo* and enter an order affirming or cancelling the order of removal. Each officer and director, when appointed or elected, shall take an oath that he will, so far as the duty devolves upon him, diligently and honestly administer the affairs of such association, and will not knowingly violate the by-laws or any of the provisions of law applicable to such association.

Each officer or agent having the custody of money or securities of an association shall be required to give bond to such association in an amount to be determined by the board of directors of such association commensurate with his liability, and said bonds shall be deposited with the state auditor.

SEC. 4. That section 5 of chapter 110 of the laws of 1913 be amended to read as follows:

Section 5. The membership of the association shall consist of those persons holding shares therein.

A membership fee of not over \$2.00 per share may be charged: *Provided, however,* that on all applications written in the State of Washington for more than fifteen shares, such fee shall be collected in one payment in cash, which shall accompany the application and shall in no case be more than onehalf of such payment. No other fees, fines, penalties or forfeitures shall be charged against the shares of any association, except that serial associations declaring dividends to all stock and maturing same at one time may charge a fine which shall not exceed the earnings on the delinquent installments.

Fees and fines.

Court review.

Oath of officers.

Bond.

SEC. 5. That section 6 of chapter 110 of the laws of 1913 be amended to read as follows:

Section 6. The capital of every such association Capital and shall consist of the accumulated payments made by its members and dividends credited thereon. and shall be represented by shares. Every share issued shall have a matured value of one hundred dollars. Every such association shall be either permanent or serial in character as provided by the terms of its by-laws. A permanent association may issue shares at any time and credit its dividends upon the pass books of its members. A serial association Permanent may issue shares in series and credit its dividends associations. equally upon each share issued in such series. No shares of a prior series shall be issued after the issuing of shares in a later series, when issued upon the serial plan, except at the book value at the last distribution of profits plus the dues and accumulated earnings thereon since such distribution. Shares which have not been transferred to the association as security for the repayment of a loan shall be called free shares. Shares that have been so transferred shall be called pledged shares.

No preferred stock shall be issued, i. e., stock Preferred upon which a different or stipulated rate of dividends shall be guaranteed or paid before or regardless of the amount of dividends distributed to other classes of shares, neither shall any shares be issued which shall be exempt from bearing their pro rata portion of loss: Provided. however, that nothing herein contained shall be held to prohibit any association already having reserve stock outstanding from continuing to have an equal amount of such stock outstanding, and from issuing, if necessary, Reserve fund stock. additional reserve fund stock so as to equal five per cent of the capital as defined in this section: and when so provided in its by-laws, such reserve fund stock may participate in all earnings equitably with

and serial

the general stock and be chargeable with all real estate taken under foreclosure or otherwise in the adjustment of delinquent loans together with all direct losses of whatever nature sustained by the association in the general course of business and in consideration of such guaranty against loss, and when provided in the by-laws such stock may receive additional dividends, and such stock shall not be subject to withdrawal until all other classes of stock and all other liabilities of the association shall first have been liquidated, and any such association may agree to mature its other classes of stock at a fixed time, provided any deficiency arising therefrom shall be chargeable only to such reserve fund stock.

Shares classified. Any association may issue the shares classified below when so provided by its by-laws:

(a) Installment shares upon which a regular stipulated payment of dues shall be made at stated periods expressed in the by-laws.

(b) Savings shares, upon which payments shall be made in such sums and at such times as the holder thereof may elect until the shares reach their matured value or are withdrawn.

(c) Fully paid shares, upon which a single payment amounting to one hundred dollars per share shall be paid at the time of subscription.

Issuance to minors. Any association may issue shares to, or in the name of, any minor which shall be held for the exclusive right and benefit of such minor and free from the control or lien of all other persons; and the accumulated savings on these shares together with the dividends credited thereon shall be paid to the persons in whose name the shares have been issued and the receipt or acquittance of such minor shall be valid and sufficient discharge and release

to the association for such accumulated savings, together with the dividends credited thereon or any part thereof.

Any association may issue shares to or in the Joint name of two or more persons, whether husband or wife or otherwise, withdrawable by any one of such persons, and the receipt or acquittance of any one of such persons shall be valid and sufficient release and discharge to the association for such withdrawals, regardless of the death or disability of any other such joint shareholder.

SEC. 6. That section 7 of chapter 110 of the laws of 1913 be amended to read as follows:

Section 7. Profits and losses shall be ascer- Dividends. tained and distributed semi-annually. Dividends shall be taken from the net earnings of the association and, subject to the provisions of section 6 relating to reserve fund stock, shall be distributed ratably to all classes of shares and to each share in proportion to the accumulation made thereon. No dividends shall be credited or paid except by a vote of the board of directors duly entered upon the minutes, whereupon shall be recorded the vote by ayes and nays. It shall be lawful for the association, in addition to the contingent fund required by section thirteen of this act, to hold in its fund of undivided earnings such sum as the board of directors may from time to time deem necessary or Undivided wise: Provided, however, that when the undivided earnings, including the contingent fund, exceed fifteen per cent of the dues and dividends credited to members, the board of directors shall declare such extra dividend in excess of the dividend regularly apportioned, as may be necessary to distribute among the shareholders the accumulation in excess of such authorized surplus.

charoe

earnings.

SEC. 7. That section 10 of chapter 110 of the laws of 1913 be amended to read as follows:

Section 10 All interest and dividends which may accrue on securities held by the state auditor or such trust company as provided for herein and all dues, or monthly payments, which may become payable on stock pledged as security for loans, the notes and mortgages for which are deposited in accordance with the provisions of this act. may be collected and retained by the association depositing such securities or mortgages, so long as such association remains solvent and faithfully performs all contracts with its members and when any mortgage shall have been fully paid to said association the same shall be surrendered by said state auditor, or upon his order, upon filing with him a certificate of the auditor of the county where the real estate is situated, to the effect that the satisfaction of said mortgage has been filed for record. Any mortgage may be surrendered to the association upon filing with the state auditor an affidavit sworn to by the president and secretary of the association owning the same, showing to the satisfaction of the state auditor that it would be to the advantage of the association to assign the said mortgage without recourse, or that such mortgage is in default and that it is withdrawn for the purpose of foreclosure.

SEC. 8. That section 14 of chapter 110 of the laws of 1913 be amended to read as follows:

Section 14. Whenever the losses of an association exceed the contingent fund, or the reserve fund, if reserve fund stock has been issued as provided in section 6 of this act, they may be charged against the undivided earnings, if any, and in the event that they also exceed such undivided earnings, the state auditor may proceed to wind up the affairs of such association as hereinafter provided.

500

Surrender of mortgages.

Charging losses.

SEC. 9. That section 15 of chapter 110 of the laws of 1913 be amended to read as follows:

Section 15. The expenses of such association Expenses, limitation shall be paid from its earnings, and no deduction on. from dues shall be made either directly or indirectly for that purpose. No such association shall pav or be or become liable to pay either directly or indirectly in the course of any calendar year as salaries, commissions, fees, or other compensation to its officers. directors, auditor, attorneys, agents, clerks and all other employes and for rent. advertising, and all other operating expenses, sums of money the aggregate of which shall exceed two and one-half per cent of the average amount of assets of such association during such year. The term "operating expenses" as used in this connection Operating shall not be construed to include membership fees. taxes, assessments, repairs or insurance on real estate or commissions on the sale of real estate. or on the placing of loans, or any interest which the association may have paid or become liable to pay, proper legal charges for searching titles or the preparation of legal papers, expenses of foreclosure suits or other bona fide litigation, nor charges for state license. The provisions of this section, insofar as they limit the expenditure for expenses, shall not apply to any association whose accumulated capital is less than forty thousand dollars: Provided, however, that the annual expenses of every such latter association shall not exceed a total of one thousand dollars. The provisions of Provisions this section shall apply as well to foreign as to do- foreign companies. mestic corporations doing business under the permission and certificate of the state auditor and said auditor shall not renew such permission or issue such certificate to any corporation that shall have violated the provisions of this section.

evnenses

apply to

SEC. 10. That section 16 of chapter 110 of the Laws of 1913 be amended to read as follows:

Section 16. Shares shall not be withdrawn until after a lapse of three months from the time of issuance of such shares and not then except at the option of the association; but shares may be withdrawn at any time after one year from the time of The withdrawing shareholder shall be issuance. paid the amount of the withdrawal value of the shares, as shown by the last prior distribution of profits together with all the dues paid thereon since such distribution: Provided, that upon withdrawal of shares pledged to the association for a stock loan, or stock loans, the association shall first deduct therefrom the indebtedness due the associa-Withdrawals shall be paid in the order of tion. their filing, except as hereinafter provided, and it shall be the duty of the secretary or other officer discharging such duties to enter upon each notice the order and date of such filing. Except as hereinafter provided, not more than two-thirds of the receipts of the association in any month shall be applied to the payment of withdrawals and matured shares without the consent of the board of directors. Whenever an application for withdrawal shall have been on file or the payment of matured shares demanded and either shall have remained unpaid for a period of six months, all the receipts of the association in any month from dues, loans repaid, and the proceeds of all other investments, shall, after the payment of expenses and general indebtedness. be applied toward the payment of withdrawals and matured stock; and the board of directors, or the state auditor, in his discretion, may direct that withdrawals be paid upon a ratable and proportionate basis. After filing the notice of withdrawal provided herein, the withdrawing member shall be entitled to the dividends credited to the same class of

Withdrawal of shares.

Payment.

shares, until the final payment of his shares is made; and membership in the association shall remain unimpaired so long as any accumulation remains to his credit. No officer, director, attorney, Officers not clerk or agent of such association, and no person shares. in any way interested or concerned in the management of its affairs shall discount or directly or indirectly purchase a share of any such association. whether filed for withdrawal or not, except by payment therefor of the withdrawal value of such share as determined herein. The board of directors of any association may retire all classes of free Enforcement shares by enforcing withdrawals of the same: Pro- drawals. vided, that the by-laws shall clearly state the manner in which such withdrawals may be enforced: And provided also, that the holders thereof shall be paid the full value of the shares, including, in such case, their proportion of the contingent fund.

SEC. 11. That section 18 of chapter 110 of the Laws of 1913 be amended to read as follows:

Section 18. On or before the first day of Sep- Annual tember in each year every savings and loan association doing business in this state shall deposit with the state auditor a report of its affairs and operations for the year ending on the 30th day of June immediately preceding. Such report shall be verified under oath by the president and secretary or by three directors of the association, and shall contain such information as the state auditor from time to time requests. Upon filing such report, there shall be paid to the state auditor for the state general fund, in lieu of all other corporation fees or licenses, a fee determined as follows: If the License fees. assets of the association as shown by said report amount to one hundred thousand dollars or less a fee of twenty dollars; if more than one hundred thousand dollars and less than two hundred fifty thousand dollars, a fee of thirty dollars; if more

to discount

than two hundred fifty thousand dollars and less than five hundred thousand dollars, a fee of forty dollars: if more than five hundred thousand dollars and less than one million dollars, a fee of sixty dollars; and if more than one million dollars, a fee of one hundred dollars; and in addition to the fees above specified there shall be further paid to the state auditor for the state general fund, a fee of twenty-five cents for each one thousand dollars of assets of the association up to three million dollars of assets, and ten cents for each one thousand dollars of assets above three million dollars of assets: Provided, however, that foreign associations doing business as a savings and loan association within the State of Washington shall pay a fee of three hundred dollars per annum and no more: Provided further, that foreign associations, doing a loan business only, in the State of Washington, shall pay a fee of \$100.00 per annum and no more. If such association shall fail to furnish to the auditor of the state any report required by this act, at the time so required, it shall forfeit the sum of twentyfive dollars per day for every day such report shall be delayed or withheld; and an action shall be started in the name of the state to recover such penalty and the same shall be paid into the treasury of the state. After receiving such report, the auditor, if satisfied that such association has complied with all the provisions of this act and is entitled to do business in this state, shall issue a certificate stating the compliance with such provisions, and that such association is entitled to do business in this state, which certificate shall be in force for the period of one year unless sooner revoked.

SEC. 12. That section 19 of chapter 110 of the Laws of 1913 be amended to read as follows:

Section 19. The state auditor shall have supervision of all such associations doing business in

Foreign associations.

Penalty for failure to report.

Examinations. this state, and shall be charged with the execution of the laws of this state relating thereto. At least annually he shall make or cause to be made an examination into the affairs of all such associations doing business in this state. Such examinations shall be made by an inspector of savings and loan associations to be appointed by the state auditor, and who shall hold office during his pleasure. Such Salary of inspector shall be paid a salary of two hundred fifty dollars per month and actual traveling expenses from the State General Fund. All examinations made by such inspector shall be full and complete, and in making the same he shall have full access to, and may compel the production of all books, papers, moneys, and records of the association under examination, and may administer oaths to and examine the officers of such association or any person connected therewith as to its business and affairs, and any willful false swearing shall be deemed perjury and be punishable as such: Provided, whenever by the laws of the state under which any foreign association is organized, annual examinations of such association are required and Foreign associations. are made pursuant thereto, then such foreign association shall not be examined hereunder: Provided. such foreign association shall furnish to the auditor of this state annually a certificate of the proper officer of such other state that he has made an examination pursuant to the laws of such other state. and that the affairs of such association are in accord with the laws of such other state: And provided further, that the auditor of this state may, whenever he deems it advisable, cause examination of such foreign association to be made as is required in the case of associations organized under the laws of this state.

SEC. 13. That section 20 of chapter 110 of the Laws of 1913 be amended to read as follows:

Section 20. Whenever it shall appear to the state auditor that the affairs of any savings and loan association are in an unsound condition or that it is conducting its business in an unsafe or unlawful manner, the state auditor may direct the inspector of savings and loan associations to take possession of all books, records and assets of every description of such association and hold and retain the possession of same pending the further proceed-Should the board of direcings herein specified. tors, secretary or person in charge of such association refuse to permit the said inspector to take possession as aforesaid, the state auditor shall communicate such fact to the attorney general, whereupon it shall become the duty of the attorney general at once to institute such proceedings as may be necessary to place such inspector in immediate possession of the property of such association. Upon taking possession of the effects of the association as aforesaid said inspector shall prepare a full and true statement of the affairs and condition of such association, including an itemized statement of its assets and liabilities, and shall receive and collect all debts, dues and claims belonging to it and pay the immediate and reasonable expenses of his Such inspector shall be required to execute trust. to the state auditor a good and sufficient bond in a sum required by the state auditor conditioned upon the faithful discharge of his duties as custodian of such association. which said bond shall be approved by the state auditor, and the expenses of which shall be borne by the association under examination.

When the condition of such association has been fully ascertained, and it shall appear that the affairs of said association are in fact in an unsound condition, the state auditor shall at once notify in writing the board of directors of such association of his decision, giving them 20 days in which to restore the

Insolvency.

Possession taken by inspector.

Restoration of sound condition.

affairs of such association to a sound condition. Meanwhile, the auditor shall remain in charge of the books, records and assets of every description of such association, attend or be represented at all directors' and stockholders' meetings held, suggest such steps as he may deem necessary to restore such association to a sound condition; and if same is not done within the 20 days allowed by the statute he shall report the facts to the attorney general and it shall thereupon become the duty of the attorney Receivergeneral to institute proceedings in the superior court of the proper county for the appointment of the state auditor as receiver and for the dissolution of such association, or such other proceedings as the occasion may require.

Sec. 14. That section 23 of chapter 110 of the Laws of 1913 be amended to read as follows:

Section 23. After the passage and approval of Application of act. this act, it shall be unlawful for any person, association or persons or domestic associations not already organized and doing business under sections 3601 to 3638, both inclusive, of Remington & Ballinger's Annotated Codes and Statutes of Washington, to conduct a business in the form or of a character similar to that authorized by this act without first incorporating under this act. After the passage and approval of this act no foreign associa- Foreign tion not already lawfully engaged in the State of Washington in the business of a savings and loan association shall be permitted to conduct such a business in this state.

SEC. 15. That section 24 of chapter 110 of the Laws of 1913 be amended to read as follows:

• Section 24. It shall be unlawful for any savings Deceptive advertising. and loan association to make, publish, or circulate any advertisement, sign, circular or statement intended or calculated to misrepresent in any way any of the powers or liabilities of such association.

companies.

Penalty.

Repealing clause.

Dissolution of associa-

tions.

and any person who violates any provision of this section shall be guilty of a misdemeanor.

SEC. 16. That section 27 of chapter 110 of the Laws of 1913 is hereby repealed.

SEC. 17. Any savings and loan association incorporated under the laws of the State of Washington may dissolve itself voluntarily in the following manner:

A majority of the board of directors shall publish a notice in some newspaper of general circulation in the county wherein is the principal place of business of the association once each week for eight consecutive weeks calling a meeting of the shareholders to determine whether said savings and loan association shall voluntarily dissolve. If at such meeting two-thirds of the shareholders then present and voting shall vote to dissolve, and the state auditor shall approve of such dissolution, the officers of the association, under the direction of the directors of the association, shall thereupon proceed to liquidate the affairs of the association and reduce the assets thereof to cash, and, after paying all indebtedness and expenses, distribute the same among the shareholders in proportion to the withdrawal value of the holdings of each shareholder at the time of the passage of the resolution to dissolve.

Falsification of records.

Penalty.

scribe to or make or cause to be made any false statement or false entry in the books of any savings and loan association or shall knowingly subscribe to or exhibit any false or fictitious paper or security, instrument or paper, with the intent to deceive any person authorized to examine into the affairs of any savings and loan association or shall make, state or publish any false statement of the amount of the assets or liabilities of any savings and loan association shall be guilty of a felony.

SEC. 18. Every person who shall knowingly sub-

SEC. 19. Every officer, director or employee or Suppression of evidence. agent of any savings and loan association who, for the purpose of concealing any fact or suppressing any evidence against himself, or against any other person, abstracts, removes, mutilates, destroys or secretes any paper, book or record of any savings and loan association, or of the state auditor, shall Penalty. be guilty of a felony.

SEC. 20. The directors of the association shall Special meetings of call a special meeting of its shareholders at the office of the association at any time when requested so to do by one-fourth of the qualified shareholders. The request for a meeting shall be duly signed by at least one-fourth of its qualified shareholders and filed with the secretary of the association and it shall thereupon become the duty of the directors to call a meeting of the shareholders within twenty days thereafter.

SEC. 21. It shall be unlawful for any savings stock and loan association doing business within the State be licensed. of Washington to employ any agent for the purpose of soliciting the sale of stock in said company unless he shall first be licensed by the state auditor, and no agent representing any savings and loan association doing business within the State of Washington shall solicit the sale of stock in such company unless he shall first be licensed by the state auditor.

SEC. 22. No license shall be issued to any appli- Application for agent's license. cant for an agent's license until such applicant shall have first made and filed in the office of the state auditor an application therefor upon a form to be prescribed and furnished by the auditor, which must show the applicant's name, business and residence address, the name of the company to be represented, present occupation, occupation for the last twelve months, and such other information as the auditor may require. If the state auditor is satisfied that

shareholders.

509

the applicant is a fit and proper person to engage in the sale of stock he shall issue the license. The state auditor may revoke the license of any agent for misrepresentation or when convicted in any court for violation of the criminal statutes, or when satisfied that said agent is not a fit and proper person to be engaged in the business of selling savings (building) and loan association stock.

License fee.

SEC. 23. Each agent granted a license under this provision shall pay an annual fee to the state auditor of two dollars (\$2.00).

Appropriation, \$10,000.00. SEC. 24. An appropriation is hereby made from the general fund of the state in the sum of ten thousand dollars (\$10,000.00) to pay the salary and expenses of the state inspector.

Passed the House February 25, 1919. Passed the Senate March 11, 1919. Approved by the Governor March 19, 1919.

# CHAPTER 170. [S. B. 119.]

#### TAX LEVIES IN CITIES OF LESS THAN 20,000 INHABITANTS.

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

SECTION 1. That section 5131, Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 5131. Such municipal corporations shall levy and collect annually a property tax for the payment of current expenses, not exceeding fifteen mills on the dollar; a tax for the payment of in-

Current expense levy.

AN ACT amending section 5131, Remington and Ballinger's Annotated Codes and Statutes of Washington and relating to tax levies in certain municipalities.

debtedness (if any indebtedness exist) not exceed- Indebteding six mills on the dollar, and all moneys collected from the taxes levied for payment of current expenses shall be credited and applied by the treasurer to "Current Expense Fund"; and all moneys collected from the taxes levied for the payment of indebtedness shall be credited and applied to a fund to be designated as the "Indebtedness Fund": Provided, that this act shall not apply to cities of the third class.

Passed the Senate February 10, 1919. Passed the House March 10, 1919. Approved by the Governor March 19, 1919.

## CHAPTER 171.

[S. B. 140.]

#### LIBRARY TAX LEVIES IN THIRD AND FOURTH CLASS CITIES.

## AN ACT providing for tax levies for public library purposes in cities of the third and fourth class.

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

SECTION 1. The city council of cities of the third or fourth class are hereby authorized, without vote of the people, to annually levy a property tax, not to exceed two mills, for public library purposes.

Sec. 2. The city council of cities of the third or Question of fourth class are hereby authorized to hold a special levy subelection annually, upon ten days' posted notices, at which shall be submitted to the voters of such city the question whether the said council shall be authorized to levy a property tax of three mills for public library purposes, and if a majority of the voters voting at such election shall decide in the affirmative, then the said council shall be authorized

Levy au-

ness levy.

thorized.

increasing

mitted to

voters.

to levy a property tax, of not to exceed three mills, for public library purposes for the year in which said election is held.

Passed the Senate February 25, 1919.

Passed the House March 11, 1919.

Approved by the Governor March 19, 1919.

## CHAPTER 172.

#### [S. B. 198.].

INCREASE AND REDUCTION OF CAPITAL STOCK AND IS-SUANCE OF PREFERRED STOCK BY CORPORATIONS.

AN ACT in relation to corporations, and amending Sections 3686, 3705 and 3706 of Remington & Ballinger's Annotated Codes and Statutes of Washington, and validating preferred stock heretofore issued in compliance with the provisions hereof.

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

SECTION 1. That Section 3686 of Rem. & Bal. Code be, and the same is, hereby amended to read as follows:

Section 3686. The corporate powers of a corporation shall be exercised by a board of not less than two trustees, who shall be stockholders in the company, and at least one of whom shall be a resident of the State of Washington, and a majority of them citizens of the United States, who shall, before entering upon the duties of their office, respectively take and subscribe to an oath, as provided by the laws of this state, and who shall, after the expiration of the term of the trustees first elected, be actually elected by the stockholders, at such time and place, within this state, and upon such notice and in such manner, as shall be directed by the by-laws of the company; but all elections shall be by ballot. and each stockholder, either in person or by proxy, shall be entitled to as many votes as he may own,

Board of trustees.

Election.

512

or represent by proxy, shares of stock, and the person or persons receiving the greatest number of votes shall be trustee or trustees: Provided. that Voting nothing herein contained shall prevent any cor- shares and poration, by its by-laws, limiting such bona fide shareholder to a single vote, or one vote for every full share of paid-up stock, or its equivalent in assessable stock, disregarding the number of shares of stock he may own: Provided further, that any corporation issuing preferred stock in accordance with the provisions hereinafter contained applicable thereto may provide that such preferred stock shall have no voting power or shall have only such limited or conditional voting power as may be specified. It shall be competent, at any time, for twothirds of the stockholders of any corporation organ- Expulsion ized under this chapter to expel any trustee from office, and to elect another to succeed him. In all cases where a meeting of the stockholders is called for the purpose of expelling a trustee and electing his successor, such notice shall be given of the meeting as the by-laws of the company may require. Whenever any vacancy shall happen among the trustees by death, resignation or otherwise, except by removal and the election of his successor as herein provided, it shall be filled by appointment of the board of trustees. Every such corporation shall at all times keep at its principal place of business in this state an officer or officers, agent or agents, upon whom service of legal process may be made, in conformity with the law: Provided, that service of such process may be made at any time upon any resident trustee of such corporation. Every cor- Issuance of poration may issue, in addition to its common stock, stock. preferred stock or different classes of preferred stock in any of the following cases:

power of preferred stock.

of trustee.

1. If the articles of incorporation so provide, or

2. By the unanimous consent of the stockholders -17

expressed in writing and filed in the office of the secretary of state and in the office of the county auditor of the county where the principal place of business of the corporation is located, or

3. By the consent of the holders of record of two-thirds of the capital stock given at a meeting called for that purpose upon notice such as is required by Section 3705. In case this third method is pursued, a certificate of the proceedings of such meeting shall be made and filed as required by Section 3706.

4. In the case of corporations heretofore organized where provisions regarding preferred stock have received either formally or informally the unanimous approval or acquiescence of the stockholders, preferred stock may be issued in accordance with such provisions, all preferred stock heretofore issued not inconsistent with the provisions of this Act is hereby validated.

Where the provisions heretofore or hereafter adopted by the corporation under which preferred stock is issued provide for the calling in or redemption of such preferred stock or any part thereof, it shall be lawful for the corporation to call in and redeem the same in accordance with such provisions by filing in the offices designated in Subdivision 2, a certificate signed and sworn to by the president or a vice-president, and by the secretary or assistantsecretary of the corporation, showing compliance with the provisions adopted by the corporation concerning the calling in or redemption of such preferred stock, and also showing the amount of capital actually paid in, the whole amount of debts and liabilities of the corporation and the amount to which the capital stock is to be diminished: *Provided*, that no calling in or redemption of preferred stock shall be made which would have the effect of reducing

Validation of prior issues.

Redemption of preferred stock.

the capital stock in violation of the provisions of section 3704.

SEC. 2. That Section 3705 of Rem. & Bal. Code be, and the same is, hereby amended to read as follows:

Section 3705. Every increase or reduction of Meetings to increase or capital stock (other than a calling in or redemption reduce capital stock. of preferred stock made in the manner designated in section 3686) must be authorized by a vote of the stockholders holding at least two-thirds of the stock of the corporation possessing voting power on that question, taken at a meeting of the stockholders specially called for that purpose by at least a majority of the trustees. Notice of the meeting stating the time, place and object of the meeting and the increase or reduction proposed, signed by at least a majority of the trustees, shall be published once a week for at least two successive weeks in a newspaper in the county where the principal place of business of the company is located, and a copy of such notice shall be duly mailed to each stockholder at his last known post office address at least two weeks before the meeting, or shall be personally served on him at least five days before the meeting. Unanimous consent of the stockholders expressed in writing and specifying the increase of capital stock agreed upon shall be equivalent to a meeting, and in case of such written consent no notice or actual meeting shall be required, in the case of a company a part of whose stock has no voting power on the question of an increase of capital stock, the proposition for such increase shall not be deemed authorized by the vote of the holders of two-thirds or more of the stock entitled to vote thereon, unless (1) those voting therefor are the holders of a majority in par value of the aggregate of all the shares of stock of the company of all classes, or else (2) there be filed with the company the written consent

515

of the holder or holders of stock having no voting power sufficient, when added to the stock already voting affirmatively, to make such majority.

SEC. 3. That Section 3706 of Rem. & Bal. Code be, and the same is, hereby amended to read as follows:

Section 3706. If at a meeting so called, a sufficient number of votes have been given in favor of increasing or diminishing the amount of capital, a certificate of the proceedings showing a compliance with these provisions, the amount of capital actually paid in, and the amount to which the capital stock is to be increased or diminished, shall be made out and signed and verified by the affidavit of the chairman and secretary of the meeting, certified to by a majority of the trustees, and filed as required by section 3679, and when so filed the capital stock of the corporation shall be increased or diminished to the amount specified in the certificate: Provided that in case of a reduction of the capital stock such certificate shall also show the whole amount of debts and liabilities of the company. In case of increase by unanimous written consent of stockholders the certificate shall be signed and verified by the president, or a vice-president, and by the secretary or assistant-secretary, certified to by a majority of the trustees, and shall be filed in the same manner and with the same effect.

Passed the Senate March 8, 1919.

Passed the House March 10, 1919.

Approved by the Governor March 19, 1919.

## CHAPTER 173.

### [S. B. 181.]

#### CRIME OF SABOTAGE.

AN ACT to protect certain industrial enterprises wherein persons are employed for wage, and to prevent interference with the management or control thereof, and to prohibit the dissemination of doctrines inimical to industry, and prescribing penalties.

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

SECTION 1. Whoever, with intent that his act Injury or shall, or with reason to believe that it may, injure, of property. interfere with, or obstruct any agricultural, stockraising, lumbering, mining, quarrying, fishing, manufacturing, transportation, mercantile or building enterprise wherein persons are employed for wage, shall wilfully injure or destroy, or attempt or threaten to injure or destroy, any property whatsoever, or shall wilfully derange, or attempt or threaten to derange, any mechanism or appliance, shall be guilty of a felony.

SEC. 2. Whoever, with intent to supplant, nul- Interference lify or impair the owner's management or control control. of any enterprise described in the preceding section, shall unlawfully take or retain, or attempt or threaten unlawfully to take or retain, possession or control of any property or instrumentality used in such enterprise, shall be guilty of a felony.

SEC. 3. Whoever shall

(1) Advocate, advise or teach the necessity, Advocacy of duty, propriety or expediency of doing or practicsabotage. ing any of the acts made unlawful by the two preceding sections, or

(2) Print, publish, edit, issue or knowingly sell, By publicirculate, distribute or display any book, pamphlet, paper, hand-bill, document or written or printed

with owner's

matter of any form, advocating, advising or teaching such necessity, duty, propriety or expediency, or

(3) By word of mouth or writing justify any act or conduct with intent to advocate, advise or teach such necessity, duty, propriety or expediency, or

(4) Organize or help to organize, give aid to, be a member of or voluntarily assemble with, any group of persons formed to advocate, advise or teach such necessity, duty, propriety or expediency, Shall be guilty of a felony.

SEC. 4. This act shall not be construed to repeal or amend any existing penal statute.

SEC. 5. This act is necessary for the immediate preservation of the public health, peace and safety, and shall take effect immediately.

Passed the Senate Ferbuary 24, 1919. Passed the House March 11, 1919.

Approved by the Governor March 19, 1919.

## CHAPTER 174.

[S. S. B. 236.]

#### PREVENTION OF CRIMINAL SYNDICALISM.

AN ACT relating to crimes, providing penalties for the dissemination of doctrines inimical to public tranquility and orderly government, and repealing chapter 3 of the Laws of 1919.

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

SECTION 1. Whoever shall

(1) Advocate, advise, teach or justify crime, sedition, violence, intimidation or injury as a means or way of effecting or resisting any industrial, economic, social or political change, or

By spoken or written words.

Aiding in promotion of doctrines.

Act cumulative.

Emergency.

Crime

defined.

(2) Print, publish, edit, issue or knowingly sell, circulate, distribute or display any book, pamphlet, paper, hand-bill, document, or written or printed matter of any form, advocating, advising, teaching or justifying crime, sedition, violence, intimidation or injury as a means or way of effecting or resisting any industrial, economic, social or political change, or

(3) Organize or help to organize, give aid to, be a member of or voluntarily assemble with any group of persons formed to advocate, advise or teach crime, sedition, violence, intimidation or injury as a means or way of effecting or resisting any industrial, economic, social or political change,

Shall be guilty of a felony.

SEC. 2. Any owner, lessee, agent, occupant or Permitting person in control of any property who shall know- property for ingly permit the use thereof by any person or persons engaged in doing any of the acts or things made unlawful by the preceding section, shall be guilty of a gross misdemeanor.

SEC. 3. Chapter 3 of the Laws of 1919 is hereby Repealing repealed. This act shall not be construed to repeal or amend any other penal statute.

SEC. 4. This act is necessary for the immediate Emergency. preservation of the public peace, health and safety and shall take effect immediately.

Passed the Senate March 3, 1919.

Passed the House March 11, 1919.

Approved by the Governor March 19, 1919.

Penalty.

clause.

## CHAPTER 175.

[S. B. 192.]

# ELECTIONS AND TERMS OF COUNTY AND PRECINCT OFFICERS.

An Act fixing the terms of county and precinct officers and prescribing the time of holding elections therefor.

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

SECTION 1. The term of office of all county and precinct officers elected on and after the Tuesday next following the first Monday in November 1922 shall be four years and until their successors are elected and qualified and except the County Superintendent of Schools shall begin on the second Monday in January following the election: *Provided*, that this act shall not apply to county commissioners.

SEC. 2. The election of such county and precinct officers shall be held on the Tuesday next following the first Monday in November, 1922; and every four years thereafter on the Tuesday next following the first Monday in November, and all such elective county and precinct officers shall after the taking effect of this act be elected at the time herein specified: *Provided*, that if a vacancy occur during the first biennium after any such election, an election to fill such vacancy for the unexpired term shall be held at the next succeeding general election.

SEC. 3. That all the statutes of this state, and parts of statutes inconsistent with the provisions of this act are hereby repealed.

Passed the Senate March 8, 1919. Passed the House March 11, 1919. Approved by the Governor March 19, 1919.

Term of office.

Elections.

Filling vacancies.

Repealing clause.

#### CHAPTER 176.

## [S. S. B. 121.]

#### LIENS ON FARM PRODUCTS.

AN ACT relating to liens on farm products and amending section 1190 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 1190 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 1190. Any person claiming the benefit verified of this chapter must, within forty days after the be filed. close of said work and labor, or after the expiration of the term, or after the expiration of each year of the lease, for which any lands were demised, file for record with the county auditor of the county in which said work and labor was performed, or said demised lands are situated, a claim which shall be in substance in accordance with the provisions of section 1168, so far as the same may be applicable, which said claim shall be verified as in said section provided, and said liens may be enforced in a civil action in the same manner, as near a provided in section 1172: *Provided*, that the lien Recorded lease sufficient for rents shall cient for rents shall c action in the same manner, as near as may be, as apply when the lease has been recorded, and the recording of the lease shall dispense with the necessity of filing or recording any other notice or claim of lien for rents during the leasehold period. Any claim for damages to the landlord for failure of faithful performance of the lease must be filed and recorded at the time and in the manner heretofore specified.

Passed the Senate February 20, 1919. Passed the House March 11, 1919. Approved by the Governor March 19, 1919. claims to

rent claims.

## CHAPTER 177.

## [S. B. 75.]

## RELIEF OF IRVING D. SILL.

# An Act appropriating the sum of \$2,500.00 for the relief of Irving D. Sill.

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

SECTION 1. There is hereby appropriated out of any monies in the general fund not otherwise appropriated the sum of two thousand five hundred dollars (\$2,500.00) for the relief of Irving D. Sill, former county treasurer of Stevens County, to reimburse him for loss sustained by reason of the insolvency of the Northport State Bank and Illinois Surety Company, the surety on its bond for county deposits: *Provided*, that before this act shall take effect said Irving D. Sill shall assign to the state of Washington all claims and judgments which he now has against said Northport State Bank and the Illinois Surety Company, insolvent corporations.

Passed the Senate March 3, 1919. Passed the House March 12, 1919. Approved by the Governor March 19, 1919.

Appropriation, \$2,500.00.

## CHAPTER 178.

## [S. B. 271.]

#### APPLICATIONS FOR MOTOR VEHICLE LICENSES.

AN ACT relating to the use of public highways and the issuance of licenses for motor vehicles, and amending section 5 of chapter 142 of the Laws of 1915.

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

SECTION 1. That section 5 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 5. Application for a motor vehicle li- License applications. cense shall be made to the secretary of state on blanks to be furnished by him. Such application shall be made by the owner of the vehicle, or his duly authorized agent, over the signature of such owner or agent, and he shall certify that the statements therein are true to the best of his knowledge. The application must show:

(1) The name of the owner, with the business showing required. or residence address thereof, or both if there be such:

(2) The nature of the license required; whether a license has heretofore been issued for such vehicle, and if so, the number of such license:

(3) The trade name of such vehicle, the factory number thereof and the name and address of the manufacturer:

(4) The kind of vehicle, whether a motor cycle, automobile, auto stage, auto truck or other motor vehicle:

(5) The rated carrying capacity of such vehicle:

(6) The purpose for which the same is to be used, and whether for public or private use; if for public, the nature of the same and the city or community to be served;

(7) The power to be used, whether electric, steam, gas or other power;

(8) The weight of all automobiles for private use, which shall be determined by the shipping weight thereof as given by the manufacturer: *Provided however*, that if the secretary of state is unable to obtain such shipping weight on any particular make or model of automobile he may by general rules and regulations adopted and published from time to time prescribe the method of ascertaining such weight and the proof thereof by certificate, affidavit or otherwise which shall accompany the application for license when the same is forwarded to the secretary of state and the owner of the vehicle shall pay the license fee in accordance with weight shown on such certificate, affidavit or other proof.

(9) The weight of all automobiles For Hire, Auto Stages and Motor Trucks, which shall be determined in such manner and proven by certificate, affidavit or otherwise as may be prescribed by general rules and regulations adopted and published from time to time by the secretary of state.

The certificate, affidavit or other proof of weight of automobiles for private use, automobiles For Hire, Auto Stages and Motor Trucks prescribed by the secretary of state as hereinabove provided for, must be attached to and accompany the application for license which is forwarded to the secretary of state. The secretary of state is hereby forbidden to accept any application for a license unless such certificate, affidavit or other proof of weight as provided for herein is furnished him at the time the application is made and the fee paid in accordance with the weight given upon such certificate, affidavit or other proof: *Provided however*, that in determining the weight of vehicles as provided for in this section no fraction of 100 pounds shall be taken into

Certificate of weight to be attached to applica**tion.**  Ch. 179.1

consideration, but where such fraction occurs the fee shall obtain upon the next lowest 100 pounds.

(10) Such other information as shall be required by the secretary of state.

SEC. 2. This act is necessary for the immediate Emergency. preservation of the public peace, health and safety and the immediate support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate March 12, 1919.

Passed the House March 12, 1919.

Approved by the Governor March 19, 1919.

## CHAPTER 179.

## [S. B. 146.]

#### ENLARGEMENT OF DRAINAGE SYSTEMS AND OF THE POWER OF EMINENT DOMAIN.

AN ACT relating to drainage districts, authorizing the construction and enlargement of drainage systems, granting the right of eminent domain in certain instances, amending section 4143 of Remington & Ballinger's Codes and Statutes of Washington, and declaring that this act shall take effect immediately.

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

SECTION 1. That whenever it shall appear to the Districts board of commissioners of any drainage district tional now organized or that may be hereafter organized under the laws of the State of Washington, that existing drainage systems or improvements are inadequate or insufficient to properly drain the lands within said district or any portion or portions thereof, such commissioners shall have the power and they are hereby authorized to construct such additional system or systems or to extend, add to, or enlarge any existing system as in their judgment

powers.

is necessary. In such event the procedure for the establishment of such additional system or extension of existing system and the manner and method of the payment of the cost of construction and maintenance of the same by the assessment of the lands particularly benefited thereby, as well as the obtaining of necessary rights of way shall be the same as that provided by existing laws for the establishment of the original drainage system within said district. In the exercise of any of the powers herein granted it shall be immaterial whether the outlet of any of the ditches, drains, or other necessary structures or appliances are to be located within or without the boundaries of said district. This section is intended to grant supplemental and additional powers to such drainage districts and shall not be construed to limit or repeal any existing powers of such districts, nor to repeal any existing laws relating thereto.

lative.

Act cumu-

SEC. 2. That section 4143 of Rem. & Bal. Code be amended to read as follows:

Enlarging power of eminent domain.

Section 4143. All drainage districts organized or that may hereafter be organized under the provisions of this chapter or the acts amendatory thereof shall have the right of eminent domain, with the power by and through its board of commissioners, to cause to be condemned and appropriated private property for the use of said corporation in the construction and maintenance of a system or systems of drainage, and make just compensation therefor, and such right of eminent domain may be exercised either within or without the boundaries of such districts, and may be exercised with respect to rights of way for ditches, drains, dams, outlets or any other necessary appliances or structures and whether for the original system or any additions. enlargements or extensions thereof or for additional

outlets or systems of drainage: Provided, that the property of private corporations may be subjected to the same rights of eminent domain as that of private individuals: Provided, further, that the said board of commissioners shall have the power to acquire by purchase all the real property necessary to make the improvements herein provided for.

SEC. 3. This act is necessary for the immediate Emergency. preservation of the public peace, health and safety. and shall take effect immediately.

Passed the Senate February 17, 1919.

Passed the House March 11, 1919.

Approved by the Governor March 19, 1919.

## CHAPTER 180.

[S. B. 178.]

AMENDMENT OF ACT GOVERNING IRRIGATION DISTRICTS.

AN ACT relating to the organization and government of irrigation districts, and providing for the method of determining damages and benefits in connection with the acquisition of rights of way, and for the offset of benefits against damages, and providing for the inclusion and assessment of state, granted, school or other public lands in irrigation districts, and providing for the consolidation of irrigation districts, and amending sections 6417, 6419, 6426, 6427, 6433, 6434, 6435, 6436, 6437, 6439, 6440, 6454, 6457-1 and 6457-3 of Remington and Ballinger's Annotated Codes and Statutes of Washington and further amending the same by adding thereto new sections to be known as sections 6417-1, 6427-1, 6457-8, 6461-1, 6461-2, 6461-3, 6461-4, 6461-5 and 6461-6 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That Section 6417 of Rem. & Bal. be amended to read as follows:

Section 6417. For the purpose of organizing an Proceedings irrigation district, a petition, signed by the required number of holders of title or evidence of title to land

to establish.

Ch. 180.]

within the proposed district, shall be presented to the board of county commissioners of the county in which the lands, or the greater portion thereof, are situated, which petition shall set forth and particularly describe the proposed boundaries of such district. and the number of directors, either three (3) or five (5), desired by such district, and shall pray that the territory embraced within the boundaries of such proposed district may be organized as an irrigation district. The petition must be accompanied by a good and sufficient bond, to be approved by the board of county commissioners, in double the amount of the probable cost of organizing the district, and conditioned that the bondsmen will pay all of the costs in case such organization shall not be effected. Said petition shall be presented at a regular meeting of the said board, or at any special meeting ordered to consider and act upon said petition, and shall be published once a week, for at least two weeks before the time at which the same is to be presented, in some newspaper of general circulation printed and published in the county where said petition is to be presented, together with a notice by the petitioners stating the time of the meeting at which the same will be presented; and if any portion of the lands within said proposed district lie within another county or counties, then the said petition and notice shall be published for the time above provided in one newspaper printed and published in each of said The said notice shall also be served by counties. registered mail at least two weeks before said hearing upon the State Hydraulic Engineer who shall sit with the Board of County Commissioners at the hearing upon said petition in an advisory capacity. When the petition is presented, the Board of County Commissioners shall hear the same, and may adjourn such hearing from time to time, not exceeding four weeks in all, and on the final hearing may make such

changes in the proposed boundaries as it may find to be proper and just, and shall establish and define the boundaries of the district: Provided. That said board shall not modify the boundaries so as to except Exclusion from the operation of this chapter any territory within the boundaries of the district proposed by said petitioners, which is susceptible of irrigation by the same system of works applicable to other lands in such proposed district and for which a water supply is available; nor shall any lands which, in the judgment of said board, will not be benefited be included within such district; any lands included within any district which have a partial or full water right shall be given equitable credit therefor in the apportionment of the assessments in this act provided for: And provided further. That any owner, whose lands are susceptible of irrigation from the same source, and in the judgment of the board it is practicable to irrigate the same by the proposed district system, shall, upon application to the board at the time of the hearing, be entitled to have such lands included in the district. The Board of County Commissioners shall, as soon as it has established the boundaries of said proposed district, enter an order establishing and defining such boundaries, and ordering that directors for such district be elected from the district at large, and designating a name for the proposed district, and calling an election to Election to be held in such proposed district for the purpose of determine organization. determining whether or not the same shall be organized under the provisions of this act, and for the purpose of electing directors. The clerk of the board of County Commissioners shall then give notice of the election ordered to be held as aforesaid, which notice shall describe the district boundaries as established, and shall give the name by which said proposed district has been designated, and shall state the purposes and objects of said election, and shall

and in-clusion of lands.

be published once a week. for at least two weeks prior to said election, in a newspaper of general circulation published in the county where the petition aforesaid was presented; and if any portion of said proposed district lies within another county or counties, then said notice shall be published in like manner in a newspaper within each of said counties. Said election notice shall also require the electors to cast ballots which shall contain the words "Irrigation District-Yes", and "Irrigation District-No", and also the names of persons to be voted for as directors of the district: Provided. That where in this act publication is required to be made in a newspaper of any county, the same may be made in a newspaper of general circulation in such county. selected by the person or body charged with making the publication and such newspaper shall be the official paper for such purpose.

SEC. 2. That chapter VII of title XLIII, Rem. & Bal. be amended by adding thereto a new section to be known as section 6417-1 and to read as follows:

Section 6417-1. Whenever any state, granted, school or other public lands of the state shall be situated in any irrigation district organized under this act, such lands shall be subject to the provisions of this act in the same manner in which lands of like character held under private ownership are subject thereto: Provided, That no State, granted school or other public lands of the State shall be included in any such district except upon the consent of the Commissioner of Public Lands to the inclusion of such lands in such district, and he shall be served with a copy of the petition proposing to include any such lands in any district together with notice of the time and place of hearing, the same at least twenty days prior to such hearing, and if he shall determine that such public lands will be benefited by being included in such district, he shall give his consent

State lands included.

Consent of land commissioner. Ch. 180.1

thereto in writing or shall file with the board a statement of his objections thereto.

Any public lands which shall be included in any Payment of irrigation district shall not be sold for delinquencies but the amount of the assessment shall be charged to the lands benefited in the manner provided in Rem. & Bal. Code, Secs. 4251 to 4253, inclusive, and if such assessments remain unpaid the State Auditor shall at the next session of the legislature certify to the legislature the amount of such assessments and the legislature shall provide for the payment of the same with interest, by appropriation out of the general fund of the State.

SEC 3 That Section 6419 of Rem. & Bal. be amended to read as follows:

Section 6419. There shall be elected in each Election of organized irrigation district of this state, a board of directors who are electors of the district. An annual election to the office of director shall be held on the second Tuesday of December of each and every year, and the term of each director shall be three years from and after the first Tuesday of January next succeeding his election: Provided, That the directors elected at any organization election called by the Board of County Commissioners shall serve until the first Tuesday of January following the first annual election: and at the first annual election there shall be elected three directors, if the board consists of three directors, and the candidate receiving the highest number of votes shall serve a term of three years next succeeding such election, the candidate receiving the next highest number of votes shall serve a term of two years next succeeding such election and the candidate receiving the next highest number of votes shall serve a term of one year next succeeding such election, and when a board of five directors exists, the two candidates receiving the highest number of votes shall each serve a term of

state land assessments.

directors.

three years next succeeding such election, the two candidates receiving the next highest number of votes shall each serve a term of two years next succeeding such election and the candidate receiving the next highest number of votes shall serve for a term of one year next succeeding such election, or, until a successor is elected and qualified. Whenever a district now organized desires to increase the number of its board of directors, such question shall be submitted to the electors at a regular election, together with the names of persons to be voted for as such additional directors. In the event the electors by majority of votes cast at such election increase the number of said board, the person receiving the highest number of votes for the office of director at said election shall serve for the three year term next succeeding and the person receiving the next highest number of votes shall serve for a term of two years. In case of any vacancy occurring in the office of director, such vacancy shall be filled by appointment by the Board of County Commissioners of the county in which the proceedings for the organization of the district were had, and the person so appointed shall serve until the next annual election of directors. when an election by the district shall be had to fill the vacancy for the remainder of the unexpired Each director shall take and subscribe an term. official oath for the faithful discharge of the duties of his office, and shall execute an official bond to the district in the sum of twenty-five hundred dollars (\$2,500.00), conditioned for the faithful discharge of the duties of his office, which bond shall be approved by the judge of the superior court of the county where the organization of the district was effected. and said oath and bond shall be recorded in the office of the county clerk of said county and filed with the secretary of the board of directors. The secretary of the district shall take and subscribe a

Increase in number of directors.

Vacancies, how filled.

Oath and bond. Ch. 180.]

written oath of office and execute an official bond in Secretary. the sum of not less than twenty-five hundred dollars (\$2,500.00), to be fixed by the board of directors, and which said bond shall be approved and filed as in the case of the bond of a director: Provided, That in case any irrigation district is appointed fiscal agent of the United States or is authorized by the District United States in connection with any federal irrigation project to make collections of money for or on behalf of the United States, such secretary and each such director and the county treasurer shall each execute a further additional official bond in such sum, respectively, as the Secretary of the Interior may require, conditioned for the faithful discharge of the duties of his respective office, and the faithful discharge by the district of its duties as fiscal or other agent of the United States in such appointment or authorization; such additional bonds to be approved, recorded and filed as herein provided for other official bonds, and any such additional bonds may be sued upon by the United States or any person injured by the failure of such officer or the district to fully, promptly and completely perform their respective duties: the bonds executed by the said officers shall be secured at the cost of the district.

SEC. 4. That section 6426 of Rem. & Bal. be amended to read as follows:

The directors of the district shall Section 6426. organize as a board and shall elect a president from meetings their number, and appoint a secretary, who shall keep a record of their proceedings. The office of the directors and principal place of business of the district shall be at some place in the county in which the organization was effected, to be designated by The directors shall hold a regular the directors. monthly meeting at their office, on the first Tuesday in every month, and may adjourn any meeting from

Organiza-

time to time as may be required for the proper transaction of business. Special meetings may be called at any time by a majority of the directors, but in case all directors do not join in said order, the secretary shall give the members not joining five (5) days notice of such meeting. The order or notice calling any special meeting shall specify what business shall be transacted, and none other than that specified shall be transacted at such special meeting. All meetings of the directors must be public. majority of the directors shall constitute a quorum for the transaction of business, and in all matters requiring action by the board there shall be a concurrence of at least a majority of the directors. All records of the board shall be open to the inspection of any elector during business hours. The board shall have the power, and it shall be its duty to adopt a seal of the district, to manage and conduct the business and affairs of the district. to make and execute all necessary contracts, to employ and appoint such agents. officers and employees as may be necessary and prescribe their duties, and to establish equitable by-laws, rules and regulations for the government and management of the district, and for the equitable distribution of water to the lands within the district, upon the basis of the beneficial use thereof. and generally to perform all such acts as shall be necessary to fully carry out the provisions of this chapter including the acquisition, construction and operation and maintenance of drainage works and wasteways: Provided, That all water. the right to the use of which is acquired by the district under any contract with the United States shall be distributed and apportioned by the district in accordance with the acts of congress, and rules and regulations of the Secretary of the Interior until full reimbursement has been made to the United States, and in accordance with the provisions of said

Water contracts with United States

Powers and duties. contract in relation thereto. The by-laws, rules and regulations must be printed in convenient form for distribution in the district. All leases, contracts, or other form of holding any interest in any state or other public lands shall be, and the same are hereby State lands declared to be title to and evidence of title to lands tract. and for all purposes of the assessment and collection of taxes, shall be treated as the private property of the lessee or owner of the contractual or possessory Provided. That nothing in this section interest: shall be construed to affect the title of the state or other public ownership, nor shall any lien for such assessment attach to the fee-simple title of the state or other public ownership. The board of directors shall have authority to develop and to sell, lease, or rent the use of water or power derived from the sale and operation of the district irrigation or drainage works for delivery to occupants of public or other lands situated within or adjacent to the district, or to municipal corporations, at such prices and on such terms as it deems best: Provided. No water or power shall be furnished for use outside of said district until all demands and requirements for water and power for use in said district are furnished and supplied by said district: And provided further, That as soon as any public land situated within the state lands limits of the district shall be acquired by any private private person, or held under any title of private ownership. the owner thereof shall be entitled to receive his proportion of water as in case of other land owners, upon payment by him of such sums as shall be determined by the board, and at the time to be fixed by the board, which sums shall be such equitable amount as such lands should pay having regard to placing said lands on the basis of equality with other lands in the district as to benefits received, and giving credit if equitable for any sums paid as water rent by the occupant of said lands prior to the vesting of

535

lease of water.

ownership.

private ownership, and such lands shall also become subject to all taxes and assessments of the district thereafter imposed.

SEC. 5. That section 6427 of Rem. & Bal. be amended to read as follows:

Section 6427. The board, and its agents and employees, shall have the right to enter upon any land to make surveys, and may locate the necessary irrigation or drainage works, power plants, power sites or power lines and the line for any canal or canals, and the necessary branches or laterals for the same. on any lands which may be deemed best for such lo-Said board shall also have the power to cation. acquire, either by purchase or condemnation, or other legal means, all lands, waters, water rights, and other property necessary for the construction, use, supply, maintenance, repair and improvements of said canal or canals and irrigation and drainage works, including canals and works constructed or being constructed by private owners, or any other person, lands for reservoirs for the storage of needful waters and all necessary appurtenances. The board may also construct the necessary dams, reservoirs and works for the collection of water for the said district, and may enter into contracts for a water supply to be delivered to the canals and works of the district, and do any and every lawful act necessary to be done in order to carry out the purposes of this act; and in carrying out the aforesaid purposes the bonds of the district may be used by the board, at not less than ninety per centum of their par value in payment. The board may enter into any obligation or contract with the United States for the construction, reconstruction, betterment, extension, sale or purchase, or operation and maintenance of the necessary works for the delivery and distribution of water therefrom under the provisions of the federal reclamation act and all amend-

Power to acquire land and water rights.

Bond issues.

Contracts under Federal reclamation act. ments or extensions thereof, and the rules and regulations established thereunder, or it may contract with the United States for a water supply or for reclamation purposes in general under any act of congress which, for the purposes of this act, shall be deemed to include any act of congress for reclamation purposes heretofore or hereafter enacted providing for and permitting such contract, or for the collection of money due or to become due to the United States or for the assumption of the control and management of the works; and in case contract has been or may hereafter be made with the United States as herein provided, bonds of the district may be deposited with the United States as pavment or as security for future payment at not less than ninety per centum of their par value, the interest on said bonds to be provided for by assessment and levy as in the case of other bonds of the district, and regularly paid to the United States to be applied as provided in such contract, and if bonds of the district are not so deposited it shall be the duty of the board of directors to include as part of any levy or assessment provided in section 6437 of Remington & Ballinger's Annotated Codes and Statutes of Washington an amount sufficient to meet each year all payments accruing under the terms of any such contract. The board may accept on behalf of the district appointment of the district as fiscal of United States. agent of the United States or other authorization of the district by the United States to make collections of money for or on behalf of the United States in connection with any federal reclamation project, whereupon the district, and the county treasurer for the district, shall be authorized to so act and to assume the duties and liability incident to such action, and the said board shall have full power to do any and all things required by the federal statutes now or hereafter enacted in connection there-

Board as fiscal agency

with, and all things required by the rules and regulations now or that may hereafter be established by any department of the federal government in regard thereto. The use of all water required for the irrigation of the lands, within any district, together with rights-of-way for canals. laterals, ditches, sites for reservoirs, power plants, sites and lines and all other property required in fully carrying out the purposes of the organization of the district is hereby declared to be a public use: and in condemnation proceedings to acquire any property or property rights for the use of the district, the board of directors shall proceed in the name of the district. in the manner provided in this state in cases of appropriation of lands, real estate and other property by private corporations: Provided, that the irrigation district at its option pursuant to resolution to that end duly passed by its board of directors may unite in a single action proceedings for the acquisition and condemnation of different tracts of land needed by it for rights-of-way for canals. laterals, power plants, sites and lines and other irrigation works which are held by separate owners. And the court may on the motion of any party consolidated into a single action separate suits for the condemnation of rights-of-way for such irrigation works whenever from motives of economy or the expediting of business it appears desirable so to do: Provided, further, there shall be a separate finding of the court or jury as to each tract held in separate ownership.

SEC. 6. That Remington & Ballinger's Annotated Codes and Statutes of Washington, relating to condemnation of rights-of-way for irrigation ditches, and the assessment of damages therefor be amended by adding thereto a new section to be known as Section 6427-1 and to read as follows:

Power of eminent domain.

Condemna-tion pro-cedure. Section 6427-1. The jury, or the court if the jury be waived, in such condemnation proceedings shall find and return a verdict for the amount of damages sustained: *Provided*, that the court or jury, in determining the amount of damages, shall take into consideration the benefits, if any, that will accrue to the property damaged by reason of the proposed improvement, and shall make special findings in the verdict of the gross amount of damages to be sustained and the gross amount of benefits that will accrue. If it shall appear by the verdict or findings, that the gross damages exceed the gross benefits, judgment shall be entered against the district. and in favor of the owner or owners of the property damaged, in the amount of the excess of damages over the benefits, and for the costs of the proceedings, and upon payment of the judgment to the clerk of the court for the owner or owners, a decree of appropriation shall be entered, vesting the title to the property appropriated in the irrigation district. If it shall appear by the verdict that the gross benefits equal or exceed the gross damages, judgment shall be entered against the district and in favor of the owner or owners for the costs only, and upon payment of the judgment for costs a decree of appropriation shall be entered, vesting the title to the property appropriated in the irrigation district. The verdict and findings of the court or jury as to damages and benefits shall be binding upon the board of directors of the irrigation district in their levy of assessments to pay the cost of the irrigation system or improvements on behalf of which the condemnation was had. The damages thus allowed but not paid shall be applied pro tanto to the satisfaction of the levies made for such construction costs upon the lands on account of which the damages were awarded; and the limit of the total of the assessments levied for said improvement upon said lands shall be the amount of benefits found by the said court or jury.

SEC. 7. That Section 6433 of Rem. & Bal. be amended to read as follows:

Assessments, how made.

Assessments made in order to Section 6433. carry out the purposes of this act shall be made in proportion to the benefits accruing to the lands assessed and equitable credit shall be given to the lands having a partial or full water right: Provided, that nothing herein shall be construed to affect or impair the obligation of any existing contract providing for a water supply to lands so assessed, unless the rights under such contract shall first have been acquired by said district, and in acquiring such rights the district may exercise the right of eminent domain. The secretary must, between the first Monday in March and the first Monday in September, in each year, prepare an assessment book, with appropriate headings, in which must be listed all the lands within the district. Tn such book must be specified, in separate columns. under the appropriate headings:

First. The name of the person to whom the property is assessed. If the name is not known to the secretary the property shall be assessed to "unknown owners",

Second. Land by township, range, section or fractional section, and when such land is not a legal subdivision, by metes and bounds or other description sufficient to identify it, giving an estimate of the number of acres, city and town lots, naming the city or town, and the number and block according to the system of numbering in such city or town.

Third. In further columns with appropriate headings shall be specified the ratio of benefits, or, when deemed by the secretary more practicable, the per acre value, or the amount, of benefits, for genCh. 180.]

eral and special district and local improvement district purposes, and the total amount assessed against each tract of land.

Any property which may have escaped assess- omitted asment for any year or years, shall, in addition to the assessment for the then current year, be assessed for such year or years with the same effect and with the same penalties as are provided for such current year and any property delinquent in any year may be directly assessed during the current year for any expenses caused the district on account of such delinquency.

SEC. 8. That section 6434 of Rem. & Bal, he amended to read as follows:

Section 6434. The board of directors must al- Deputy low the secretary as many deputies, to be appointed by them, as will, in the judgment of the board, enable him to complete the assessment within the time herein prescribed. The board must fix the compensation of such deputies for the time actually engaged.

SEC. 9. That section 6435 of Rem. & Bal. be amended to read as follows:

Section 6435. On or before the first Tuesday in Equaliza-September, in each year, the secretary must complete his assessment book and deliver it to the board, who must immediately give a notice thereof. and of the time the board of directors, acting as a board of equalization, will meet to equalize assessments, by publication in a newspaper published in each of the counties comprising the district. The time fixed for the meeting shall not be less than twenty nor more than thirty days from the first publication of the notice, and in the meantime the assessment-book must remain in the office of the secretary for the inspection of all persons interested.

assessors

sessments

SEC. 10. That section 6436 of Rem. & Bal. be amended to read as follows:

Section 6436. Upon the day specified in the notice required by the preceding section for the meeting, the board of directors, which is hereby constituted a board of equalization for that purpose, shall meet and continue in session from day to day as long as may be necessary, not to exceed ten days, exclusive of Sundays, to hear and determine such objections to the said assessment-roll as may come before them; and the board may change the same as may be just. The secretary of the board shall be present during its session, and note all changes made at said hearing; and on or before the 30th day of October he shall have the assessment-roll completed as finally equalized by the board.

SEC. 11. That section 6437 of Rem. & Bal. be amended to read as follows:

Section 6437. The board of directors shall between the first day in July and the first day in October in each year levy an assessment sufficient to raise the ensuing annual interest on the outstanding bonds, and all payments due or to become due the ensuing year to the United States under any contract between the district and the United States accompanying which bonds of the district have not been deposited with the United States as in section 6427, of Remington & Ballinger's Annotated Codes and Statutes of Washington, provided, and at the expiration of ten years after the issuing of the bonds of any issue, the board must, from year to year, increase said assessment for the ensuing vears in an amount sufficient to pay and discharge the outstanding bonds as they mature. The secretary of the board must compute and enter in a separate column of the assessment-book the respective sums in dollars and cents to be paid as assessments on property therein enumerated. Similar

Meetings for equalization. Ch. 180.1

levy and assessment shall be made for the expense fund which shall include operation and maintenance costs for the ensuing year. The assessments, when collected by the county treasurer, shall constitute a special fund, or funds as the case may be, special funds. to be called respectively, the "Bond Fund of..... Irrigation District", the "Contract Fund of..... Irrigation District" and the "Expense Fund of .....Irrigation District". In case of neglect or refusal of the board of directors to cause such assessment or levy to be made as herein provided. Failure to then the assessment shall be made, equalized and cedure. levied by the board of county commissioners of the county in which the office of the board of directors is situated shall cause an assessment-roll for the said district to be prepared, and the board of county commissioners shall make the levy required by this chapter in the same manner and with like effect as if the same had been made by the said board of directors, and all expenses incident thereto shall be borne by the district. In case of neglect or refusal of the secretary of the district to perform the duties imposed by law, then the treasurer of the county in which the office of the board of directors is situated must perform such duties, and shall be accountable therefor, on his official bond, as in other cases.

That section 6439 of Rem. & Bal. be SEC. 12. amended to read as follows:

Section 6439. Except as in this section other- Cancellawise provided, on or before the first day of Novem- tion of asber the secretary must deliver the assessment book to the county treasurer of the county in which the office of the board of directors is situated, who shall within twenty days publish a notice in a newspaper published in each county in which any portion of the district may lie, that said assessments are due and payable at the office of said county treasurer, and

levy, pro-

will become delinquent at 5 o'clock in the afternoon of the 31st day of December next thereafter, unless sixty per cent thereof shall then have been paid. and that if thus allowed to become delinquent a penalty of five per cent thereof will be added to the amount thereof and that if sixty per cent thereof be paid on or before said 31st day of December the remainder thereof will not become delinquent until April 30th next following. The notice shall be published once a week for four successive weeks, and posted for the same length of time in some public place in said district. The county treasurer must mark the date of payment of any assessment in the assessment book, opposite the name of the person paying, and give a receipt to such person, specifying the amount of the assessment and the amount paid, with the description of the property assessed. On the 31st day of December of each year, all unpaid assessments are delinquent unless sixty per cent (60%)shall have been paid as aforesaid, and thereafter the treasurer must collect thereon for the use of the district the aforesaid penalty of five per cent (5%). The district shall pay to the county from the five per cent (5%) penalties and other costs received by the treasurer in the collection of delinquent taxes. the amounts actually expended by the treasurer in performing the duties of ex-officio collector and treasurer of the district, and if said penalties and other costs shall not be sufficient therefor, the county treasurer shall certify the balance of such collection expense to the board of directors of the district and said claim shall be paid to the treasurer as other expenses of the district are paid.

SEC. 13. That section 6440 of Rem. & Bal. be amended to read as follows:

Section 6440. On or before the first day of February the county treasurer must post the delinquency list, which must contain the names of the

Notice.

Delinquent assessments.

Delinquency list, publication.

persons and a description of the property delinquent. and the amount of the assessments and costs due opposite each name and description in all cases where payment of sixty per cent (60%) of the assessment has not been made on or before the thirty-first day of December next preceding; likewise on or before May 15th he must post the delinquency list of all persons delinquent in the payment of the instalment of forty per cent (40%) as in this act provided. He must append to and post with the delinguency list a notice that unless the assessment delinquent, together with costs and percentages are paid the real property upon which such assessments are a lien will be sold at public auction. The said notice and delinquent list shall be posted at least twenty days prior to the time of sale. One copy thereof shall be posted in the office of the county treasurer making the collection, one copy in the office of the board of directors and three copies in public places in each of the established voting precincts within said district. Concurrent as nearly as possible with the date of the posting aforesaid, the county treasurer shall publish a list of the places where said notices are posted, and in connection therewith a notice that unless delinquent assessments. together with costs and percentages, are paid, the real property upon which such assessments are a lien shall be sold at public auction. Such notices must be published once a week for three successive weeks in a newspaper of general circulation published in each of the counties within which the district is located. But said notice of publication need not comprise the delinquent list where the same is posted as herein provided. Both notices must designate the time and place of sale. The time of sale must be not less than twenty-one nor more than twenty-eight days from date of posting and from the

---18

date of the first publication of the notice thereof, and the place must be at some point designated by the treasurer.

SEC. 14. That section 6454 of Rem. & Bal. be amended to read as follows:

Compensation of officers.

Section 6454. The board of directors shall each receive not to exceed five dollars (\$5.00) per day in attending the meetings, to be determined by said board, and such compensation, not exceeding five dollars (\$5.00) per day, for other services rendered the district as shall be fixed by resolution adopted by vote of the directors and entered in the minutes of their proceedings, and in addition thereto, directors shall receive necessary expenses in attending meetings or when otherwise engaged on district business. A director using his own automobile, on district business or attending meetings shall be entitled to compensation therefor, not to exceed twelve (12) cents per mile for the actual and necessary number of miles traveled. Such compensation to be based on a resolution of the directors entered in the minutes of their proceedings which resolution shall fix the rate per mile which will be allowed for each different make or type, of automobile so used. The board shall fix the compensation to be paid to the secretary and all other agents and employees of the district: Provided, That said board shall, upon the petition of at least fifty, or a majority of those having title, or evidence of title to land within such district therefor, submit to the electors, at any general district election, a schedule of salaries and fees to be paid thereunder. Such petition must be presented to the board twenty days prior to a general election, and the result of such election shall be determined and declared in all respects as other elections are declared under this chapter.

Submission of compensation

schedule to

electors.

SEC. 15. That section 6457-1 of Rem. & Bal. be amended to read as follows:

Section 6457-1. Any desired special construc- Petition tion, reconstruction, betterment or improvements in for better ment of an irrigation system, including drainage, or purchase or acquisition of improvements already constructed, which are for the special benefit of the lands tributary thereto and lying within an irrigation district, may be constructed, purchased or acquired and provision made to meet the cost thereof as follows: The holders of title or evidence of title of one-quarter of the acreage proposed to be assessed, may file with the board of directors of the irrigation district their petition reciting the nature and general plan of the desired improvement and specifying the lands proposed to be specially assessed therefor. Such petition shall be accompanied by a bond in the sum of one hundred dollars (\$100.00) with surety to be approved by the said board of directors conditioned that the petitioners will pay the cost of an investigation of the project and of the hearing thereon if the same be not established. The said board may at any time require a bond in an additional sum as may be deemed advisable. Upon the filing of such petition the board of directors with the assistance of a competent engineer, shall make an investigation of the feasibility, feasibility, cost and need of the proposed local improvement together with the ability of the land to pay such cost, and if the same appears feasible they shall have plans and estimate of the cost thereof prepared. If the cost shall appear to the board to exceed the benefits to accrue therefrom, or if the lands proposed to be embraced within the local improvement district shall be found to be insufficient security for the return of the cost, or if a protest against the establishment of the proposed improvement signed by a majority of the holders of title in the proposed

for bettersystem.

Investiga-

local improvement district be presented at or prior to the hearing herein provided for, or if in other respects the proposed local improvement district should be found infeasible, they shall hold such petition for organization for naught and dismiss the same at the expense of the petitioners.

SEC. 16. That section 6457-3 of Rem. & Bal. be amended to read as follows:

Section 6457-3. If decision shall be rendered in favor of the improvement, the board shall enter an order establishing the boundaries of the said improvement district and shall adopt plans for the proposed improvement and determine the number of annual installments not exceeding fifteen in which. the cost of said improvement shall be paid. The cost of said improvement shall be paid by the issuance of warrants of the district, from time to time, therefor, either directly for the payment of the labor and material or for the securing of the funds for such purpose. Said warrants shall bear interest at a rate not to exceed eight per cent (8%) per annum, payable semi-annually, evidenced by coupons, and shall state upon their face that they are issued as warrants of the irrigation district for the benefit of the local improvement district within said irrigation district, that all lands within said local improvement district shall be primarily liable to assessment for the principal and interest of said warrants and that said warrants are also a general obligation of the said district. No warrant shall be issued in denomination exceeding five hundred dollars (\$500.00) and no warrant shall be sold for less than par. Whenever such improvement district has been organized the boundaries thereof may be enlarged to include other lands which can be served or will be benefited by the proposed improvement upon petition of the owners thereof, provided that at such time the lands so included shall pay their

Adoption of plans.

Warrants for cost.

Enlargement of district boundaries. equitable proportion upon the basis of benefits of the investment theretofore made by the said local improvement district and shall be liable for the indebtedness of the said local improvement district in the same proportion and same manner and subject to assessments as if said lands had been incorporated in said improvement district at the beginning of its organization.

Sec. 17. That Remington & Ballinger's Annotated Codes and Statutes of Washington, as amended by Chapter 162, of the Laws of 1917, relating to the organization and financing of local improvement districts within irrigation districts, be amended by adding thereto a new section to be known as Section 6457-8, and to read as follows:

Section 6457-8. Any local improvement district Increase of heretofore duly organized may avail itself of and be subject to any of the provisions of this chapter increasing the number of annual instalments, not to exceed fifteen, after the directors of the irrigation district duly adopt a resolution to that effect, and it shall be the duty of the board of directors to adopt such resolution whenever in the judgment of the board the best interests of the local improvement district will be served thereby, and the interests of the irrigation district will not be jeopardized.

SEC. 18. That chapter 7, of title 48, Remington & Ballinger's Annotated Codes and Statutes of Washington be and the same is hereby amended by adding thereto a new section to be known as section 6461-1 and to read as follows:

Section 6461-1. Two or more irrigation districts may be consolidated into one district and may include in such district other lands susceptible of irrigation in the manner provided in this act, and upon the organization of such consolidated district it shall be an organized irrigation district subject to all the provisions of this chapter.

assessment instalments.

Consolida-tion of districts.

SEC. 19. That chapter 7, of title 48, Remington & Ballinger's Annotated Codes and Statutes of Washington be and the same is hereby amended by adding thereto a new section to be known as section 6461-2 and to read as follows:

Section 6461-2. For the purpose of organizing a consolidated irrigation district a petition signed by fifty or a majority of the holders of title to, or evidence of title to land susceptible of irrigation within the proposed district shall be presented to the board of county commissioners of the county in which the lands or the greater portion thereof are situated, which petition shall set forth and particularly describe the proposed boundaries of such district, and the name of each existing irrigation district proposed to be included therein, and shall prav that the territory embraced within the boundaries of such proposed district may be organized as a consolidated irrigation district. Such petition shall be accompanied by bond as provided in Section 6417 Remington & Ballinger's Annotated Codes and Statutes of the State of Washington and thereupon the same proceedings shall be had for the organization of such consolidated district as is provided in sections 6417 and 6418 Remington & Ballinger's Annotated Codes and Statutes of the State of Washington, and the organization of such consolidated district shall be perfected in the same manner as provided in this chapter for the organization of new districts, except as otherwise provided in this section. The board of directors of each irrigation district proposed to be included in such consolidated district shall be served with a copy of the petition for the organization of such consolidated district together with notice at the time and place of hearing of such petition, at least twenty days prior to such hearing, and the board of county commis-

Proceedings for consolidation. sioners upon the hearing of such petition shall not grant the same or call an election if it shall appear that the board of directors of any existing irrigation district proposed to be included in such consolidated district have by resolution. regularly passed and entered upon the minutes of the directors meetings of such district, voted against the inclusion of such district into such proposed consolidated district. The board of county commissioners upon the hearing of such petition, shall not modify the boundaries of the proposed district to exclude any of the lands which are contained in any of the existing districts proposed to be included in such consolidated districts, and the order calling an election shall provide an election by the electors of each existing district proposed to be included in such Elections to determine. consolidated district, and for an election by the electors of that part of the proposed district not included in any existing district, but no elector may cast more than one vote at such election. Such proposed district shall not be declared organized unless two thirds of all votes cast in each existing district shall be Irrigation District-Yes, and unless two thirds of all the votes cast in that part of the proposed district not included in any existing district shall be Irrigation District—Yes. If the organization of such consolidated district is not effected the organization of the district proposed to be included in such consolidated district shall not be affected.

SEC. 20. That chapter 7, title 48, Remington & Ballinger's Annotated Codes and Statutes of the State of Washington be and the same is hereby amended by adding thereto a new section to be known as section 6461-3 and to read as follows:

Section 6461-3. The board of directors of each Organization included district shall hold office until the board of dated directors of the consolidated district shall have been elected and shall have qualified, and thereupon the

term of office of the directors of such included district shall terminate, and the board of directors of such consolidated district shall have and exercise all the powers and duties in regard to such included district as were vested in the board of directors of such district. Each organized district included in a consolidated district shall either retain its corporate existence so far as necessary for the purpose of carrying out all contracts of such district, and until its indebtedness has been paid in full, or the board of directors of the consolidated district may constitute each such included district a local improvement district for the purpose of carrying out the obligations of, such included district and shall have all the power possessed by the board of directors of such included district to carry out all contracts of such included district to levy, assess and caused to be collected any and all assessments or charges against all of the land within such local improvement district that may be necessary or required to provide for the payment of all the bonds, warrants, and other indebtedness thereof, and to provide for the construction, reconstruction, betterment, improvement, maintenance and operation of all such work as are for the special benefit of the land in such local improvement district. Until such assessments shall have been collected and all indebtedness of the respective included districts paid. separate funds shall be maintained for each such district as were maintained in such included districts prior to the consolidation. A petition shall not be required for the establishment of the lands of such included districts as local improvement districts.

SEC. 21. That chapter 7 of title 48, Remington & Ballinger's Annotated Codes and Statutes of the State of Washington be and the same is hereby

amended by adding thereto a new section to be known as section 6461-4 and to read as follows:

The inclusion of an organized Section 6461-4. district into a consolidated district shall not affect or impair any bonds or obligations of such included district and the holders of the bonds of any such included district shall be entitled to all remedies for the enforcement of the same as if such district had not been consolidated, and all obligations that shall have been incurred by any district prior to its being included in a consolidated district shall be a prior lien to any obligation that may be incurred against such land under such consolidated district: Provided, however, that the board of directors of the consolidated district may when authorized thereto. exchange any bonds of the consolidated district for the bonds of such included districts upon obtaining the consent of such bond holders. If any included district shall prior to the time of its inclusion into a consolidated district have entered into any contract with the United States pursuant to the provisions of this chapter, and the board of directors Cancellation of such consolidated district propose to enter into a contract with the United States by the consolidated district, said board of directors, when authorized thereto, shall enter into such contract with the United States, and may in such event, with the consent of the United States, cancel any contract previously entered into between any included district and the United States.

SEC. 22. That chapter 7 of title 48, Remington & Ballinger's Annotated Codes and Statutes of the State of Washington be and the same is hereby amended by adding thereto a new section to be known as section 6461-5 and to read as follows:

The board of directors of an Property of Section 6461-5. included district shall before the expiration of their tricts passes to consoliterm of office cause to be prepared and filed with dated dis-

Bonds of districts consolidat-ing not impaired.

Exchange for consolidated district bonds.

of prior contracts with United States.

several dis-

the board of directors of the consolidated district a statement of all property of such included district, and upon the organization of such consolidated district, the property, of such included district shall, subject to the rights of the holders of the bonds or other obligations of such district, become the property of such consolidated district, and the board of directors of such consolidated district shall in making assessments for such consolidated district cause equitable credit to be given to the lands of such included district for such property received as is of value and benefit to the consolidated district.

SEC. 23. That chapter 7, of title 48, Remington & Ballinger's Annotated Codes and Statutes of the State of Washington be and the same is hereby amended by adding thereto a new section to be known as Section 6461-6 and to read as follows:

Section 6461-6. The procedure herein provided for the consolidation of districts shall not supersede or repeal any provisions of this act providing for changing the boundaries of any irrigation district, but shall be additional and supplemental thereto.

Passed the Senate February 21, 1919.

Passed the House March 12, 1919.

Approved by the Governor March 19, 1919.

Act for boundary changes not superseded.

# CHAPTER 181.

## [S. S. B. 137.]

## DISPLAY OF FLAGS OR INSIGNIA OF GROUPS HOSTILE TO GOVERNMENT.

AN ACT forbidding the ownership, possession or display of certain emblems, and providing penalties.

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

SECTION 1. No flag, banner, standard, insignia, Emplems of badge, emblem, sign or other device of, or sugges- anarchistic tive of, any organized or unorganized group of persons who, by their laws, rules, declarations, doctrines, creeds, purposes, practices or efforts, espouse, propose or advocate any theory, principle or form of government antagonistic to, or subversive of, the constitution, its mandates, or laws of the United States or of this state, shall be displayed in Unlawful this state.

SEC. 2. The ownership or possession of any article or thing, the display of which is forbidden by this act, shall be unlawful.

SEC. 3. Any person who violates this act shall Penalties. be guilty of a felony. An officer, trustee, director, agent or employee of a corporation or association who participates in the doing, or assists or acts for the corporation or association in the doing, of anything prohibited by this act, shall be guilty of a felony.

SEC. 4. Every article or thing owned or kept in searches violation of this act is hereby declared to be perni-seizures. cious and dangerous to the public welfare and subject to be searched for, seized, forfeited and destroyed.

SEC. 5. Nothing in this act shall apply to the Application ownership, possession or display of flags, banners,

seditious and groups.

lisnlay.

Unlawful possession.

555

standards, insignia, badges or emblems of any nation having accredited representatives in the United States or in its territories or possessions; nor shall this act apply to historical museums of recognized standing.

Passed the Senate February 24, 1919.

Passed the House March 11, 1919.

Approved by the Governor March 19, 1919.

## CHAPTER 182.

#### [H. B. 174.]

## RECORDING OF WRITTEN INSTRUMENTS BY COUNTY AUDITOR.

AN ACT relating to the duties of the county auditor and amending section 8786 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 8786 of Rem. & Bal. Code be amended to read as follows:

Section 8786. He must, upon the payment of his fees for the same, record separately in large and well-bound books:

Deeds, etc.

Prior recordation of plat necessary. 1. Deeds, grants and transfers of real property, mortgages and releases of mortgages of real estate, powers of attorney to convey real estate, and leases which have been acknowledged or proved: *Provided*, that deeds, contracts and mortgages of real estate described by lot and block and addition or plat, shall not be filed or recorded until the plat of such addition has been filed and made a matter of record;

- 2. Marriage contracts;
- 3. Official bonds; .

Ch. 183.]

4. Instruments describing or relating to the separate property or community interest of married women:

Patents to lands and receiver's receipts, 5. whether for mineral, timber, homestead or pre-emption claims or cash entries:

Certificates of sales for county or municipal 6. taxes:

All such other papers or writings as are re-7. quired by law to be recorded and such as are required by law to be filed if requested so to do by the party filing the same.

Passed the House, February 18, 1919.

Passed the Senate. March 11, 1919.

Approved by the Governor March 19, 1919.

## CHAPTER 183.

#### [H. B. 296.]

#### AGRICULTURAL AND VEGETABLE SEEDS.

AN ACT to regulate the selling, offering or exposing for sale or exchange of agricultural and vegetable seeds; to provide certain grades and standards for such seeds; to prescribe penalties for the violation of this act; vesting the execution and enforcement of this act in the commissioner of agriculture and repealing sections 3055, 3056, 3056-1, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, and 3068 inclusive of Remington and Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That the term "agricultural seed" Classificaas used in this act shall include the seeds of all domesticated grasses, cereals, legumes such as alfalfa, alsike clover, crimson clover, red clover, sweet clover, white clover, field peas, horse beans, and vetches, and the seeds of all other crops that are,

or may be commercially grown on a field scale in the State of Washington; while the term "vegetable seeds" shall include the seeds of those crops which are successfully grown in Washington on a garden scale and are generally known or sold under the name of "vegetable seeds".

SEC. 2. Any person, firm or corporation who shall sell or offer for sale within this state any vegetable seed the germinable viability of which shall be less than two-thirds of the percentage standard of germination for such seed as herein provided shall be guilty of a misdemeanor.

SEC. 3. Any person or persons who shall, with intention to deceive, wrongly mark or label any package or bag containing garden or vegetable seed, shall be guilty of a misdemeanor.

SEC. 4. The percentage standard of germination of vegetable seed for this state shall be as follows: Beans, peas, beets, turnips, rutabaga, cabbage, cauliflower, onion, leek, tomato, lettuce, raddish and cucumber, melon, squash and other cucurbits, ninety percent; celery, carrot, parsley, parsnip and all other vegetable seeds, seventy-five percent.

SEC. 5. No person shall sell, offer or expose for sale or distribution for the purposes of seeding, in packages of one pound or more, any seeds of clovers (trifolium), alfalfa (medicago sativa), wheat (triticum), barley (hordeum), rye (secale cereale), oats (avena sativa), Brome grass (Bromus inermis), Meadow Fescue (festuca pratensis), Tall Oat grass (arrhenatherum avenae), Orchard grass (dactylis glomerata), Perennial Rye grass (lolium perenne), Italian Rye grass (lolium italicum), Timothy (phleum pratense), Red Top (agrostis alba), in or from any receptacle unless such receptacle, package, sack or bag, or a label securely attached

Sale below legal standard.

False labeling.

Germination standards.

Packages, how marked. Ch. 183.1

thereto, be marked in plain legible type or script with:

(a) The commonly accepted name of the seed.

(b) The approximate percentage by weight of purity and the germination and date of test.

(c) The general locality in which the seed is grown, if known.

(d) The name and address of seedsman.

SEC. 6. Every lot of agricultural seed which Labeling does not consist of vegetable seed, or which is not intended to be sold, offered or exposed for sale as a mixture of the seeds of two or more species of grasses or of clovers or of both, or which is offered or exposed for sale or had in possession with the intent to sell within this state in lots of one pound or more, shall have affixed thereto in a conspicuous place on the exterior of the container of such agricultural seeds a written or printed label in the English language in plain legible type or script a statement specifying:

(a) The commonly accepted name of such agricultural seed.

(b) The percentage by weight of purity.

(c) The percentage of germination of such agricultural seed as named together with the month and year when such germination test was made.

(d) The full name and address in legible type or script of the seedsman, importer, dealer, agent or other person or persons, firm or corporation selling, offering or exposing for sale the said agricultural seed within the state.

SEC. 7. Every lot of agricultural seeds which is a mixture of the seed of two or more species of grasses, or of clovers, or of both and which is sold. offered or exposed for sale, or had in possession with intent to sell within this state as a mixture of the seeds of two or more species of grasses, or of

Seed mixtures, how labeled.

required for agricul-tural seed.

clovers, or of both, shall have affixed thereto in a conspicuous place on the exterior of the container of such mixtures of seeds, a written or printed label in the English language in a plain legible type or script containing a statement specifying:

(a) That the agricultural seed contained therein is a mixture.

(b) The commonly accepted names of such species of grasses and clovers as are distinguishable by their appearance, *provided* they are present in such mixture in quantities equalling or exceeding four percent of the total weight of such mixture.

(c) The percentage by weight of "foreign seeds" contained in such mixtures: *Provided*, that the term "foreign seeds" shall not include within its meaning the seeds of species of grasses and clovers enumerated in Section 1 of this act and which are present in quantities not equalling or exceeding four percent of the total weight of such mixture.

(d) The percentage by weight of inert matter in such mixture: *Provided*, that the term "inert matter" shall include within its meaning all materials which are not of plant origin, all portions of plant tissue which do not enclose seed or seeds, and all fragments of seeds which do not contain the essential elements of the embryo or germ of such seed.

(e) The full name and address of the seedsman, importer, dealer, or agent, or other person or persons, firm or corporation, selling, offering or exposing the said mixture for sale within the state.

Application of act. SEC. 8. The provisions shall not be construed as applying to:

1. Any person growing, possessing for sale, or selling seeds for food purposes only.

2. Persons selling or offering for sale to a seed dealer uncleaned seeds to be recleaned and tested by

him before being exposed for sale upon the general market.

Seed that is in store for the purpose of re-3. cleaning and which is not possessed, sold or offered for sale for seed purposes: Provided, that such seeds shall be labelled "not for sale".

4. Seed marked "Not clean" and held or sold for export outside the state only.

SEC. 9. No person shall sell, offer or expose for Adulteration sale or distribution for the purpose of seeding, any agricultural seeds as herein defined, unless such agricultural seeds contain less than one (1) to twenty thousand (20,000) of the following weeds:

Quack grass (Agropyron repens)

Canada thistle (Cnicus arvensis)

Clover and alfalfa dodder (Cuscuta epithymum)

Field dodder (Cuscuta arvensis)

Corn cocle (Lychnis githago)

Fanweed (Thlaspi arvense).

SEC. 10. (a) No person shall sell, offer or expose for sale or distribution for the purpose of seeding any agricultural seeds as herein defined which shall contain more than one (1) to twenty-five hundred (2.500) of the seeds under examination of the following weeds:

Russian thistle (Salsola pestifer)

Charlock (Brassica arvensis)

Jim Hill mustard (Sysmbrium albissimum)

Plantain buckhorn (Plantago lanceolata)

Bindweed (Convolvulus sepium)

or more than one (1) to one thousand (1,000) under examination of the seeds of Wild oats (Avena. fatua). ·

(b) Weed seeds of any other kind than those mentioned in section 9 and section 10, paragraph (a), when found in any sample of agricultural seed shall be classed as impurities therein and when

with weed seeds

present in quantities exceeding two percent of the sample, either singly or in combination, the approximate percentage of each shall be stated on the label attached to the container or stamped on the container itself.

Dirt and foreign substances. SEC. 11. Sand, dirt, chaff and foreign substances, broken seed and seed not capable of germinating, shall be considered impurities when present in agricultural seeds sold, offered or exposed for sale for the purpose of seeding, and when such impurities or any of them are present in quantity exceeding the standards of purity and germination authorized by this act, the name and approximate percentage of each shall be plainly indicated in the statement.

SEC. 12. Seeds, except the seeds of medicinal herbs, and except the seeds of plants grown for flowers only, shall have a germination of not less than sixty percent.

SEC. 13. For the purposes of this act, seed shall be deemed to be misbranded:

1. When meadow fescue (festuca elatior pratensis), English rye grass (lolium perenne) or Italian rye grass (lolium italicum) is labeled or sold under the name of orchard grass (dactylis glomerata) seed.

2. When Canadian blue grass (poa compressa) seed, red top (agrostis alba) seed, or any other seed not blue grass seed is sold under the name of Kentucky blue grass or blue grass (poa pratensis) seed.

3. When yellow trefoil (medicago lupulina), burr clover (medicago denticulata), or sweet clover (melilotus alba) is sold under the name of clover, June clover, red clover (trifolium pratense), medium red clover, small red clover, mammoth red clover, sappling clover, peavine clover (T. pratense var) or alfalfa (medicago sativa) seed.

Percentage of germination.

Misbranding, what constitutes.

4. When seeds distinguishable by their appearance are not true to the name under which they are sold.

SEC. 14. (a) All analyses or tests for purity and Analyses germination of such seed samples as shall be collected by the commissioner of agriculture, his inspectors or assistants, shall be conducted by the Washington State Experiment Station in its seed testing laboratory under the supervision of such official of said station as may be designated by the director thereof and at the expense of such funds as are created by the provisions of this act.

(b) Any citizen of the State of Washington may, in accordance with regulations prescribed by the director of the Washington State Experiment Station, by prepaying the transportation charges, send sample or samples of seed to the Washington State Experiment Station for examination, analysis for purity and germination, and such sample or samples shall be examined, analyzed or tested and reported upon free of charge.

SEC. 15. The duty of enforcing this act and car- Duties of rying out its provisions and requirements shall be sioner of vested in the commissioner of agriculture of the State of Washington. The said commissioner of agriculture through publication in bulletins of the department of agriculture, shall be empowered to adopt such "rules and regulations" as may be deemed necessary in order to secure the efficient enforcement of this act: Provided, that said commissioner shall appoint such inspectors and assistants as may be necessary for the proper enforcement and carrying out of the provisions of this act.

SEC. 16. It shall be the duty of the said commis- Inspection. sioner of agriculture, either by himself or his inspectors or assistants, to inspect, examine and take samples of any agricultural seeds stored, sold, of-

agriculture.

and tests

fered or exposed for sale or distribution within this state for seeding purposes, at such time, and place, and to such extent as he may determine.

The commissioner, inspectors, or assistants shall have free access at all reasonable hours upon and into any vessels, ferries, premises or structures, to make examination of any agricultural seeds whether such seeds are upon the premises of the owner or consignee of such seeds or on the premises or in possession of any warehouse, elevator, railway or steamship company; and he is hereby given authority in person or by his inspectors or assistants upon notice to the dealer, his agent or representative of any warehouse, elevator, railway or steamship company, if present, to take for analysis a sample of such agricultural seeds from a parcel, package, lot or other container or number of parcels, packages, lots, or other containers; said sample shall be thoroughly mixed and divided into two samples of at least two ounces each and securely sealed. One of said samples shall be left with, or on the premises of the vendor or party in interest, and the other sent by said commissioner, inspector or assistant to the Washington State Experiment Station for analysis, and a report upon this analysis shall be returned to the commissioner of agriculture and to the vendor or party in interest.

The said commissioner, inspectors, and assistants shall be vested with all necessary powers for the proper execution of their duties, including all actions or procedure needful to secure evidence of fraud and dishonest dealing in or the fraudulent advertising of seed.

Prosecutions. Prosecution for violation of this act shall be brought in the proper court by the prosecuting attorney of the county in which said violation occurred, upon complaint of the commissioner, inspec-

Powers and

duties.

tors, or assistants. All fines shall be turned over to the general fund of the state treasury.

The commissioner, or inspectors, shall have power whenever he shall deem it necessary to call upon the attorney general for aid in the prosecution of all cases arising under the provisions of this act.

Whoever violates any of the provisions named Penalty for in this act, or who shall attempt to interfere with the inspectors or assistants in the discharge of the duties named therein, shall be guilty of a misdemeanor and upon conviction shall be fined not less than twenty-five dollars (\$25.00) and costs for the first offense and not less than one hundred dollars (\$100.00) and costs for the second or any subsequent offense.

SEC. 17. The enforcement of the seed law shall Basis be based upon analyses made in accordance with the rules and regulations adopted by the Association of Official Analysts of North America.

SEC. 18. That sections 3055, 3056, 3056-1, 3057, Repealing 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, and 3068 of Rem. & Bal. Code be, and the same are hereby repealed.

Passed the House, March 6, 1919. Passed the Senate, March 12, 1919. Approved by the Governor March 19, 1919. adopted.

violation

of act.

565

Ch. 183.1

## CHAPTER 184.

#### [H. B. 220.]

#### INDUSTRIAL CODE COMMISSION.

An Act providing for the appointment of an industrial code commission to prepare acts for submission to the legislature, and making an appropriation.

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

SECTION 1. As soon as practicable after the passage of this act the governor shall appoint a commission, consisting of five citizens of the state of Washington, one of whom shall be a member of the state senate and one a member of the house of representatives of the legislature of 1919, to be known as the "Industrial Code Commission". Each commissioner shall receive a compensation of ten dollars (\$10.00) for each day actually employed in the work of such commission, and shall be allowed his necessary expenses incurred in the actual performance of his duties. The commission shall organize as soon as practicable after their appointment and select one of their number as chairman and one as secretary, and may employ such persons as they deem necessary to assist them in the performance of their duties under this act.

Duties.

SEC. 2. It shall be the duty of the industrial code commission to investigate the evils existing in industrial life and the means and methods of remedying the same, and to prepare and present to the legislature of the state of Washington at its next regular session a proposed act, or acts, upon all such subects, including an act for the prevention of strikes, lockouts and boycotts, and the orderly settlement of industrial disputes.

Production of evidence.

SEC. 3. Each commissioner shall have power to administer oaths and to issue subpoenas for the

Appointment and compensation. Ch. 184.1

attendance of witnesses and the production of books and papers in any inquiry, investigation or hearing in any part of the state.

The superior court of the county in which any such inquiry, investigation or hearing may be had shall have power to compel the attendance of witnesses and the production of books and papers and testimony as required by such subpoena. Such superior court shall have power to punish in cases of failure to appear in testimony as in cases of contempt. Witnesses shall be entitled to such fees and mileage as is provided in the case of witnesses in the superior court.

SEC. 4. For the purpose of carrying out the pro- Approprivisions of this act there is hereby appropriated out \$25,000.00. of the general fund the sum of twenty-five thousand dollars (\$25,000.00).

SEC. 5. This act is necessary for the immediate Emergency. preservation of the public peace, health and safety, support of the state government and its existing . public institutions, and shall take effect immediately.

Passed the House, March 8, 1919.

Passed the Senate, March 11, 1919.

Approved by the Governor March 19, 1919.

# CHAPTER 185.

#### [H. B. 283.]

#### LEGALIZING LABOR UNIONS.

An Act declaring labor unions to be lawful organizations; relating to the powers of the courts of this state in the granting of injunctions; declaring the labor of a human being not a commodity or article of commerce; prohibiting the indictment, prosecution or trial of any person or combination of persons for any lawful act in furtherance of bettering of his or their conditions.

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

SECTION 1. It shall be lawful for working men and women to organize themselves into, or carry on labor unions for the purpose of lessening the hours of labor or increasing the wages or bettering the conditions of the members of such organizations; or carry out their legitimate purposes by any lawful means.

Injunctive relief, restrictions on.

Unions legalized.

> Sec. 2. No restraining order or injunction shall be granted by any court of this state, or any judge or judges thereof in any case between an employer and employee or between employer and employees or between employees or between persons employed and persons seeking employment involving or growing out of a dispute concerning terms or conditions of employment, unless necessary to prevent irreparable damage to property or to a personal right or to a property right of the party making the application, for which injury there is no adequate remedy at law, and such petition must be in writing describing such damage or injury feared by the applicant. and sworn to by the applicant or his agent or attorney. No such restraining order or injunction shall prohibit any such person or persons, whether singly or in concert, from terminating any relation of employment or from ceasing to perform any work or

labor; or from paying or giving to, or withholding from any person engaged in such dispute, any strike benefits or other moneys or things of value; or from doing any act or thing which might lawfully be done in the absence of such dispute by any party thereto; nor shall any of the acts specified in this section be considered or held to be illegal or unlawful in any court of the state.

The labor of a human being is not a com- Employment Sec. 3. modity or article of commerce, and the right to enter into the relation of employer and employee or to change that relation except in violation of contract is a legal right. In all cases involving the violation of the contract of employment, either by the employee or employer where no irreparable damage is Remedy for about to be done to the property, personal rights or property rights of either, no injunction shall be granted, but the parties shall be left to their remedy at law.

SEC. 4. No person shall be indicted, prosecuted, Prosecutions prohibited. or tried in any court of this state for entering into or carrying on any lawful arrangement, agreement, or combination between themselves made with a view of lessening the number of hours of labor or increasing wages or bettering the conditions of working men and women, or for any lawful act done in pursuance thereof.

Passed the House, March 10, 1919. Passed the Senate, March 12, 1919. Approved by the Governor March 19, 1919. contracts.

violation.

# CHAPTER 186.

#### [S. B. 96.]

### CUSTODY AND TREATMENT OF CRIMINAL, DELINQUENT AND DISEASED WOMEN.

An Act relating to the custody, training and treatment of delinquent and diseased women, establishing a public institution therefor, providing for its location, construction and management, creating a board of directors therefor, defining its powers and duties, prescribing the procedure for commitment to and parole and discharge from said institution, making appropriations for the construction and maintenance thereof, and declaring that this act shall take effect immediately.

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

SECTION 1. That there is hereby established a public institution of the state to be known as the "Women's Industrial Home and Clinic", for the purpose of receiving, taking into custody, detaining, confining, caring for, training, reforming, treating and curing such delinquent or diseased women as may be committed to it as provided by law. Said institution shall consist of such lands and buildings as may be authorized by law, and shall be located, constructed, equipped, maintained and managed by a board of five directors, two of whom shall at all times be women, appointed by the governor.

SEC. 2. Within sixty days after the taking effect of this act the governor shall appoint five directors, three of whom shall at all times be members of the state board of control, and two of whom shall be women. The women members shall be appointed for terms ending, one on May 31st, 1922, and one on May 31st, 1924, and upon the expiration of their respective terms the governor shall appoint a successor for a term of five years. The governor shall also fill by appointment any vacancies that shall occur for any unexpired term or terms. All such appointments shall be for fitness and of a non-

Women's Industrial Home and Clinic established.

Board of directors.

Appointment and compensation. Ch. 186.1

partisan character. The governor shall have the power to remove any of said directors for cause. Such directors shall receive no compensation for their services, but shall be paid their actual and necessary traveling expenses incurred while engaged in the performance of their official duties. Three members of the board of directors shall constitute a quorum for the transaction of business.

The board of directors are hereby au-Sec. 3. thorized, and it shall be their duty to acquire by purchase, gift, or appropriation in the name of the state, a suitable site for said institution of not less than two hundred acres of arable land, to the end that, so far as practicable, the food of the inmates of the institution may be produced thereon, which land shall have an ample supply of water and shall be conveniently accessible to transportation facilities: *Provided*, the board may, if practicable, take over and use for such institution any site now owned by the state, and the board may, pending the selection of a permanent site and the construction of the necessary buildings, purchase, lease or otherwise acquire and use temporarily any site and buildings that may be suitable for the purposes of this act.

The directors shall cause to be prepared Sec. 4. plans and specifications for remodeling or erecting on such site necessary buildings for a suitable plant for the institution, which plans shall provide for cottages to be arranged for the proper classification of inmates as to the character and needs of such inmates, including proper hospital and clinic facilities, and the directors shall furnish and equip the same ready for use.

Contracts shall be made by the directors, and Bids for those involving an expenditure of over five hundred dollars (\$500.00) shall be duly advertised and competitive bids received thereon, no member of the

Acquisition of site for institution.

Building plans.

contracts.

board of directors to have financial interest therein. In connection with the remodeling or erecting of the various cottages and buildings comprising the plant of the institution no building permit shall be required from the municipal corporation in which such institution may be located.

Opening of institution.

When such buildings have been prepared and equipped and the necessary staff of officers organized, the directors shall so certify to the governor, who shall thereupon issue a public proclamation that the institution is ready for the reception of inmates, and shall cause a copy of such proclamation to be sent to each judge of the superior court and to each justice of the peace in the state.

SEC. 5. The superintendent of the State School for Girls may transfer to the Women's Industrial Home and Clinic such female persons over sixteen years of age as may in the judgment of such superintendent and the board of directors of said Women's Industrial Home and Clinic be better cared for at said institution.

Management of institution.

Transfers of inmates of State School for Girls.

> SEC. 6. The directors shall have control of said institution, determine the policy of the same, and make necessary rules and regulations for the care, support, discipline, detention, training, education and labor of the inmates, including a system of general and vocational instruction, domestic science and employment in useful trades: *Provided*, that no system of contract labor shall be established.

> Said board of directors shall provide proper recreational facilities, form a board of parole and discharge, cause to be kept proper records, including those of inmates, establish a credit system which shall provide that not less than twenty-five per cent of the sum accredited to any inmate shall be paid to her at the time of her absolute release from said institution.

Said board shall fix the salaries of the officers of Officers and said institution: appoint from their own number a president and secretary who shall hold office for such length of time as the board may determine: hold meetings at least quarterly at said institution, and audit the accounts of the superintendent quarterly.

The directors shall report annually to the governor the general and financial condition of said institution, with such recommendations as they may desire to make, a copy of which report shall be sent to the secretary of state.

SEC. 7. The directors shall appoint and remove at discretion a superintendent of said institution who shall be a woman, not of their number, and who before entering upon the duties of her office shall give a bond to the state with sufficient surety in the sum of five thousand dollars (\$5,000.00), and shall be sworn to faithful performance of her duties. The superintendent shall receive such compensation as shall be fixed by the directors and shall reside at the institution.

The superintendent shall manage said Sec. 8. institution and shall have control over the inmates thereof, working for the speedy return of the offender to community life as a healthy, law-abiding, self-respecting and self-supporting member thereof. She shall make rules and regulations for the administration of said institution, subject to the approval of the board of directors. The superintendent shall also, subject to the board of directors, determine the number and character, select, appoint and assign the duties, of all subordinate officers of the institution, who shall be women as far as practicable, and shall be sworn to a faithful performance of their duties.

There shall be a deputy superintendent, a res- Employees. ident physician and clerk. The clerk of the institution shall give a bond to the state with sufficient

Duties of superintendent

salaries.

Annual reports

Superintendent, bond and com-

pensation.

surety in the sum of five thousand dollars (\$5,000.00). The resident physician shall be legally qualified to practice medicine and surgery in the State of Washington, and shall have power to call consulting physicians when necessary.

Commitment of female offenders. SEC. 9. From and after the proclamation of the governor, provided for in section 4 of this act, all women over sixteen years of age belonging to any of the following classes sentenced to imprisonment by any court of criminal jurisdiction may be committed to and confined in, and all women over eighteen years of age belonging to any of the following classes sentenced to imprisonment by any court of criminal jurisdiction must be committed to and confined in said institution:

First: Women convicted of or who plead guilty to the commission of felonies, except murder in the first and second degree, arson in the first degree, and robbery, who have not been twice before convicted in this state or elsewhere of crimes which under the laws of this state would amount to felonies.

Second: Women convicted of or who plead guilty to the commission of gross misdemeanors or misdemeanors as defined by law.

The court imposing sentence on offenders of either of the above classes shall not fix the time of such commitment. Commitment to such institution shall be executed, within one week after sentence is imposed, by a woman guard appointed by the court for that purpose or sent from said institution on notice of the issuance of the commitment. The expenses of such commitment shall be paid in the same way as commitment to other penal institutions of the state. The trial court shall cause a record of the case to be sent with commitment papers on blanks furnished by the institution.

Delinquent or dependent minors. Any girl between the ages of sixteen and eighteen years who shall be found to be delinquent or dependent under the provisions of chapter 160 of the laws of 1913, may be committed to said institution, and if committed, the commitment shall be executed by a juvenile officer, or a woman guard from said institution.

The duration of such commitment for Class 1, including the time spent on parole, shall not exceed the maximum term specified by law for the crime for which the offender was sentenced, and in such cases it shall be the duty of the trial court to specify the maximum term for which the offender may be held under commitment.

The duration of such commitment for all other classes shall not exceed three years unless, in the opinion of a board of experts composed of one jurist and two physicians one of whom shall be a recognized neurologist, a longer detention shall be recommended.

If, through oversight or otherwise, any person be sentenced to confinement in said institution for a definite period of time, such sentence shall not for that reason be void but the person so sentenced shall be entitled to the benefits and subject to the liabilities of this act in the same manner and to the same extent as if sentence had been given in the terms required by this section; and in such cases said board of directors shall deliver to such offender a copy of this act and written information of her relation to said board.

Immediately upon the arrival of any person com- Physical mitted to said institution a careful physical and mental examination of such person shall be made by a competent physician.

SEC. 10. Said board of directors shall constitute a board of parole and discharge. Any inmate of the of inmates. institution who has been in confinement within said institution may upon recommendation of the superintendent be allowed to go on parole in the discretion

xaminations.

Parole and discharge

of the majority of said board of parole, under the following conditions: That she is in good physical condition and free from any contagious diseases, has ability to earn an honest living, has a satisfactory institutional record based on the merit system, and a proper home to which she may go, or suitable employment has been secured in advance by the board of parole. Each person paroled or discharged from the institution shall be given, if the superintendent deems it best, suitable clothing and transportation expenses and, if such person has no money to her credit, not less than five dollars (\$5.00) in money.

Authority is conferred on said board of parole to establish such rules and regulations as it may deem necessary, setting forth the conditions upon which inmates may be discharged upon parole, and to enforce such rules and regulations and provide suitable supervision by agents of the institution.

SEC. 11. While upon parole each inmate of said institution shall remain in the legal custody and under the control of the board of directors, and subject at any time to be taken back to said institution for any reason that shall seem sufficient to said board. Whenever any paroled inmate of said institution shall violate her parole and be returned to the institution, she may be required to serve the unexpired term of her maximum sentence, including the time she was out on parole, or any part thereof, in the discretion of the board of directors, or she may be paroled again if said board of parole so decide. The request of said board of directors, or any person authorized by the rules of said board, shall be sufficient warrant to authorize any officer of said institution or any officer authorized by law to serve criminal process within this state, to return any inmate on parole into actual custody; and it shall be the duty of police officers, constables and sheriffs to arrest and hold any paroled inmate when so requested.

Violation of parole.

Arrest.

without any written warrant, and, for the performance of such duty, the officer performing the same, except officers of said institution, shall be paid by the board of directors of said institution out of the institution funds such reasonable compensation as is provided by law for similar services in other cases.

SEC. 12. If any inmate shall escape from said Escapes. institution or from any keeper or officer having her in charge or from her place of work while engaged in working outside of said institution, she shall be returned to said institution when arrested, and may be disciplined in such manner as the board of directors may determine. All the provisions of section 11 relating to the arrest and return of paroled inmates shall apply to the arrest and return of escaped inmates.

The board of directors may transfer to Sec. 13. the state prison any inmate of said institution who shall appear to said board to be incorrigible, or whose presence in said institution may be seriously detrimental to its well-being: Provided, such inmate was originally so committed, subject to be returned upon requisition of the board of directors. The directors may transfer to any other appropriate state institution any inmate whose welfare the board. after proper study and examination of her case, shall decide may be best cared for at such other institution. Whenever any inmate of said institution shall be, in the judgment of the board of directors, in need of special medical attention, such inmate may be transferred to a hospital or other appropriate state institution, subject to return upon requisition of the board of directors. The board of directors may transfer to any of the Washington hospitals for the insane any inmate of said institution who may be insane, but no inmate of said institution shall be transferred except upon the written certificate of

Transfers to state prison or other institutions.

----19

two competent physicians not connected with the institution, to the effect that such inmate has become insane, and any inmate declared to be insane shall have a right to appeal to the superior court for the county in which said institution is located from said order of transfer. Upon the written certification of the superintendent of any of the Washington hospitals for the insane that an inmate transferred has become cured of her insanity, the directors shall, by requisition, require the return of such inmate to said institution.

Discharge.

Infant children of inmates. SEC. 14. If it shall appear to said board of directors, acting as a board of parole and discharge, that any inmate on parole, although not having yet reached her maximum term, has maintained a satisfactory parole record and will continue, if discharged, to lead an orderly life, said board, by a unanimous vote of all the members present at any stated meeting thereof, may discharge such inmate from said institution.

SEC. 15. If any woman committed to said institution is, at the time of her commitment, the mother of a child under two years of age, or shall give birth to a child while an inmate of said institution, such child may be retained in said institution, until it attains the age of two years, when the board of directors shall cause such child to be placed in an asylum or home for children, or in the care and custody of some relative or proper person willing to assume such care, and if necessary, the board may pay the reasonable cost of maintenance of said child, until the mother shall be discharged. Any child over the age of two years at the time of the commitment of its mother to said institution, may, if found delinquent or dependent, be committed to proper care and custody under the provisions of the juvenile court law.

Approprition, \$150,000.00. SEC. 16. There is hereby appropriated out of any money in the state treasury, not otherwise ap-

propriated, the sum of one hundred fifty thousand dollars (\$150,000.00), or so much thereof as may be necessary to carry out the provisions of this act, for the construction and maintenance of the Women's Industrial Home and Clinic.

SEC. 17. If any provision or section of this act Partial invalidity. is. for any reason, held to be invalid or unconstituttional, such holding shall not affect the validity of the act as a whole, or any other part thereof.

SEC. 18. This act is necessary for the immediate Emergency. preservation of the public health, peace and safety, and shall take effect immediately.

Passed the Senate February 28, 1919. Passed the House March 11, 1919.

Approved by the Governor March 20, 1919.

## CHAPTER 187.

## [S. B. 195.]

#### SMALL CLAIMS DEPARTMENT OF JUSTICES' COURTS.

AN ACT creating "small claims department of justice's courts", defining their jurisdiction and providing a system of practice and procedure therefor.

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

SECTION 1. That in every justice's district of Organization this state there shall be created and organized by ment. the justice of the peace thereof a department to be known as the "small claims department of the justice's court", which shall have jurisdiction, but not exclusive, in cases for the recovery of money only where the amount claimed does not exceed twenty dollars (\$20.00), and where the defendant resides within the district of such justice court.

Actions. how com-

Actions in such small claims depart-Sec. 2. ments shall be deemed commenced by the plaintiff appearing before the justice of the peace and subscribing to and verifying a claim as hereinafter provided.

SEC. 3. Upon filing said claim such justice of the peace shall appoint a time for the hearing of said matter and shall cause to be issued a notice of the claim, as hereinafter provided, which shall be served upon the defendant.

Said justice of the peace shall collect in advance upon each claim the sum of one dollar (\$1.00), and this shall be the only fee for such justice of the peace to be charged or taxed against the plaintiff in such action during the pendency or disposition of said claim: Provided, however, that when any such "small claims department" shall be created and organized in any justice's district as herein provided, in which the justice is not paid a salary, he may be paid as compensation for conducting such department from the county treasury of his county such monthly salary as the county court and commissioners of said county shall deem just and proper.

Said notice of claim shall be served by SEC. 4. the officers provided for in Section 1760 of Remington's 1915 Codes and Statutes of Washington, and the same shall be served in the manner provided for in Section 1761 of said Codes and Statutes, but no other paper is to be served with said notice. The officer serving such notice shall be entitled to receive from the plaintiff fifty cents (\$.50) for such service; which sum, together with the fee of the justice of the peace named in section 3, shall be added to any judgment given for plaintiff.

Sec. 5. The claim hereinbefore referred to shall contain the name of the plaintiff and the name of

menced.

Setting for hearing.

Filing fee.

Compensation of unsalaried justice.

Service on defendant.

Fee.

Statement of claim.

the defendant, followed by a statement, in brief and concise form, of the nature and amount of said claim and the time of the accruing of such claim; and shall also state the name and residence of the defendant, if same be known to the plaintiff, for the purpose of serving the notice of claim on such. defendant.

SEC. 6. Said notice of claim shall be directed to Notice. the defendant, naming him, and shall contain a statement in brief and concise form notifying such defendant of the name, address, amount and natures of the alleged claim of plaintiff, and directing and requiring defendant to appear personally in court before the justice of the peace of said justice's court at a time certain, which shall not be less than five nor more than ten days from the date of service of such notice; said notice shall further provide that in case of failure to so appear, judgment will be given against defendant for the amount of such claim.

SEC. 7. All claims must be verified by the real Verification. claimant, and no claim shall be filed or prosecuted in such department by the assignce of such claim.

SEC. 8. No attorney at law nor any person other Attorneys. than the plaintiff and defendant, shall concern himself or in any manner interfere with the prosecution or defense of such litigation in said department without the consent of the justice of said justice's court; nor shall it be necessary to summon witnesses, but the plaintiff and defendant in any claim witnesses. shall have the privilege of offering evidence in their behalf by witnesses appearing at such hearing, and the justice may informally consult witnesses or otherwise investigate the controversy between the parties, and give judgment or make such orders as may by him be deemed to be right, just and equitable for the disposition of the controversy.

#### SESSION LAWS, 1919.

Informal pleadings and trial. SEC. 9. No formal pleading, other than the said claim and notice, shall be necessary to define the issue between the parties; and the hearing and disposition of all such actions shall be informal, with the sole object of dispensing speedy and quick justice between the litigants: *Provided*, that no attachment, garnishment or execution shall issue from the small claims department on any claim except as hereinafter provided.

SEC. 10. If the judgment or order be against the defendant, it shall be his duty to pay the same forthwith upon such terms and conditions as the justice of such court shall prescribe.

SEC. 11. The judgment of said court shall be conclusive. If the defendant fails to pay the judgment according to the terms and conditions thereof, the justice before whom such hearing was had, may, on application of the plaintiff, certify such judgment in substantially the following form:

Washington.

In the Justice's Court of.....County, before.....Justice of the Peace for..... Precinct.

vs.

......Defendant.

In the Small Claims Department.

Satisfaction of judgments.

Certification of unpaid judgment.

Witness my hand this......day of 19.....

> Justice of the Peace sitting in the Small Claims Department.

The justice of the peace of said justice's court Entry on shall forthwith enter such judgment transcript on docket. the judgment docket of such justice's court; and thereafter garnishment, execution and other process on execution provided by law may issue thereon, as obtains in other cases of judgments of justice's courts, and transcripts of such judgments may be filed and entered in judgment lien dockets in superior courts with like effect as in other cases.

SEC. 12. Each justice of the peace shall keep a Records. separate docket for the small claims department of his court, in which he shall make a permanent record of all proceedings, orders and judgments had and made in such small claims department.

Passed the Senate March 3, 1919. Passed the House March 11, 1919. Approved by the Governor March 20, 1919.

### CHAPTER 188.

#### [S. B. 184.]

#### LAND SETTLEMENT ACT.

AN ACT relating to the upbuilding of the agricultural resources of the state, establishing a state policy for land settlement, defining the powers and duties of the state reclamation board in reference thereto, and making appropriations therefor.

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

SECTION 1. This act shall be known and cited as the "Land Settlement Act".

SEC. 2. The State of Washington in the exer-Purpose of cise of its sovereign and police powers declares that

Designation of act.

the settlement of such portions of the undeveloped lands in this state as may be determined to be suitable and economically available therefor is a state purpose and is necessary to the public health, safety and welfare of its people. In the exercise of such power the state, acting for itself and in co-operation with the United States, hereby establishes a definite land policy providing means whereby soldiers, sailors, marines, and others who have served with the armed forces of the United States in the war against Germany and her allies, or other wars of the United States, hereinafter generally referred to as "soldiers", and also industrial workers and other American citizens desiring a rural life, may settle upon and become owners of small improved farms and farm laborer's allotments.

SEC. 3. That the state reclamation board created by the 16th legislature, hereinafter called the "board", shall have power to co-operate with the. federal government in the settlement of any undeveloped lands in this state, and to avail itself of any authority of federal laws, rules and regulations therefor when any such settlement project shall be approved and adopted, by both the federal government and said board. Before said board shall expend any of the moneys appropriated for the settlement of land, except as herein otherwise provided, it shall enter into a written agreement with the federal government, setting forth the plan and basis of co-operation between the state and the federal government, and the expenditures to be incurred by each, and the provision for their repayment.

The contract with the United States may provide for the sub-division of the lands and other work needed to render one or more groups of farms available for agriculture.

Co-operation between state and Federal governments.

The board is authorized to secure from the United States, subject to the provisions of federal laws, the necessary funds for making permanent improvements and for the purchase of necessary equipment.

SEC. 4. The board shall have power:

To investigate and select for settlement suitable Powers of areas of undeveloped lands in this state available board. for settlement:

To purchase and acquire on behalf of the state such privately owned lands as in its judgment are available for settlement:

To subdivide any lands owned by the state and found available for settlement, including lands purchased or acquired for that purpose, into tracts suitable for farms and farm laborer's allotments;

To make on any such farms and farm laborer's allotments such improvements as may be necessary to render the same habitable and productive;

To accept from private owners deeds or other instruments of trust relating to land and to subdivide, improve, and sell such lands;

To lease to prospective settlers any land selected by the board for settlement:

To dedicate to public use appropriate tracts for roads, school houses or other public purposes:

To purchase and acquire under state laws any state, school, or granted lands of the state which the board shall determine are available for settlement under the provisions of this act:

To purchase and acquire lands in co-operation with the United States under such conditions as may be deemed advisable for the purposes of this act, and to convey the same under such conditions and restrictions as may be approved by the secretary of the interior;

To arrange with the federal government for sharing in the expense of furnishing agricultural

training for settlers so as to render them better qualified for the cultivation of their lands, under appropriate conditions of supervision by the federal government;

To sell and convey such improved farms and farm laborer's allotments subject to the limitations of this act;

To make such rules and regulations and perform any and all acts as may be necessary and proper for the purpose of carrying out the provisions of this act.

If it shall appear that federal aid and co-operation shall not be available, or the board shall determine to adopt and proceed with any land settlement project without federal aid and co-operation, then and in such event the board may acquire lands for such land settlement project and conduct their settlement with moneys from the state reclamation fund.

SEC. 5. That the board shall give to soldiers the preference right to purchase or lease such farms and farm laborer's allotments.

A qualified applicant must be a citizen of the United States and must satisfy the board that he is not the holder of agricultural land or possessory rights therein which, together with the land and improvements to be purchased hereunder, shall exceed a value of \$15,000. No purchaser shall at any one time hold more than one farm or farm laborer's allotment. Every purchaser shall satisfy the board as to his fitness, both financial and otherwise, to cultivate and develop the same successfully.

Each approved applicant shall enter into a contract of purchase which shall provide for the payment of the purchase price of the land, the reclamation costs and the farm improvements and other charges, if any, and shall require the purchaser

Preference rights of soldiers.

Purchase contracts.

actually to occupy the land within six months and actually to reside thereon for at least eight months in each calendar year for a period of at least five years, unless prevented by illness or other cause satisfactory to the board; and other absence from the land exceeding four months in any calendar vear shall be a breach of the contract.

The contract shall provide that it shall not be assigned without the consent of the board.

The purchase price of the land shall be paid in annual installments to be fixed by the board for a total period of not to exceed forty years, with interest on deferred payments from the date of the contract at the rate of four per cent per annum.

Title to the land shall not pass until full payment has been made for the land and improvements.

SEC. 6. The lands disposed of under this act Notice of leasing or shall be leased or sold, in accordance with regulations adopted by the board, after public notice in at least one newspaper published in the state and of general circulation therein, and one newspaper published in the county where the land is situated. once a week for five consecutive weeks, the first date of publication being at least sixty days prior to the date of lease or sale, setting forth generally the location of the land and the terms of lease or sale and stating that detailed information can be obtained at the office of the board and such other convenient places as are designated in the notice.

SEC. 7. That the board shall investigate land set- Investigatlement conditions in other states and elsewhere. reports. The board shall report biennially to the legislature. giving a full statement of its operations and recommendations under the provisions of this act, and shall furnish a copy of its report to the secretary of the interior.

tions and

Appropriations, \$150,000.00 and \$10,000.00.

SEC. 8. For the purpose of carrying out the provisions of this act relating to acquiring lands and improving the lands of the state, and the lands acquired or taken in trust under the provisions of this act, there is hereby appropriated out of the state reclamation revolving fund the sum of one hundred and fifty thousand dollars (\$150,000.00), or so much thereof as may be necessary; for the administrative expenses of the board in carrying out the provisions of this act there is hereby appropriated out of the general fund the sum of ten thousand dollars (\$10,000.00), or so much thereof as may be necessary: Provided, that no warrant shall be drawn upon the state reclamation revolving fund in excess of the amount in the state treasury to the credit of said fund.

SEC. 9. If any part of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity or constitutionality of the act as a whole, or of the part thereof not adjudged invalid or unconstitutional.

SEC. 10. This act is necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately.

Passed the Senate March 8, 1919. Passed the House March 11, 1919.

Approved by the Governor March 20, 1919.

Partial invalidity.

Emergency.

588

#### CHAPTER 189.

#### [S. B. 173.]

#### INSPECTION, WEIGHING AND GRADING OF GRAIN, HAY AND OTHER PRODUCTS.

AN ACT for the prevention of fraud in the grain and hay trade and trade in grain and hay products, peas, beans, rice, soya beans, peanuts, copra, jute, raw rubber and other similar articles, nitrates and other fertilizers, sulphur and other chemicals; for the establishment and preservation of standards for grain, hay, grain and hay products, peas, beans, rice, soya beans, peanuts, copra, jute, raw rubber and other similar articles, nitrates and other fertilizers, sulphur and other chemicals; regulating warehousemen, shippers and buyers of such commodities: defining the duties of railroads; regulating track and elevator scales and track connections with industries; providing penalties for the violation thereof and repealing Chapter 91 of the Laws of Washington of 1911, and declaring that this act shall take effect immediately.

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

SECTION 1. Definition.

The term public warehouse when used in this act, Public warehouse. includes any elevator, mill, warehouse or structure in which grain, hay or peas are received from the public for storage, shipment or handling, whenever such grain, hay or peas are carried or intended to be carried to or from such warehouse, elevator, mill or structure by a common carrier.

The term terminal warehouse, when used in this Terminal warehouse. act, includes any public warehouse situate in Seattle, Tacoma, Spokane or other cities in the state which may be hereafter designated as inspection points.

The term warehouseman when used in this act. includes any firm, person, company, corporation or association of persons owning, operating or controlling any public warehouse.

The term commission when used in this act means the Public Service Commission of Washington.

Duties of Public Service Commission. SEC. 2. The commission shall exercise general supervision over the handling, weighing, inspecting and storage of grain, hay and peas and the inspection, grading and weighing of other commodities included in the provisions of this act and the regulation of public and terminal warehouses. Such commission shall investigate all complaints of fraud and injustice in the grain and hay trade and in the trade in the other commodities included in the provisions of this act, fix the charges of public and terminal warehouses and make all necessary rules and regulations for carrying out and enforcing the provisions of this act, and of all laws of the state relating to this subject.

The commission, with the approval of

Chief inspector. SEC. 3.

Bond.

Salary.

Deputies, appointment.

shall be thoroughly familiar with the grains, grain products and forage crops of Washington and who shall have had at least five years' experience in the handling of such products. He shall, before entering upon the duties of his office, give a surety company bond (the cost to be paid by the state) to the state of Washington in the sum of ten thousand dollars (\$10,000.00) to be approved by the commission and the attorney general, and conditioned upon the faithful discharge of his duties, and take the usual oath required of state officers. He shall receive such salary as the commission may determine upon, in no event to exceed twenty-five hundred dollars (\$2500.00) per annum, and necessary traveling expenses and shall reside at Tacoma.

the governor, shall appoint a Chief Inspector, who

SEC. 4. The chief inspector, with the approval of the commission, shall appoint such number of deputies, inspectors, samplers and weighers, who shall be designated as inspectors, as may be necessary to properly and thoroughly inspect and weigh the commodities included in the provisions of this act, and such other employees as may be necessary. One of such inspectors in each of the cities of Seattle, Tacoma and Spokane and such other cities as may be designated by the commission, shall be styled Chief Deputy Inspector. The chief deputy inspectors shall each give a surety company bond (the cost to be paid by the state) to the State of Washington in the sum of five thousand dollars (\$5,000.00) to be approved by the commission and the attorney general, conditioned upon the faithful discharge of their duties. Such chief deputies shall receive such salaries per annum as the commission may determine and necessary traveling expenses. Each of the other inspectors and bookkeepers shall give surety company bond (the cost to be paid by the state) to the State of Washington in the sum of three thousand dollars (\$3,000.00) to be approved by the commission and the attorney general, conditioned upon the faithful discharge of his duties; the inspectors and other employees shall receive such salaries as the commissioner may determine. The chief deputy inspector, inspectors, and other employees shall be required to take an oath to faithfully perform their duties.

SEC. 5. All bonds provided for by this act shall Action be filed in the office of the secretary of state of Washington, and any person injured by official act or the neglect of duty of any such bonded employee, or by reason of neglect or failure of such bonded employee or warehouseman to comply with the provisions of this act or of the rules and regulations of the commission shall have a right of action upon such bond for the recovery of all damages suffered thereby.

SEC. 6. No chief inspector, or other employee, shall, during his term of office, be interested, directly or indirectly, in the handling, storing, shipping, purchasing or selling of the commodities included in the provisions of this act.

Bonds, oath and compensation of deputies.

upon bonds.

Interest in commodities prohibited.

#### SESSION LAWS, 1919.

Offenses under act.

Sec. 7. Any inspector who shall be guilty of any neglect of duty, or who shall knowingly or carelessly inspect, sample or weigh any commodity included within the provisions of this act improperly, or who shall, directly or indirectly, accept any money or other consideration for any neglect of duty or any improper performance of duty as such inspector, or any person, persons, corporation or agent who shall improperly influence or attempt to improperly influence any inspector in the performance of his duties as such inspector, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than two hundred dollars (\$200.00) nor more than one thousand dollars (\$1,000.00) or imprisoned in the county jail not less than six months nor more than one year, or by both such fine and imprisonment, in the discretion of the court.

SEC. 8. The cities of Seattle, Tacoma and Spokane shall be provided with state inspection and weighing under this act. Such other cities and towns or districts where commodities included in the provisions of this act, are received or shipped by common carrier, and the shipments are such as would reasonably justify and render necessary the inspection and weighing thereof, may be designated by the commission as inspection points and be provided with state inspection and weighing: *Provided*, that the expenditure for the inspection and weighing at each of such points designated by the commission shall not exceed the receipts of the fees at such place.

Employees.

Warehouse charges. SEC. 9. All employees under this act may be removed at any time by the commission. They shall be paid in the same manner as other employees of the commission.

SEC. 10. All charges and regulations made by any public warehouse hereunder for the handling or storage of grain, hay and peas shall be just, fair and

Penalty.

State inspection and weighing. reasonable: and the commission is hereby vested with power and authority upon the complaint of any person interested or upon its own motion, after a full hearing, to declare any existing charge for the handling or storage of grain, hay or peas or any regulation whatsoever affecting such charge, or the receipt, handling or storage, to be unreasonable or unjust, and to determine and order what shall be a just and reasonable charge or regulation to be imposed or enforced in place of that found to be unreasonable or unjust.

SEC. 11. All provisions of law relating to the Regulative method of procedure by the commission in fixing the rates to be charged by railroad companies for the transportation of freight and passengers and the review of the acts or orders of the commission with reference thereto, and the enforcement of such orders, shall, so far as the same are applicable, govern the procedure of such commission in regulating public or terminal warehouses, and the review and enforcement of the acts and orders of the commission under the provisions of this act.

Sec. 12. The commission shall within ninety Grain and days after this act becomes a law fix and establish standards. standard grades to apply to all grain and hay, bought or handled by public or terminal warehouses in this state. The commission shall adopt as state grade standards all grades for grain and hav now or hereafter established by the United States Department of Agriculture. Standards for grain and hay not provided for by the United States Department of Agriculture shall be established or changed only after a public hearing, notice thereof to be given by publication in three newspapers of the state, at least ten days prior to such hearing. The commission may by resolution authorize the weighing and grading, upon request of any interested party, of com- Other modities of commerce, other than grain or hay, such

procedure of commission.

commodities.

as grain or hay products, rice, beans and other similar articles, nitrates and other fertilizers, sulphur and other chemicals used in the arts or in manufacturing, when same are received from or delivered to any rail or water carrier in the state in commercial transportation, and may authorize the certification of the weights and grades thereof. Fees for such service, sufficient to cover the cost thereof, shall be fixed by the commission. Grades may be established or changed by the commission and rules and regulations governing warehousemen be promulgated after a public hearing, notice thereof to be given by publication once each week for two successive weeks in at least three newspapers of general circulation in the state, two of which, at least, shall be in eastern Washington. All interested persons desiring to be heard shall be permitted to give testimony and such other witnesses may be subpoenaed as the commission may deem necessary, which witnesses shall be entitled to the same fees and mileage as are provided for witnesses in civil actions. The commission shall after such hearing, make and issue reasonable rules and regulations governing the dockage which shall be made on inferior grades and in all executory contracts thereafter entered into where the price or amount to be paid therefor depends upon terminal weight or grade, such rules and regulations shall control the dockage in so far as the same affects the price to be paid, and such rules and regulations shall become part of the contract of sale unless expressly agreed to the contrary in such executory contract.

Copies of regulations. It shall be the duty of the chief inspector, immediately after the establishment of grades for grain, hay, grain and hay products and peas, and the promulgation of rules and regulations fixing dockage, as herein provided, to supply each public and terminal warehouseman, which the records in his office

Change of grades.

Hearings.

Adoption of of rules and regulations. Ch. 189.]

show is then or thereafter engaged in operating such warehouses, with a copy of such grades, rules and regulations. It shall be the duty of every public or terminal warehouseman to keep such copy on file in a convenient place in every such warehouse and, if an office is maintained in connection with such warehouse, a copy of such grades, rules and regulations shall be kept on file in such office and a placard notice posted in a conspicuous place in every such warehouse and such office, reading as follows:

## "A COPY OF WASHINGTON GRADES, RULES AND REGULATIONS IS ON FILE HERE FOR INFORMATION OF INTER-ESTED PARTIES."

Every such warehouseman shall exhibit such copy of grades, rules and regulations to any interested party applying therefor at any such warehouse or office and permit such interested party to examine and consult such copy.

SEC. 13. The commission shall fix the fees for inspection, grading and weighing of the commodities included in the provisions of this act, which fees shall not exceed 6c a ton for sack grain, 4c a ton for bulk grain, and 12c a ton for hay. The fees for inspection. grading and weighing of such commodities shall be a lien upon such commodity so weighed, graded or/ and inspected to be paid by the carrier transporting the same and treated by it as an advanced charge, except when the bill of lading contains the notation "Not for terminal weight and grade" and the commodity is not unloaded at a terminal warehouse. The commission shall so adjust the fees to be collected under this act as to meet the expenses necessary to carry out the provisions hereof, and may prescribe a different scale of fees for different localities. The commission may also prescribe a reasonable charge for service performed at places other

Fees and charges.

than public terminal warehouses in addition to the regular fees when necessary to avoid rendering the service at a loss to the state. All moneys collected under the provisions of this act and all fines and penalties for violation thereof, shall be paid into the state treasury. The state auditor may anticipate the receipts and issue warrants to cover the same to any amount not exceeding fifteen thousand dollars (\$15,000.00).

The chief inspector, and inspectors, Sec. 14. shall, at the places provided for state inspection under this act, have exclusive control of the weighing and grading of the commodities which shall be inspected under the provisions of this act and the action and certificates of such inspectors in the discharge of their duties, as to all commodities weighed or inspected by them, shall be conclusive upon all parties interested: Provided. however. an appeal may be taken to the commission, whose decision shall be final. Suitable books and records shall be kept in which shall be entered a faithful and true record of every carload, or cargo or part of cargo or commodities inspected or weighed by them, showing the number and initial or other designation of the vehicle or boat containing such carload, or cargo, or part of cargo, its weight, the kind of commodity, and its grade, and if graded below standard No. 1 grade, the reason for such grade, if of inferior grade, the amount of such dockage, the amount of fees and forfeitures and disposition of same, and for each vehicle or cargo. or part of cargo, of commodity inspected, they shall give a certificate of inspection showing the kind and grade of the same and the reason for all grades below No. 1, the amount to be allowed for dockage. if any, the number of sacks, bales or other parcels thereof, with the grade or grades and weight of

Disposition of fees and fines.

Inspectors' certificates conclusive except on appeal.

Records of inspection, etc.

Certificates of inspection. Ch. 189.7

same, if requested to do so by consignor or consignee. They shall also furnish the agent of the railroad company, or other carrier over which such commodity was shipped or carried, a certificate showing the weight thereof, if requested to do so. They shall also keep a true record of all appeals. decisions and a complete record of every official act, which books and records shall be open to inspection by any party in interest.

Upon written complaint filed with the Misconduct of inspectors. Sec. 15. commission charging any inspector with official misconduct, inefficiency, incompetency or neglect of duty, the commissioner shall investigate such charge, and if it be found sustained, shall remove such officer.

SEC. 16. In case any owner, consignee or shipper of any commodity included in the provisions spector's of this act, or his agent or broker, or any public or terminal warehouseman shall be aggrieved at the grading of such commodity, such aggrieved person may appeal to the commission from such decision within thirty days from the date of certificate by giving notice of appeal, and paying a fee to be fixed by the commission, which shall be refunded if the decision appealed is sustained. Such notice of appeal may be given by a letter or other written notice to the commission stating that such party appeals from the decision of the inspector and specifying the initials, number and designation of vehicle or the name of the ship in which such commodity was contained when inspected and graded.

The party taking such appeal shall also file with Notice to parties inthe commission a list containing the names and addresses of all parties interested in the subject matter of the appeal. It shall be the duty of the commission, upon receiving such notice and list of interested parties, to immediately notify the parties

Appeals

terested.

interested of the time and place designated by it for a hearing and at such time and place, which shall be within twenty days from the date of receiving such notice, hold a hearing and inquire into the reasonableness and correctness of such original grading and such evidence shall be received, as the parties thereto may desire to offer. After such hearing the commission shall make such order affirming or modifying the grade so established by the inspector as the facts may justify.

SEC. 17. All grain and hay received at terminal warehouses shall be inspected and weighed by the inspector and when exported shall, if requested, be reinspected and graded in like manner and a certificate of grade issued, a reasonable fee to be charged for such reinspection, said fee to be fixed by the commission. All other grain and hay received in carload lots, or, when shipped by water in lots containing more than thirty tons of grain or twelve tons of hay at inspection points, not unloaded at a terminal warehouse, shall be weighed, inspected and graded, unless the bill of lading contains a notation "Not for terminal weight and grade."

SEC. 18. Each person, firm, corporation or association of persons operating any public warehouse or warehouses subject to the provisions of this act shall, on or before the first day of July of each year, give a surety bond to the State of Washington, in such sum as the commission may require, to be approved by the commission and the attorney general, conditioned upon the faithful performance of the acts and duties enjoined upon them by law, and every such person, firm, or corporation, association of persons shall, on or before July 1st of each year, procure from the commission a license for each such warehouse so owned or operated for the ensuing year before transacting business at such

Hearings and orders.

Inspection and grading for export.

When weighing omitted.

Bonds of warehousemen.

Warehouse licenses. public warehouse or warehouses: *Provided*. That no such license shall be issued before the bond hereinbefore required shall have been given and approved. Such license shall be posted in a conspicuous place in the office of each warehouse. The fee for such license shall be two dollars (\$2.00) for each public warehouse, and the commission may revoke any such license for cause, upon notice and hearing. Any person, corporation or association operating any public or terminal ware- Penalty for house in this state without a license shall forfeit to the state for each day's operation fifty dollars (\$50.00), the same to be recovered on action brought by the attorney general in the superior court of Thurston County, Washington, and further such operation may be enjoined upon complaint of the commission.

SEC. 19. Every such warehouseman shall an- schedule of nually, during the first week in July, publish, by rates. keeping posted in a conspicuous place in his warehouse, a schedule of storage rates for the ensuing year, and said rates shall not be increased during such period and no discrimination in rates shall be made by any such warehouseman. A copy of such schedule of rates shall be filed by the warehouseman with the chief inspector.

SEC. 20. Every person having an interest in Examinaany grain, hay or peas stored in any such warehouse, and every inspector shall have the right to examine at all times, during ordinary business hours, any grain, hay or peas so stored, and all parts of such warehouse: and every warehouseman. his agents and servants, shall furnish proper facilities for such examination.

SEC. 21. If any public or terminal warehouse- Discriminaman subject to the provisions of this act, shall directly, or indirectly, by any special charge, rebate.

without license

tion of ware-

prohibited.

drawback or other device, demand, collect or receive from any person or persons a greater or lesser compensation for any service rendered or to be rendered in the handling or storage of grain, hay or peas than he demands, collects or receives from any other person or persons for doing for him, or for them, a like and contemporaneous service in the handling or storage of grain or hav under substantially similar circumstances and conditions, or if any such public or terminal warehouseman shall make or give any undue or unreasonable preference or advantage to any person, company, firm or corporation in any respect whatsoever, or shall subject any particular person, company, firm or corporation to any undue or unreasonable prejudice or disadvantage in any respect whatsoever, such warehouseman shall be subject to a penalty, as hereinafter provided.

Duty to store.

Warehouse receipts.

Storage in special piles.

SEC. 22. Every public warehouseman shall receive for storage and shipment, so far as the capacity of his warehouse will permit, all grain, hay and peas in a warehouse used for this purpose, in suitable condition for storage, tendered him in the usual course of business, without discrimination of any kind. A warehouse receipt in form prescribed by law, consecutively numbered, shall be issued and delivered to the owner or his representative immediately upon receipt of each load or parcel of grain, hay or peas, or as he may demand, giving the true and correct grade and weight thereof: Provided, That upon request of the owner, grain, hay or peas shall be put in a special pile without grading, and if grain, hay or peas have been wet or damaged it shall be received and piled in a special pile, with a distinguishing mark, which shall be shown on the receipt for the same and given for the number of sacks only, or bales. The failure to issue, when re-

quested, said receipt shall be subject to a penalty, as hereinafter provided.

SEC. 23. Upon the return of the receipt to the Delivery of commodities proper warehouseman, properly endorsed, and upon stored. payment or tender of all advances and legal charges, grain, hay or peas of the grade and quantity named therein shall be delivered to the holder of such receipt, within forty-eight hours after the facilities for receiving the same have been provided. If such warehouseman shall fail so to deliver it. he shall be liable to the owner, in damages at the rate of one per cent of the reasonable value of the product for each day's delay, unless he shall deliver the property to the several owners in the order of demand as rapidly as it can be done by ordinary diligence. If, upon such demand and tender, the warehouseman shall fail so to deliver such grain. hay or peas, the person entitled thereto may recover the same by action; and such warehouseman or person or agent in charge thereof shall be subject to a penalty, as hereinafter provided.

SEC. 24. On June 30th of each year every warehouseman shall make a report, under oath, to <sup>special re-</sup>ports. the commission, on blanks or forms prepared by it, showing the total number of sacks and weight of each kind of grain and peas and bales and weight of hay, received and shipped from each warehouse licensed under this act, and also the amount of outstanding storage receipts on said date, and a statement of the amount of grain, hav and peas on hand to cover the same. The commission may also require special reports from such warehouseman at such times as the commission may deem expedient. The commission may cause every such warehouse and business thereof and the mode of conducting the same to be inspected by one or more of its members or by its authorized agent

Annual and

Inspection of warehouse business.

whenever deemed proper, and the property, books, records, accounts, papers and proceedings of every such warehouseman shall at all times during business hours be subject to such inspection.

Loading facilities. SEC. 25. Whenever required by the commission, every railroad company shall construct and maintain at each station and siding in this state, suitable facilities for the purpose of loading bulk grain direct from wagons into cars for shipment. The commission may require an increase in such facilities or additional facilities whenever it deems it necessary for the purpose of loading.

Inspection at places not provided with state inspection. SEC. 26. In case any commodity under the provisions of this act is sold for delivery on Washington grade to be shipped to or from places not provided with state inspection under this act, the buyer, seller or persons making delivery, may have it inspected out by notifying the chief inspector or a chief deputy, whose duty it shall be to have such grain inspected, and after it is inspected, to issue to the buyer, seller or person delivering it, on request, an inspector's certificate showing the grade of such grain. The person or persons calling for such inspection shall pay for such inspection a reasonable fee to be fixed by the commission.

Any commodity under the provisions of this act that is shipped to points within the state where no inspection is maintained, may be inspected on request of either buyer or seller, and a certificate may be issued, showing grade of such commodity. The charge for service provided for under this section shall at least equal the entire cost of such service and shall be paid by the party calling for same.

SEC. 27. From all grain commodities inspected or weighed, samples may be drawn, which samples shall become the property of the state and subject to disposition by the commission under such rules and regulations as it may prescribe.

It shall be the duty of the chief inspector to transmit samples showing the Washington grades thereof adopted, to the federal government, chambers of commerce, boards of trade, exporters and persons, firms, corporations or associations handling and dealing in Washington grades under such rules and regulations as the commission may prescribe.

Sec. 28. The chief inspector or any inspector, Carexaminserving under him, before opening the doors of any to inspection. car containing grain or hay, upon arrival at any of the places designated herein for inspection, shall first ascertain the condition of such cars and determine whether any leakage has occurred while said cars were in transit; whether or not the doors were properly secured and sealed at point of shipment, and shall make a record of such facts in all cases, giving seal numbers. After such examinations have been made and recorded, and the inspection of such grain or hay been made, the said officials shall securely close and reseal such doors as have been opened by them, using the special seal of the said state grain inspection department for the purpose. A record of all original seals broken by said officials, and the date when broken, and also a record of all state seals substituted therefor, and the date and number of said seals, shall be made by such officials. The chief inspector, or inspectors shall break the seal, weigh and superintend the unloading of all cars of grain or hav subject to inspection, and any other person or persons breaking the seal or weighting such cars of grain or hav shall be guilty of a misdemeanor.

SEC. 29. Any railroad delivering grain or hav sidetracks. in cars at any of the places provided with state in-

ations prior

spection under this act shall provide convenient and suitable side tracks at such places as the commission may designate, on which all cars of grain or hav delivered by them shall, upon arrival, be set and arranged convenient for inspection, and after inspection such railroad company shall promptly distribute all such cars of grain and hav and set them at the proper place or places to be unloaded as designated by the consignor or consignee. Such railroad company shall provide at such place or places as the commission may designate suitable track scales for weighing cars of grain or hay. Such scales shall be under the control of the chief inspector and his deputies. It shall be the duty of the chief inspector or his deputies to require the railroad company to correct all scales so provided as often as may be necessary to insure the correct weighing of grain or hay. Whenever scales have been installed by any railroad company as above provided, it shall be the duty of the chief inspector or his deputies to use such scales in weighing all grain or hay received over the line of such railway: Provided. That if any terminal warehouses in inspection cities are provided with proper scales and weighing facilities, the chief inspector or his deputies may weigh the grain upon the scales so provided. The chief inspector or one of his deputies shall, at least once each year, examine, test and require to be corrected all scales used in weighing grain or hay in any of the cities designated as inspection points in this act or such places as may be hereafter designated, and after such scale is tested, if found to be correct and in good condition. to seal the weights with a seal provided for that purpose and issue to the owner or proprietor a certificate authorizing the use of such scales for weighing grain or hay for the ensuing year, unless sooner revoked by the chief inspector or his deputy.

Annual test of scales. If such scales be found to be inaccurate or unfit for use, the chief inspector or his deputy shall notify the party operating or using them, and the party thus notified shall, at his own expense, thoroughly repair the same before attempting to use them, and until thus repaired to the satisfaction of the inspector or his deputy, the certificate of such party shall be suspended or revoked, in the discretion of the inspector or his deputy. The party receiving such certificate shall pay to the chief in- Fees. spector or his deputy a reasonable fee for such inspection and certificate to be fixed by the commission, which sum shall be paid into the state treasurv. It shall be the duty of the said commission to see that the provisions of this section are strictly enforced.

SEC. 30. All railroad companies and ware- Police housemen operating in the cities provided for inspection by this act, shall furnish ample and sufficient police protection to all their several terminal yards and terminal tracks to securely protect all cars containing grain or hay, while the same are in their possession. They shall prohibit and restrain all unauthorized persons, whether under the guise of sweepers, or under any other pretext whatever, from entering or loitering in or about their railroad yards or tracks and from entering any car of grain or hay under their control, or removing hay or grain therefrom, and shall employ and detail such number of watchmen as may be necessary for the purpose of carrying out the provisions of this section.

SEC. 31. When grain, hay or peas are shipped shipper's weight and to points where inspection is provided and the bill grade, where of lading does not contain the notation "Not for terminal weight and grade" and the grain or hay is unloaded by or on account of the consignee or his assignee without being inspected or weighed by a duly authorized inspector under the provisions

protection.

conclusive

Ch. 189.1

of this act, the shipper's weight and grade shall be conclusive and final and shall be the weight and grade upon which settlement shall be made with the seller, and the consignee or his assignee, by whom such grain, hay or peas are so unlawfully unloaded shall be liable to the seller thereof for liquidated damages in an amount equal to ten per cent of the scale price of such hay, grain or peas computed on the basis of the shipper's weight and grade.

SEC. 32. Any railroad company or common carrier or other corporation, and any warehouseman, which shall violate or fail to comply with any provision of this act, or which fails, omits or neglects to obey, observe or comply with any order, rule or any direction, demand or requirement of the commission made under the provisions of this act, shall be subject to a penalty of not to exceed the sum of one thousand dollars (\$1,000.00) for each and every offense, and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance thereof shall be, and be deemed to be, a separate and distinct offense.

Every officer, agent or employe of any railroad company or common carrier, or other corporation, or any warehouseman, who shall violate or fail to comply with, or who procures, aids or abets any violation by any such railroad company or common carrier, or other corporation or warehouseman, of any provisions of this act, or who shall fail to obey, observe or comply with any order of the commission, or any provision of any order of the commission, or who procures, aids or abets any such railroad company or common carrier, or other corporation, or any warehouseman, in its failure to obey, observe and comply with any such order or provision, shall be guilty of a gross misdemeanor.

Penalty for violations of act.

Offenses by officers and employees.

Every person, either individually or acting as an official or agent of any corporation other than a railroad company, common carrier or warehouseman, who shall violate any provision of this act, or fail to observe or comply with any order made by the commission under this act, so long as the same shall be or remain in force, or shall procure. aid or abet any such corporation in its violation of this act, or in its failure to obey, observe or comply with any such order, shall be guilty of a gross misdemeanor.

SEC. 33. If any section or part of a section of Partial inthis act shall be for any cause held to be unconstitutional, such fact shall not affect the remainder of this act.

SEC. 34. Chapter 91, Laws of 1911, is hereby repealed.

Sec. 35. This act, in so far as it embraces the Actions and same subject matter, shall be construed as a continuation of chapter 91 of the laws of 1911, and this act shall not affect pending actions or proceedings. civil or criminal, instituted under the provisions of chapter 91 of the laws of 1911, but the same may be prosecuted or defended with the same effect as though this act had not been passed. Any investigation, examination or proceeding, application for reinspection or appeal undertaken, commenced or instituted under the provisions of chapter 91 of the laws of 1911, may be conducted and continued to a final determination in the same manner, under the same terms and conditions and with like effect as though said chapter 91 had not been repealed.

No cause of action arising under the provisions of chapter 91 of the laws of 1911, or dependent thereon, shall abate by reason of the passage of this act, whether a suit or action shall have been instituted thereon at the time of the taking effect

Offenses by other persons.

validity.

proceedings under prior low continued.

of this act or not, but actions may be brought on such causes in the same manner, under the same terms and conditions, and with the same effect as though said chapter had not been repealed.

All findings, orders, rules and grades issued or promulgated by the commission under the provisions of said chapter shall continue in force, have the same effect and shall be enforced in the same manner as though this act had not been passed.

SEC. 36. This act is necessary for the immediate preservation of the public health, peace and safety, and shall take effect immediately.

Passed the Senate March 3, 1919.

Passed the House March 11, 1919.

Approved by the Governor March 20, 1919.

#### CHAPTER 190.

#### [H. B. 111.]

## VALIDATING TAX LEVIES OF CITIES OF THE THIRD CLASS.

AN Act relating to taxation, validating certain tax levies in cities of the third class providing for their collection and amending section 1 of chapter 176 of the Laws of 1915.

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

SECTION 1. That section 1 of chapter 176 of the laws of 1915 be amended to read as follows:

Section 1. That the tax levies made by cities of the third class for the years 1913 and 1914, are hereby ratified and validated wherever the only reason for the invalidity of such tax levy or levies is that the same were made in excess of the limitation prescribed by statute, or were not apportioned according to the provisions of chapter 108, Laws of 1913; and upon the taking effect of this act, the

Excessive and unapportioned levies.

Emergency.

proper officers are hereby authorized and directed Extension to proceed with the extension and collection of such lection. to proceed with the extension and collection of such taxes including such taxes as may have been cancelled by order of court and to proceed with the enforcement of the lien thereof; and collections heretofore made are hereby ratified and validated.

Passed the House March 7, 1919. Passed the Senate March 10, 1919. Approved by the Governor March 20, 1919.

### CHAPTER 191. [H. B. 203.]

#### SEASONAL LABOR CONTRACTS.

AN ACT defining seasonal labor, providing for contracts therefor and for the making of advances thereunder, defining the powers and duties of the state commissioner of labor in relation to the hearing of disputes arising thereunder and the making of findings and awards, regulating appeals therefrom, and providing penalties for violations of this act.

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

SECTION 1. For the purpose of this act the term Term "seasonal labor" shall include all work performed by any person employed for a period of time greater than one month and where the wages for such work are not to be paid at any fixed interval of time, but at the termination of such employment, and where such person is hired within this state for work to be performed outside the state and the wages earned during said employment are to be paid in this state at the termination of such employment: Provided, That this act shall not apply to wages earned by seamen or other persons where the payment of their wages is regulated by federal statutes.

---20

609

defined.

Contracts to be in writing.

Fraud in securing advances of money.

Disputes determined by labor commissioner. SEC. 2. Every contract for seasonal labor shall be in writing and signed by the employer and the employee, and may provide for advances of moneys to be earned under such contract or for the furnishing of supplies to the employee before the wages are earned, and for the payment of money or the furnishing of supplies during the season.

SEC. 3. Every employee who with intent to defraud shall have secured advances of money or supplies under a contract for seasonal labor and who with intent to defraud shall wilfully fail to perform sufficient labor to compensate for such advances and supplies made under such contract shall be guilty of a gross misdemeanor.

SEC. 4. Upon the written petition of either the employer or the employee setting forth in ordinary and concise language the facts and questions in dispute, the commissioner of labor shall, in person or by his duly authorized deputy, and is hereby authorized to hear and determine all disputes concerning wages earned at seasonal labor, and allow or reject deductions made from such wages for moneys advanced or supplies furnished before the wages are earned for money paid or supplies furnished during the season or for money paid to third persons upon the written order of the employee.

Hearings.

SEC. 5. Upon the filing of any such petition, the commissioner of labor shall notify the other party to the dispute of the time and place when and where such petition will be heard, and may set said petition for a hearing before a regularly appointed deputy at such place in the state as he shall determine is most convenient for the parties, and the commissioner or his deputy shall have power and authority to issue subpoenas to compel the attendance of witnesses and the production of books, papers and records at such hearing, and to administer

Obedience to such subpoenas shall be enoaths. forced by the courts of the county where such hearing is held.

SEC. 6. The commissioner of labor, or his dep- Findings uty holding the hearing shall, after such hearing, determine the amount due from the employer to the employee, and shall make findings of fact and an award in accordance therewith, which findings and award shall be filed in the office of the commissioner of labor and a copy thereof served upon the employer and upon the employee by registered mail directed to their last known post office address.

SEC. 7. Any person feeling himself aggrieved Court, by the finding or award of the commissioner of labor may, as in the preceding section provided, have the right of appeal therefrom to the superior court of the county in which the hearing by the commissioner of labor or his deputy was held, by filing a notice of appeal therefrom in the office of the commissioner of labor within thirty days from the date of the findings and award and, upon the filing of any such notice of appeal, the commissioner of labor shall transmit to the clerk of the superior court to which the appeal is taken the original petition and all exhibits and written evidence filed at the hearing and the original findings and award of the commissioner, and such appeal shall be set down for hearing and shall be heard de novo by the court as appeals from justices of the peace are heard, and the clerk of the court shall notify the parties to the dispute, by mail addressed to their last known place of residence, of the time and place of such trial upon appeal.

SEC. 8. In case no appeal is taken from the Findings award of the commissioner and suit shall be brought as evidence. upon the contract for seasonal labor in any court of competent jurisdiction, the findings and award

appeal.

and awards.

of the commissioner made in any proceeding under this act at a hearing at which both parties to such suit shall have appeared may be introduced in evidence in such suit, for the information of the court in which the suit is pending, and may, in the discretion of the court, be submitted to the jury as a part of the evidence in the case; but such findings and award shall not be conclusive or binding upon the court or the jury in any such case.

Passed the House February 24, 1919.

Passed the Senate March 11, 1919.

Approved by the Governor March 20, 1919.

### CHAPTER 192.

#### [H. B. 241.]

#### SALE AND MANUFACTURE OF MILK AND MILK PRODUCTS.

AN ACT to promote the healthfulness and purity of milk and milk products by preventing the manufacture and sale of such products from unhealthy animals or under unsanitary conditions regulating the manufacture and sale of imitations and substitutes: requiring and regulating the pasteurization of certain products; regulating weights and tests, requiring inspection of milk and milk products and of certain places; regulating the manufacture, furnishing, sale, and transportation of milk and milk products; requiring, and providing for the revocation of certain licenses for purchasing, vending and testing milk and milk products and requiring the payment of certain license fees; prohibiting adulteration and fraudulent practices; requiring the keeping of certain records and statistics: establishing certain regulations in regard to the sale of milk and milk products in cities of the first and second class; providing for the enforcement of the act and defining the powers and duties of the department of agriculture, and inspectors thereof; establishing certain standards and defining certain terms and prohibiting the fixing of prices; establishing certain presumptions and rules of evidence; providing certain penalties for the violation of the act: amending section 1 and 6 of chapter 101 of the Laws of 1915; amending sections 1 and 2 of chapter 100 of the

Ch. 192.1

Laws of 1915; and repealing sections 2512 to 2515, both inclusive, 3213, 5446, 5446a to 5446e, both inclusive, 5446g, 5447, 5447a, 5447d, 5448a, 5448c, 5448i and 5448l of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That for the purpose of this act Definitions. certain words, terms and expressions therein contained shall be construed as follows:

The term "dairy" shall mean any place where Dairy. milk from two or more cows is produced for sale.

The term "creamery" shall mean any place, Creamery. building or structure wherein milk or cream is manufactured into butter.

The term "milk plant" shall mean any place, Milk plant. building or structure wherein milk is received for bottling, pasteurizing, clarifying, or otherwise processing.

The term "cheese factory" shall mean any Cheese place, building or structure wherein milk is manufactured into cheese.

The term "factory of milk products" shall mean Factory of any place, building or structure, other than a creamery, milk plant, cheese factory, or milk condensing plant, wherein milk or any of its products is manufactured, altered, changed or compounded into any article, compound or product designed and intended for human consumption.

The term "milk" shall mean the fresh, clean, Milk. lacteal secretion obtained by milking one or more healthy cows, properly fed and kept, and not obtained or taken within ten days preceding the parturition of such cow or cows, nor within five days thereaefter, and which contains not less than eight and fifty one-hundredths per cent of milk solids, and not less than three and twenty-five one-hundredths per cent of fat: Provided, however, That nothing in this act shall prohibit the sale of the

613

whole, unadulterated and unskimmed milk of any cows whose milk tests below the butterfat standard herein fixed.

The term "skimmed milk" shall mean any milk from which the cream has been removed, or which contains less than three and twenty-five one-hundredths per cent of butter fat, and not less than eight and eight-tenths per cent of milk solids exclusive of fat.

The term "sterilized milk" shall mean milk that has been heated to the temperature of boiling water or to a higher temperature, and maintained at such temperature for a length of time which shall be sufficient to kill all organisms present in such milk.

The term "blended milk" shall mean milk which is modified in its composition so as to have a definite and stated percentage of one or more of its constituents.

The term "condensed milk", "evaporated milk", and "concentrated milk", and each or either of them, shall mean the product resulting from the evaporation of a considerable portion of the water from the whole, fresh, clean, lacteal secretion obtained by the milking of one or more healthy cows, and not obtained within ten days before nor within five days after parturition, and which contains, all tolerances being allowed for, not less than twentyfive and five-tenths per cent of total solids and not less than seven and eight-tenths per cent of milk fat.

The words "condensed milk" when used in this act, not in connection with "sweetened condensed milk", shall include condensed milk to which sucrose has been added.

The term "condensed skimmed milk", "evaporated skimmed milk" and "concentrated skimmed milk", and each or either of them shall mean the product resulting from the evaporation of a considerable portion of the water from skimmed milk,

Skimmed milk.

Sterilized milk.

Blended milk.

Condensed milk.

Condensed, evaporated and concentrated sRimmed milla Ch. 192.1

and which contains, all tolerances being allowed for, not less than eighteen per cent of milk solids,

The term "sweetened condensed milk", "sweet- sweetened milks. ened evaporated milk" and "sweetened concentrated milk", and each or either of them, shall mean condensed milk conforming to the standards and definitions of this act, to which sugar (sucrose) has been added.

The term "sweetened condensed skimmed Sweetened milk", "sweetened evaporated skimmed milk" and "sweetened concentrated skimmed milk", and each or either of them, shall mean the product resulting from the evaporation of a considerable portion of the water from skimmed milk, to which sugar (sucrose) has been added, and which contains, all tolerances being allowed for, not less than twentyeight per cent of milk solids.

The term "dried milk" shall mean the product Dried milk. resulting from the removal of water from milk, and which contains, all tolerances being allowed for, not less than twenty-six per cent of milk fat and not more than five per cent of moisture.

The term "dried skimmed milk" shall mean the Dried product resulting from the removal of water from milk. skimmed milk and which contains, all tolerances being allowed for, not more than five per cent of moisture.

The term "malted milk" shall mean the product Malted milk. made by combining whole milk with the liquids separated from a mash of ground barley malt and wheat flour, with or without the addition of sodium chloride, sodium bicarbonate, or potassium bicarbonate, in such manner as to secure the full enzymic action of the malt extract, and by removing water, and which contains not less than seven and onehalf per cent of butter fat and not more than three and one-half per cent of moisture.

skimmed milks.

skimmed

SESSION LAWS, 1919.

Buttermilk

Ice cream.

The term "buttermilk" shall mean that portion of the cream which remains after the separation and removal therefrom of the butter fat without the addition of water.

The term "ice cream" shall mean the frozen product made from the combination of milk fats, milk solids, and sugar, with or without harmless coloring or flavoring matter, and with or without the addition of pure gelatine or vegetable gums, and which contains not less than eight per cent of milk fat, and not less than eighteen per cent of milk fats and milk solids, not fat, combined.

The term "fruit ice cream" shall mean the frozen product made from the combination of milk fats, milk solids, and sugar, with or without harmless coloring or flavoring matter, and with or without the addition of pure gelatine or vegetable gums, and to which has been added sound, clean and mature fruits and which contains not less than eight per cent of milk fat, and not less than eighteen per cent of milk fats and milk solids, not fat, combined.

The term "nut ice cream" shall mean the frozen product made from the combination of milk fats, milk solids, and sugar, with or without harmless coloring or flavoring matter, and with or without the addition of pure gelatine or vegetable gums, and to which has been added sound, clean and non-rancid nuts, and which contains not less than eight per cent of milk fat and not less than eighteen per cent of milk fat and milk solids, not fat, combined.

The term "ice milk" shall mean the frozen product made from the combination of pure, sweet milk and sugar, with or without harmless coloring or flavoring matter, and containing not less than two and four-tenths per cent of milk fat, and not more than six-tenths of one per cent of pure and harmless vegetable gum or gelatine.

Fruit ice cream.

Nut ice cream.

Ice milk.

Ch. 192.1

The term "milk fat" and "butter fat", and each Milk and butter fat. or either of them shall mean the fat of milk having a Reichert-Meissel number not less than twentyfour, and a specific gravity not less than .905 at a temperature of forty degrees Centigrade.

The term "cream" shall mean that portion of Cream. milk rich in butter fat which rises to the surface on standing, or is separated from it by centrifugal force, and which is fresh and clean and contains not less than eighteen per cent of milk fat.

The term "butter" shall mean the clear, non-Butter. rancid product made by gathering in any manner the fat of fresh or ripened milk or cream into a mass containing not less than eighty per cent of milk fat, and which also contains a small portion of other milk constituents with or without harmless coloring matter.

The term "renovated butter" shall mean butter Renovated that has been reduced to a liquid state by melting and drawing off such liquid or butter oil, and has thereafter been churned or manipulated in connection with milk, cream or other product of milk.

The term "re-worked butter" shall mean the Re-worked product obtained by mixing, rechurning or re-working butter manufactured on different dates or at different places: Provided, however, That the mixing of the clean, fresh trimmings or remnants from one day's churning or cutting with butter from the churning of the same creamery on the day next following shall not make the product re-worked butter within the meaning of this act.

The term "milk products" shall mean and in- MILK clude each, every and any article, substance, product or compound manufactured, produced or compounded from milk, whether such milk conform to the standard and definitions set forth in this section. or not.

hutter

hutter.

products.

Milk by-product. The term "milk by-product" shall mean any and all products of milk derived or made therefrom after the removal of the milk fat or milk solids in the process of making butter or cheese, and shall include skimmed milk, buttermilk, whey, casein and milk powder.

The term "cheese" shall mean the sound, solid, and ripened product made from milk or cream by coagulating the casein therein with rennet, lactic acid or pepsin with or without the addition of ripening ferments and seasoning, and with or without salt or harmless coloring matter.

The term "full cream cheese" or "full milk cheese" and each or either of them, shall mean cheese which contains in the water-free substance thereof not less than fifty per cent of milk fat.

The term "half skim cheese" shall mean cheese which contains in the water-free substance thereof less than fifty per cent and not less than twentyfive per cent of milk fat.

The term "skim cheese" shall mean cheese which contains in the water-free substances thereof less than twelve per cent of milk fat.

The term "quarter skim cheese" shall mean cheese which contains in the water-free substance thereof less than twenty-five per cent and not less than twelve per cent of milk fat.

The term "imitation cheese" shall mean any article, substance or compound, other than that produced from pure milk or from the cream from pure milk, which shall be made in the semblance of cheese, and designed to be sold or used as a substitute for cheese made from pure milk or cream: *Provided, however,* That the use of salt, rennet, lactic acid or pepsin, and harmless coloring matter for coloring the product of pure milk or cream shall not be construed to render such product an imitation, and *Provided further,* That nothing in this

Full cream

Cheese.

Half skim cheese.

Skim cheese

Quarter skim cheese.

Imitation cheese.

section shall prevent the use of pure skimmed milk in the manufacture of cheese.

The term "whey" shall mean the product re- whey maining after the removal of fat and casein from milk in the process of cheese making.

The term "oleomargarine" shall mean all manufactured substances, extracts, mixtures or compounds, including mixtures or compounds with butter, heretofore known as oleomargarine, oleo, oleomargarine oil, butterine, lardine, suine, and neutral, and shall include all lard and tallow extracts and all mixtures and compounds of tallow, beef fat, suet. lard, lard oil, intestinal fat and offal fat made in imitation or semblance of butter, or calculated or intended to be sold as butter or for butter.

The term "substitute butter" shall mean and in- substitute clude all compounds of vegetable oils with milk fats or milk solids, and all compounds of milk fats or milk solids with butter, when such compound contains less than eighty per cent of milk fat.

The term "person" shall import both the singu- Person. lar and plural as the case may demand, or as shall be applicable, and shall include individuals, co-partnerships, corporations and unincorporated societies and associations.

SEC. 2. A dairy shall be deemed unsanitary in Unsanitary the following cases:

If the drinking water provided for the (a) cows therein be stagnant, polluted with manure, urine, drainage, or decaying vegetable or animal matter.

(b) If the vards or enclosures in which the cows are confined or kept be filthy or unsanitary.

If any part of the yards or enclosures in (c) which the cows are confined or kept, other than pastures, be made depositories of manure in heaps. or otherwise, where it is allowed to ferment and decay.

dairy, what constitutes.

Oleomargarine.

butter.

619

(d) If a suitable milk house or milk room is not provided and maintained, properly screened to exclude flies and insects, for the purpose of cooling, mixing, bottling, canning, keeping or separating the milk or cream. Such milk house or milk room shall not be located in. or be a part of, any barn or poultry house, and shall not be used for any other purpose whatsoever, and if contained in any building or structure in which any business, occupation or trade, other than handling, bottling or processing milk is conducted or carried on, such milk room shall be separated from the portion or portions of such building or structure in which such business. trade or occupation is conducted or carried on, by a tightly ceiled or plastered partition constructed in such manner as to meet with the approval of. and comply with. any regulations issued by the department of agriculture.

(e) If milk or cream shall be cooled, stored, mixed, bottled, canned or kept in any room or place occupied by any person as a sleeping or living apartment, or occupied by horses, cows, hogs or other animals, or by fowl of any kind.

(f) If any urinal, privy vault, open cesspool, pig pen, stagnant water, accumulation of manure, or other filth shall be permitted within one hundred feet of such milk house, or milk room, or within fifty feet of any cow stalls or stanchions, or other place where milking is done.

(g) If the walls or floor of such milk house or milk room shall become soiled with manure, urine, dirt or other filth.

(h) If an application of lime whitewash to the interior of any cattle stable, barn or milking shed in which cows are kept or milked, or any milk house or milk room in which milk is cooled, stored, mixed, bottled, canned or kept, shall not be made as often as once in one year.

If the pails, cans or other containers of (i) milk, or the strainers or coolers coming in contact with the milk are not thoroughly sterilized with boiling water or live steam each and every time the same are used.

(k) If the person or wearing apparel of the dairyman, or his employees, or other persons coming in contact with milk and its products, are allowed to become soiled, or are not washed from time to time with reasonable frequency.

(1) If the milking stools, milking machines and equipment therein are not kept clean.

(m) If there shall be permitted to exist any other cause or thing calculated or tending to render the milk or its products in such dairy unclean. impure and unhealthy.

SEC. 3. A creamery, milk plant, cheese factory, Unsanitary creameries, milk condensing factory or factory of milk prod- plants and factories. ucts, and any store, market, depot, booth or other place where milk is handled, stored or kept for sale, shall be deemed unsanitary in the following cases:

If milk or cream is received that has (a) reached an advanced stage of fermentation, or that shows a state of putrefactive fermentation.

(b) If milk be received, stored or kept in cans or other retainers that have not been sterilized with boiling water or live steam after each delivery.

(c) If utensils and apparatus that come in contact with milk or its products in the process of manufacture are not thoroughly washed and sterilized by means of boiling water or live steam after each using.

(d) If the floor of such creamery, factory, plant, store, market, depot, booth or place is so constructed, or in such condition, as to permit the flowing or soaking of water, milk or other liquids underneath such floor, or among the interstices of

such floor in such manner as to permit fermentation and decay to take place.

(e) If the condition of the floor in any such creamery, factory, plant, store, market, depot, booth or other place be such that it may not be readily kept free from dirt and filth.

(f) If drains are not provided that will convey refuse milk, water and sewage to a point at least fifty yards distant from such creamery, factory, plant, store, market, depot, booth or place.

(g) If any cesspool, privy vault, hog yard, slaughter house, hen house, manure, or any decaying vegetable or animal matter that will emit or produce foul odors, shall be permitted to exist within such distance as will permit the odors therefrom to reach any such creamery, factory, plant, store, market, booth, depot or other place where milk or milk products are handled, stored or kept for sale.

(h) If such creamery, factory, plant, depot, booth, store, market or other place where milk or milk products are handled, stored, or kept for sale is so constructed, or is so maintained as not to permit access thereto of sufficient light and air to secure good ventilation.

(i) If in any building or buildings used in connection with any creamery, cheese factory, milk plant, milk condensing factory, or factory of milk product any insects, vermin or other species of animal life are permitted.

(j) If upon the floor of any creamery, cheese factory, milk plant, milk condensing factory or factory of milk products, or upon the sides of walls thereof, any milk or its products, or any other filth is allowed to accumulate, ferment or decay.

(k) If the body or wearing apparel of any person employed in any creamery, cheese factory, milk plant, milk condensing factory, or factory of milk products, or coming in contact therein with any milk or milk product, shall be unclean, or shall not be washed from time to time with reasonable frequency.

(1) If there shall be permitted to exist any other cause or thing calculated or tending to render the milk or its products produced, kept, handled or manufactured in such creamery, plant, factory, store, booth, or depot unclean, impure and unhealthy.

SEC. 4. No milk, cream, butter, or other milk Protection product which has been prepared for human consumption shall be offered for sale for such consumption unless it shall be kept properly protected from flies, dust, dirt or other injurious contamination by being properly covered with a glass, wooden or metal case or covering.

SEC. 5. Every person, firm or corporation, not Cleansing a common carrier, who receives from a common carrier in cans, bottles, vessels or any other container, common carrier. any milk, cream, ice cream, or ice milk, intended for human consumption, which has been transported over any railroad, boat or freight line, or by wagon, automobile. auto truck or other common carrier. shall cause such cans, bottles, vessels or containers to be thoroughly cleansed and sterilized with boiling water or live steam before returning the same to the consignor or to the carrier from whom the same were received.

SEC. 6. All cans, bottles, vessels, or other con- Empty bottles, etc., tainers received from consumers by any vendor, to be cleansed. peddler, or retailer shall be thoroughly cleansed before being returned to the dealer or distributor.

SEC. 7. Milk, cream, ice cream, ice milk and Sanitary other milk products, when being shipped or trans- shipments. ported by freight, express, truck or wagon, or other carrier, shall be handled, kept and maintained during such transportation in a clean and sanitary con-

from flies

containers turn to

handling of

dition and manner, and shall not be exposed to contamination by dirt, dust, foul odors or other contaminating influences, nor shall such milk. cream. ice cream or ice milk, be allowed to remain in any place where it, or its containers, shall be exposed to the direct rays of the sun.

SEC. 8. No person shall sell, offer to sell or expose for sale any milk or cream taken from any cream separator not kept thoroughly washed and cleaned, and not regularly washed and cleaned in a thorough manner within three hours after each use thereof.

SEC. 9. No person shall sell, offer to sell or expose for sale any milk or cream taken from any cream separator kept in any stable or other building wherein any animal or fowl is housed or kept, or in any place where the conditions are unsanitary or where the air is foul or contaminated: Provided, that this section shall not be construed to prohibit the keeping of such cream separator in any room which is wholly separated by tightly ceiled or plastered partitions having no openings from that part of the stable or building in which milking cows are housed or kept.

SEC. 10. All tinware, wooden ware, glassware, and other utensils used in or about any dairy, creamery, milk plant, milk condensing plant or factory of milk products shall be kept clean and in sanitary condition.

Pasteurization processes.

SEC. 11. That process of pasteurization as applied to milk, skimmed milk, cream and milk products is here defined and declared to be a process for the elimination therefrom of organisms harmful to human beings. Such process as applied to milk shall consist of uniformly heating such milk to a temperature of not less than one hundred and forty degrees Fahrenheit and of holding the same at such

Isolation of separators from fowls and animals.

Cleanliness of utensils.

temperature for a period of not less than twentyfive minutes, and immediately thereafter of cooling such milk to a temperature of not above fifty degrees Fahrenheit. Such process as applied to skimmed milk, cream or other milk product shall consist of uniformly heating such skimmed milk. cream or milk product to a temperature of not less than one hundred and forty degrees Fahrenheit and of holding the same at such temperature for a period of not less than twenty-five minutes. or of heating the same to a temperature of one hundred and seventy-six degrees Fahrenheit, without holding: Provided, however, that whenever milk or cream shall be subjected to such process before being used in the manufacture of butter or cheese, and when the process of ripening is to be commenced immediately, it shall not be necessary that such milk or cream be cooled to a lower temperature than is necessary for such ripening or starting.

SEC. 12. All milk or cream used in the manufac- Pasteurizature of pasteurized butter or cheese shall be subjected to the process of pasteurizing in the creamery or cheese factory where such butter or cheese shall be manufactured therefrom, and not elsewhere.

SEC. 13. No milk that has once been subjected Duplication to the process herein described and defined as pasteurization shall be a second time subjected to such process.

SEC. 14. Every pasteurizing plant or apparatus sufficiency by which the process of pasteurization is applied to any milk shall be equipped with a holding device which will insure the holding and maintaining of the milk being subjected to such process at the temperature and for the periods of time required by the provisions of this act.

SEC. 15. Every pasteurizing plant or apparatus Registerby which the process of pasteurizing is applied to mometer. any milk, skimmed milk or cream, shall be equipped

prohibited.

of apparatus.

ing ther-

with a registering thermometer device which will accurately indicate and record the temperature of such milk, skimmed milk or cream.

SEC. 16. All registering thermometer devices used in the pasteurization of milk or milk products must be such as shall be approved by the department of agriculture.

SEC. 17. All bottles and pipettes used in measuring milk or milk products for making determination of the per cent of fat in said milk or milk products shall have clearly blown or otherwise permanently marked in the side of the bottle or pipette the word "Sealed", and in the side of the pipette or the side or bottom of the bottle the name. initials, or trade mark of the manufacturer and his designating number, which designating number shall be different for each manufacturer and may be used in identifying bottles. The designating number shall be furnished by the commissioner of agriculture upon application by the manufacturer and upon the filing by the manufacturer of a bond in the sum of one thousand dollars (\$1,000.00) with sureties to be approved by the attorney-general, conditioned upon conformance with the requirements of this section. A record of the bonds furnished, the designating number, and to whom furnished, shall be kept in the office of the department of agriculture.

Penalty for non-compliance. Any manufacturer who sells Babcock milk, cream or butter test bottles or milk pipettes, to be used in this state, that do not comply with the provisions of this section shall suffer the penalty of five hundred dollars (\$500.00) to be recovered by the attorney-general in an action against the offender's bondsmen, to be brought in the name of the people of the state. Any dealer who uses, for the purpose of determining the per cent of milk fat in milk or milk products, any bottles or pipettes purchased after this law takes effect that do not comply with

Measuring bottles.

Ch. 192.]

the provisions of this section relating thereto, shall be deemed guilty of a misdemeanor.

The commissioner of agriculture shall prescribe Duty of specifications with which the glassware mentioned in this section shall comply. The unit of graduation for all Babcock glassware shall be the true cubic centimeter or the weight of one gram of distilled water at four degrees Centigrade.

Inspectors of the department of agriculture are Inspectors' not required to seal Babcock milk, cream or butter reports. test bottles or milk pipettes marked as in this section provided, but they shall from time to time make tests of individual bottles used by the various firms in the territory over which they have jurisdiction in order to ascertain whether the above provisions are being complied with and they shall report immediately to the commissioner of agriculture violations found.

SEC. 18. In all tests made of milk or cream received or purchased upon the basis of the amount of butter fat contained therein, and in all tests of any sample of milk or cream so received or purchased, the Babcock tester shall be operated at the proper speed or speeds. The proper speeds for such operations are hereby declared to be as follows

For tester with diameter of fourteen inches, the speed shall be between eight hundred seventy-five and nine hundred twenty-five revolutions per minnte.

For tester with diameter of sixteen inches, the speed shall be between eight hundred twenty-five and eight hundred seventy-five revolutions per minute.

For tester with diameter of eighteen inches, the speed shall be between seven hundred seventy-five and eight hundred twenty-five revolutions per minute.

commission-er of agriculture.

tests and

Operation of testers.

For tester with diameter of twenty inches, the speed shall be between seven hundred and twentyfive and seven hundred and seventy-five revolutions per minute.

For tester with diameter of twenty-four inches, the speed shall be between five hundred seventy-five and six hundred twenty-five revolutions per minute.

SEC. 19. In all tests made of milk or cream to determine the amount of milk fat therein the Babcock tester must be read at the proper temperature which is hereby declared to be not less than one hundred and twenty degrees Fahrenheit and not more than one hundred and forty degrees Fahrenheit, and all payments for or sales of milk or cream made on the basis of measurement or weight shall be made according to the true weight and measurement which is hereby declared to be seventeen and six-tenths cubic centimeters for milk and nine grams or eighteen grams for cream. In all tests for cream the cream shall be weighed into the test bottle.

Scale sensibility.

Temperature for testing purposes.

Test samples. SEC. 20. The sensibility of all scales used for weighing cream samples into the test bottles used in making any test with the Babcock tester shall be not more than thirty milligrams, and the standard weights shall be nine grams and eighteen grams.

SEC. 21. Each and every person whose duty it shall be to take, or who shall take or make any test or measure or take or extract any sample of milk or cream sold or purchased, or to be sold or purchased, by weight, test or measure, shall weigh, test or measure the milk or cream sold or purchased by or from each individual separately. He shall before making any test, or taking or extracting any such sample, thoroughly mix the milk and cream of the entire shipment or delivery from which a sample is to be taken, or extracted, by pouring or stirring until such milk and cream is of uniform and homogeneous constituency and richness, or shall take a sample from each can or other container of the entire shipment to be sampled and tested.

SEC. 22. No person, firm or corporation, selling, Deceit in delivering or hauling milk or cream, and no person, measure firm or corporation receiving or purchasing milk or cream by weight or test, or both, or by measure or test, or both, shall with intent to deceive, defraud or mislead as to the weight, measure or test thereof. manipulate, change or alter such measure, test or weight, or make or return to any person any false, deceitful, inaccurate or untrue statement of such weight, test or measure, or use any measure or testing apparatus which does not comply with the standards defined therefor in this act or which has been condemned as inaccurate by the department of agriculture.

SEC. 23. No person shall take, extract or return Unfair samples. to any creamery, milk plant, cheese factory or factory of milk products, any unfair, fraudulent or manipulated sample of any cream or milk purchased, received, hauled, sold or delivered.

SEC. 24. Whenever in any year an application Dealers' shall be made to the department of agriculture subsequent to the 1st day of August in such year, for the issuance of a license for the balance of the year ending June 30th thereafter, such license shall be issued by said department upon payment by the applicant of such pro rata proportion of the license fee provided by this act as shall be obtained by pro rating the number of months, including the month in which application is made, during which such license will be in force and effect with the whole number of months in the year ending June 30th thereafter: Provided, however, the provisions of this section shall not apply to any person who subsequent to the first day of July in the year in which application for license is made, and before receiving

or test

and testers' licenses.

such license, was engaged in the trade, business or occupation for which a license is applied for, nor to any person applying for a Babcock licensed tester's license, or for a milk vender's license, nor to any person applying for a license to purchase milk and cream in bulk.

SEC. 25. All tests of milk or cream sold, purchased or delivered on the basis of the amount of milk fat or butter fat contained therein shall be performed by a Babcock licensed tester. Such tester shall personally operate and conduct each test and shall be personally responsible to any person injured by any careless, negligent or unskillful operation thereof, and for any fraudulent, intentionally inaccurate or manipulated report or return of any such test.

SEC. 26. Any person may receive from the department of agriculture a license as a Babcock licensed tester upon application therefor and upon the payment to said department of a license fee of one dollar (\$1.00) therefor. Before issuing such license the department of agriculture shall inquire into the qualifications of the applicant, and shall require such applicant to submit to examination as to his qualifications, and may require the applicant to submit to it satisfactory proof that he is of good moral character.

SEC. 27. Applications for licenses as a Babcock licensed tester shall be made upon an application blank to be provided and furnished by the department of agriculture, and shall be filed with the department. Upon receipt of any such application the department of agriculture may, if the commissioner shall so direct, issue a permit to the applicant to act as a Babcock licensed tester for such period as may be prescribed and stated in said permit, not to exceed sixty days, but such permit shall not be re-

Official testers.

Babcock licensed testers.

Applications and permits. Ch. 192.1

newed so as to extend the period beyond sixty days from the filing of the application.

Every license as a Babcock licensed Duration of license. Sec. 28. tester shall be valid and in force during the life of the person to whom it is issued, unless it shall be sooner revoked. Any license as a Babcock licensed tester may at any time be revoked by the department of agriculture, upon due notice to the person to whom it is issued, if such person shall fail to com-. ply with the provisions of this act, or shall exhibit in the discharge of his functions any gross carelessness or lack of qualification, or shall fail to comply with the rules and regulations issued and promulgated by the department of agriculture under the authority of this act.

SEC. 29. Every creamery, milk plant, shipping Plant and station, milk condensing plant, ice cream factory or licenses. factory of milk products, or other person receiving or purchasing milk or cream in bulk and not bottled, and by weight or measure or upon the basis of the amount of milk fat contained therein, shall annually obtain a license therefor. Such license shall be issued by the department of agriculture upon being satisfied that the building, structure, place or premises where such milk is to be received or purchased is maintained in a sanitary condition in accordance with the provisions of this act; and upon the payment to the department of a license fee of one dollar (\$1.00) therefor. Such license shall be for the period of one year and shall expire on the 30th day of June subsequent to the date of its issue, and may be sooner revoked by the department of agriculture, upon reasonable notice to the licensee, if such licensee shall fail to comply with the provisions of this act and the rules and regulations issued and promulgated by the department of agriculture under the authority of this act: Provided, however, that the provisions of this section shall not apply to in-

dividuals purchasing milk or cream for consumption by themselves or their families, nor to the owners or keepers of hotels, restaurants, boarding houses and eating houses purchasing milk or cream to be served or consumed therein.

SEC. 30. Every person before selling milk or offering it for sale in a store, booth, stand or market place in any town or city, shall procure a milk .vendor's license therefor: *Provided*, that nothing in this act shall apply to persons selling milk from not more than four cows.

Licensed ambulatory dealers.

Vender's license

Licensed dealers.

> SEC. 31. No person, firm or corporation shall convey, transport or carry any milk, skimmed milk, buttermilk, or cream in any wagon, automobile, cart, or other vehicle, for the purpose of selling or vending the same in any city or town within the state or sell or vend any milk, skimmed milk, buttermilk, or cream from any such wagon, cart, automobile, or other vehicle, within any such town or city, unless such person, firm or corporation shall have first obtained a milk vender's license therefor.

> SEC. 32. Milk vender's licenses shall be issued by the department of agriculture upon application and upon the payment therefor of a license fee of one dollar (\$1.00). Such licenses shall be for the period of one year, unless sooner revoked, and shall expire on the 30th day of June next subsequent to the issue thereof. Each milk vender's license shall contain the number of the license, and the name, residence and place of business, if any, of the licensee, and no such license shall be sold, assigned or transferred. Any milk vender's license may be at any time revoked by the department of agriculture upon reasonable notice to the licensee, if such licensee shall be guilty of violation of or shall fail to comply with this act or any section or provision thereof, or shall violate or refuse or neglect to com

ply with any lawful regulation or order of the department of agriculture, or any officer, agent or inspector thereof.

SEC. 33. No person, firm or corporation who Licensed shall hold a license to purchase milk or cream in bulk as required by section 29 of this act shall be required to obtain or hold a milk vender's license.

The department of agriculture shall License regulation SEC. 34. from time to time, prepare, issue and promulgate such rules and regulations governing the issuing of licenses, the making of applications therefor, the determination of the qualifications of such applicants, and for the making of complaints, the giving of notice, and for hearing, and other proceedings for the revocation of licenses, as it shall deem necessarv and as shall not be in conflict with the provisions of this act.

SEC. 35. It shall be the duty of the department of agriculture to inspect dairies, milk plants, creameries, cheese factories, milk condensing plants and factories of milk products and all stores, markets, depots, booths, milk rooms, and other places wherein milk or milk products are produced, manufactured, bottled, handled or processed, or in which milk or any milk product designed or intended for sale for human consumption is kept, stored, or sold, and all wagons, automobiles, carts and other vehicles by which any milk or milk product is being transported for sale or with intent to sell, and it shall have power to condemn the same when found to be unsanitary within the standards and definitions of this act.

SEC. 36. It shall be the duty of the department of agriculture to enforce all laws that now exist or which may hereafter be enacted in this state relating to the production, manufacture, sale or distribution of milk or milk products, and to inspect all such

nurchasers.

regulations.

Dairy and plant inspection.

Enforcement of laws.

Ch. 192.1

articles or imitations thereof, made or offered for sale within the state which he may suspect or have reason to suspect to be impure, unhealthy, adulterated or not in conformity with the standards prescribed by this act, and to prosecute or cause to be prosecuted any person, firm or corporation engaged in the manufacture, keeping, exposing or offering for sale, serving, vending or furnishing any adulterated, counterfeit, or imitation milk product, or of any substitute for or imitation of any milk or milk product, contrary to law.

Revisory tests.

Inspection of testing

apparatus.

Performance

of inspection duties. SEC. 37. The department of agriculture shall conduct tests at any creamery, milk plant, cheese factory, milk condensing plant or factory of milk products where there is reason to believe that milk or cream purchased or sold upon any basis of test, weight or measure is not being tested, weighed or measured accurately.

SEC. 38. All apparatus used for the purpose of testing milk or cream sold, purchased or delivered upon the basis of the amount of milk fat contained therein shall be inspected and tested from time to time by the department of agriculture and any such apparatus, or any portion thereof, found defective or faulty shall be condemned and be replaced through the department at cost to the user.

SEC. 39. The duties of inspection imposed by this act on the department of agriculture, and all powers and authorities conferred upon said department in connection with any test or inspection of any creamery, dairy, plant, factory, store, depot, booth, market, wagon, automobile, cart, vehicle, or place, or of any milk or milk product or any substitute therefor, or imitation thereof may be exercised by any commissioner, assistant commissioner, or inspector thereof.

Preservation of thermometer records. SEC. 40. All persons, firms or corporations using a thermometer device in connection with the pasCh. 192.1

teurization of milk or milk products shall preserve and keep on file for a period of not less than two months after being made all records made by such thermometer device, or deliver the same to the department of agriculture or to such person as it may Such records shall at all times be open to direct inspection by the department of agriculture and by the state board of health and by all other state, county and municipal officers charged by law with the enforcement of laws and ordinances relating to milk or milk products, or relating to the public health.

The department of agriculture shall Statistical reports. SEC. 41. provide blanks for reporting statistics of the production of milk and milk products. The department shall annually on or before the first day of January in each year cause to be mailed to the owners or operators of all creameries, cheese factories, milk plants, milk condensing factories, factories of milk products, and to all milk venders, and milk dealers, one or more of such blanks. All such persons shall on or before the first day of February next following transmit to said department such blanks properly filled out and signed by such person and showing a full and accurate report of the amount of milk, cream, butter, cheese, ice cream, ice milk, buttermilk, skimmed milk, or other milk product, received, produced, manufactured or distributed during the year ending on the 31st day of December next previous thereto. The words "milk vender" or "milk dealer" shall mean any person, firm, or corporation who sells, vends, furnishes or delivers milk, skimmed milk, buttermilk or cream from more than four cows in or from any store, market, booth, depot. wagon, automobile, cart or other vehicle or place.

The department of agriculture is Dissemina-SEC. 42. hereby authorized to gather and compile statistics dairy in-formation. relative to the dairy industry, and to the production.

manufacture and sale of milk, cream, butter, cheese, ice cream, ice milk, condensed milk and other milk products, and to disseminate to the public in such manner as it shall judge most advisable the information contained in all such statistics, and to furnish such other information and do such other things, as it shall judge to be for the general good and tend to promote the development of the dairy industry of the state, and the healthfulness and purity of the products thereof.

SEC. 43. Any person, firm or corporation who shall fail or refuse to keep any record, or to make and return any report or statement required by this act to be kept or made, or who shall fail or refuse to make and return any such report or statement within the times limited by this act, and any person, firm or corporation who shall refuse to permit the examination of any such record by the department of agriculture, or by any officer, agent or inspector thereof, or milk inspector of any city, or any health officer of the state, or any city, county or town therein shall be deemed to be guilty of a violation of this act.

SEC. 44. No oleomargarine, substitute butter, renovated butter, or any other substance designed as an imitation of or substitute for butter or any condensed milk from which the butter fat has been removed and a vegetable or other oil has been substituted therefor shall be used in any of the charitable hospital, medical, reformatory or penal institutions maintained by the state or which receives from the state any money, appropriation or financial assistance whatsoever.

SEC. 45. No person, firm or corporation shall use in connection with the offering or exposing for sale, serving, furnishing or delivering of any milk from which the butter-fat has been removed and a

Use of substitutes in state institutions.

Deceitful advertising

of substitute products.

Failure to comply with regulations.

Ch. 192.1

vegetable or other oil has been substituted therefor. oleomargarine, substitute butter, or other substance designed as a substitute for or imitation of butter. or in any advertisement, or sign or card relating to such oleomargarine, substitute butter or other substance, the words "butter", "creamery", "dairy", or "butterine", or any representation, picture, or likeness of any cow or cow kind.

SEC. 46. Every person, firm or corporation who Imitation shall manufacture any imitation cheese or any substitute for cheese shall at the place of manufacture before removing such imitation cheese or substitute therefrom distinctly and durably brand such cheese with the words "Imitation Cheese" and the name and address of the manufacturer on every box. package or container in which such imitation cheese or substitute is packed, contained or designed to be sold. Such name and address and such words shall be printed in letters of plain, uncondensed gothic type and not less than one inch in height and in such a manner that said brand can not readily be obliterated. Failure to brand any such imitation cheese or substitute as provided in this section and the selling of any such imitation cheese or substitute not so branded shall constitute a violation of this act on the part of the manufacturer and on the part of every person selling the same with knowledge that the same is not full cream cheese.

SEC. 47. No person, firm or corporation shall standards sell, offer or expose for sale, exchange with, furnish served. or deliver to any other person, firm or corporation for sale for human consumption as or for milk, cream, skimmed milk, condensed milk, or other milk product, any substance, product or compound whatsoever which shall not conform to the standards for such milk or milk product as set forth in this act.

SEC. 48. No person, firm or corporation shall Sale of impure sell, expose or offer for sale, or exchange with, pre-

to be ob-

products.

sent or deliver to any creamery, milk plant, cheese factory, milk condensing factory, factory of milk products, or other buyer or consumer of milk or milk products, any unclean, unwholesome, adulterated, stale or impure milk, cream, butter or other milk product.

SEC. 49. No person, firm or corporation shall knowingly sell, expose or offer for sale, present, exchange with or deliver to any creamery, consumer. milk plant, cheese factory, milk condensing factory, factory of milk products, or any other buyer or consumer of milk or milk products, any milk, or any cream, skimmed milk, buttermilk, butter, ice cream, ice milk, cheese, condensed milk or other milk product made or manufactured from milk produced from cows affected with any disease, or that was produced within ten days preceding parturition or within five days thereafter: Provided, that nothing in this section shall be construed to prohibit the sale of milk or cream from cows which have reacted to a tuberculin test when such cow or cows exhibit no physical symptoms of disease, and such milk or cream is pasteurized or sterilized as required by the provisions of this act and a permit therefor has. been obtained from the department of agriculture. or from an inspector thereof.

Malted milk.

SEC. 50. The use of malted milk or substances conforming to the standards prescribed by this act for malted milk shall not constitute an adulteration, nor shall anything in this act be construed to prevent the sale, furnishing or serving of malted milk in connection with milk or other milk products, or separately: *Provided*, the same be sold, furnished or served as and for malted milk and not. as pure milk.

Skimmed milk to be labeled. SEC. 51. No person, firm or corporation shall sell, exchange, offer or expose for sale, furnish or-

Milk from diseased cattle. Ch. 192.1

deliver any milk from which the cream shall have been removed or which does not contain 3.25 per cent milk fat, unless the same be sold, offered or exposed for sale, furnished and delivered as and for skimmed milk, nor unless there shall be attached to the outside of any bottle, can, package, vessel or container in which the same is contained, a tag upon which shall be printed in black letters at least one inch high the words "Skimmed Milk."

SEC. 52. No owner, keeper or manager of any hotel, restaurant, boarding house, eating house, or other place where meals are served or sold for compensation or food is sold to be consumed on the premises, shall sell, serve or furnish either as a part of or in connection with any meal or food served, sold or furnished therein, any skimmed milk unless there shall at all times be kept and conspicuously displayed in the room where such meals or food is served, sold or furnished, and in full view of the public, a durable sign with the words "Skimmed Milk Sold Here" printed or painted -thereon in letters at least one inch high.

SEC. 53. All milk shall be cooled in the dairy cooling of where it is produced to a temperature of not more -than fifty-five degrees Fahrenheit within thirty minutes after the same is drawn from the cows, and shall not before being delivered to the milk plant, ·creamery, cheese factory, factory of milk products, or other place where the same is to be distributed. bottled, pasteurized or manufactured be permitted to reach a temperature above sixty degrees Fahrenheit, and all such milk shall thereafter be maintained at a temperature of not exceeding fifty degrees Fahrenheit until delivered to the consumer: Provided, nothing in this section shall be deemed applicable to milk or cream while being subject to -the process of pasteurization: And provided fur-.ther, that milk that is delivered to a milk condensing

Hotels. etc.. skimmed milk.

milk

factory within three hours after the same is drawn from the cows need not be so cooled or kept at a temperature of less than sixty degrees Fahrenheit.

SEC. 54. No person, firm or corporation shall bottle, any milk, skimmed milk, buttermilk or cream in the open air or in, or upon any wagon, automobile, cart or other vehicle, or in any building, structure or room other than a milk room, creamery, milk plant, or other place where milk is regularly kept and stored and which is kept and maintained in a sanitary condition within the meaning of this act, or transfer the same from one container to another in the open air or upon any such wagon, automobile, cart or other vehicle.

SEC. 55. All wagons, automobiles, carts and other vehicles, from which milk, skimmed milk, buttermilk, cream, butter, ice cream or ice milk is sold, marketed, peddled or delivered shall have the name and address of the owner thereof plainly painted thereon, and on both sides thereof, in letters not less than three inches in height and not less than one and one-half inches in width.

SEC. 56. No person, firm or corporation shall remove from any dwelling house, or other place, in which any contagious or infectious disease exists and which has been quarantined by the health officer of any city, county or other municipality, any bottles or other containers which have been used for, or which are to be used for containing or storing milk, skimmed milk, buttermilk, cream, ice cream, or ice milk while such dwelling house or place is subject to quarantine, without first obtaining the permission of such health officer.

SEC. 57. No person, firm or corporation shall sell, exchange, offer or expose for sale as certified milk, cream or other milk product, or under any name or designation of which the word "certified"

Milk wagons to display owner's address.

Removal of milk containers from quarantined premises,

Illegal designation as "certified" milk.

Bottling in open air

prohibited.

is a part, any milk, cream, milk product, or other substance not certified by the health officer of the city or by the health officer or county medical society of the county where the same is produced. manufactured or sold, according to the rules and regulations demanded by the American Association of Medical Commissions.

SEC. 58. No owner, manager or keeper of any hotel, restaurant, boarding house, eating house, or other place where meals are served for compensation or food is sold to be consumed therein, shall sell, serve or furnish either as a part of any meal sold, served or furnished therein, or otherwise, any ice cream, nut ice cream fruit ice cream or ice milk or any substance resembling ice cream or ice milk which does not conform to the standards and requirements prescribed by this act.

SEC. 59. Nothing in this act shall be construed Homogeto prevent the use of fresh, wholesome, unsalted emulsified butter and skimmed milk or other dairy product. homogenized or emulsified and used in the place of cream: *Provided*, that the product shall be labeled and sold or served as homogenized cream or emulsified cream, and unless the person served therewith be distinctly informed at the time served of the true nature and character thereof.

SEC. 60. No person, firm or corporation shall sterilized fill any bottle or other commercial container with milk, skimmed milk, buttermilk, cream, ice cream, or ice milk until such bottle or other container has been cleaused and sterilized with live steam or boiling water.

SEC. 61. Every person, firm or corporation using <sup>Wagon</sup> awnings in the sale, gathering or distribution of milk, skimmed milk, buttermilk, cream, ice cream or ice milk, any wagon, automobile, cart, or other vehicle, shall, between the first day of May and the 30th day of September in each year, have and keep over

Ice cream must con-form to standards.

nized and cream.

containers.

required.

Ch. 192.1

----21

such wagon, automobile, cart, or other vehicle a covering of canvas, or other material, so arranged and of such quality and thickness as to adequately protect the contents of such wagon, automobile, cart or other vehicle from the heat of the sun.

SEC. 62. No person, firm or corporation shall knowingly sell, exchange, or expose or offer for sale, for human consumption any butter, cheese or condensed milk made or manufactured from any milk which is adulterated within the meaning of this act: Provided, however, that nothing in this section shall prevent the use of milk from cows that have reacted to a tuberculin test in the manufacture of butter, cheese or condensed milk when such cow or cows exhibit no physical symptoms of disease, and such milk is pasteurized or sterilized as required by the provisions of this act and a permit therefor has been obtained from the department of agriculture, or from an inspector thereof: Provided, further, that the use of rennet, lactic acid or pepsin in the manufacture of cheese and the use of harmless coloring or flavoring matter shall not be deemed a violation of this section.

SEC. 63. No person, firm or corporation shall use the words "Washington Creamery Butter" upon any butter, or imitation thereof, or upon any product, substance or compound resembling butter, or upon any box, package, wrapper, or other container thereof, as a brand, emblem or trade mark of such butter, imitation, product, substitute or compound.

SEC. 64. Every person, firm or corporation who shall manufacture any cheese shall at the place of manufacture, and before selling or removing such cheese therefrom, distinctly and durably brand such cheese on the bandage of every such cheese and on the box, package or container in which every such

Branding as "Washington Creamery Butter."

Branding cheeses.

Use of adulterated

milk.

cheese shall be packed or contained, with the name and address of the manufacturer and with the words "Full Cream Cheese", "Half Skim Cheese". "Quarter Skim Cheese", or "Skim Cheese", according to the percentage of milk fats and milk solids contained in any such cheese and the definitions and standards established by this act. Such name and address and such words shall be printed in letters of plain uncondensed gothic type and not less than one inch in height and in such a manner that such brand cannot be readily obliterated or erased. Failure to brand any cheese and the selling of any such cheese not so branded, as provided in this section, shall constitute a violation of this act upon the part of the manufacturer and on the part of every person selling, furnishing, exchanging or delivering the same with knowledge that same is not full cream cheese: Provided, however, Exception that the provisions of this section shall not be construed to apply to cheeses commonly known as "Edam", "Pineapple", "Brickstein", "Limburger", "Swiss" or to other hand made cheeses not made by ordinary cheddar process.

SEC. 65. The vending, exposing or offering for Unbranded sale, or sale, furnishing or exchange of any cheese not branded according to the provisions of section 64 of this act shall constitute a representation on the part of the person vending, exposing, selling, furnishing, exchanging or offering such article or product that the same is full cream cheese conforming to the standards of this act.

SEC. 66. No person, firm or corporation shall Adulterated products. manufacture, sell, offer or expose for sale, furnish. serve or deliver to any other person, firm or corporation for human consumption any milk, cream, butter, cheese, ice cream, ice milk, condensed milk, or other milk product which is adulterated within the meaning and intent of this act. or which shall

as to handcheeses

cheeses.

have been prepared from any milk or milk product that shall be or shall have been adulterated within the intent and meaning of this act.

SEC. 67. All milk and milk products which do not conform to the definitions and standards set forth in section 1 of this act shall be deemed to be adulterated within the intent and meaning of this act.

SEC. 68. No persons, firm or corporation shall add to any milk, cream or condensed milk any gelatine, gum or other substance for the purpose of increasing the apparent richness of such milk, cream or condensed milk: *Provided, however,* that nothing in this act shall be construed as prohibiting the use of harmless coloring matter and common salt (sodium chloride) in butter or cheese, or the use of harmless coloring and flavoring matter in ice cream and ice milk, nor the use of rennet, lactic acid or pepsin in the process of manufacturing cheese.

SEC. 69. All milk, skimmed milk, buttermilk or cream which is reduced, altered or changed in any respect by the addition of water or other substance, shall be deemed to be adulterated within the meaning of this act.

SEC. 70. Any milk which shall not be free from foreign substances, coloring matter or preservatives, pathogenic bacteria or germs, pus cells or blood cells or which contains more than 400,000 bacteria or germs of all kinds to the cubic centimeter or which has been infected by or exposed to any contagious or infectious disease, shall be deemed to be impure, unwholesome and adulterated within the meaning of this act.

SEC. 71. No person, firm or corporation shall use the word "pasteurized", or any derivative thereof, in connection with the sale, designation,

Addition of foreign substances.

Addition of water.

Impure milk, what constitutes.

Unlawful designation as "pasteurized." Ch. 192.1

advertising, labeling, billing or offering for sale of any milk, cream, skimmed milk, ice cream, ice milk, butter, buttermilk, cheese, or other milk products unless the same and all products of milk therein contained or used in the manufacture thereof shall consist exclusively of milk, skimmed milk or cream which has been treated by the process of pasteurization as defined in section 11 of this act.

SEC. 72. No person shall efface, erase, cancel, obliterate or remove any mark, tag, label, sign, labels. brand, word or lettering or other designation required by this act, with intent thereby to mislead. defraud or deceive, or for the purpose of concealing the true character of composition of any product, substance or compound, or for the purpose of violating any of the provisions of this act.

SEC. 73. No person, firm or corporation shall Bottling bottle, any milk, skimmed milk or cream, designed for first and second or intended for sale within any city of either the first or second class, or transfer such milk. skimmed milk or cream from any can, bottle or container to any other can, bottle or container, in any place, building or structure not a milk room, milk plant, creamery, or other place used exclusively for bottling, handling, storing or processing milk. Such milk room, milk plant, creamery, or other place shall be a room or place used exclusively for bottling, handling, storing or processing milk, cream or other milk products and shall not be used for any other purpose whatsoever, and shall not be located in or be a part of any residence, dwelling house, barn or poultry house, and if contained in any building or structure in which any trade, business or occupation other than that of bottling. handling, storing or processing milk is conducted or carried on, such milk room, milk plant, creamery, or other place shall be separated from the portion

Effacing or removal of

and second class cities. or portions of such building or structure in which such other trade, occupation or business is carried on, by a tightly ceiled or plastered partition constructed in such a manner as to meet with the approval of and comply with the regulations of the department of agriculture. Every such milk room, milk plant, creamery, or place shall be provided with suitable windows or other openings permitting the entrance of light and air from outside such building or structure without passing through any other portion thereof, and such milk room or other place shall be otherwise constructed, kept and maintained in a sanitary condition and manner within the intent and meaning of section 3 of this act.

Sterilization for city sales. SEC. 74. No person, firm or corporation shall fill any bottle or other container with milk, skimmed milk, buttermilk, cream, ice cream or ice milk designed for sale or intended to be sold in any city of either the first, second or third class until such bottle or other container has been cleansed and sterilized with live steam or boiling water.

Regulatory duties of department. SEC. 75. It shall be the duty of the department of agriculture to enforce the provisions of this act, and said department is hereby empowered and authorized to make, issue and promulgate from time to time such rules and regulations to carry out the provisions of this act for the enforcement thereof and for the regulation and management of dairies, creameries, milk plants, cheese factories, condensed milk factories and other factories of milk products, and for the regulations of the sale, serving, vending and delivery of milk, cream, butter, cheese, ice cream, ice milk, and other milk products, and for the issuing, granting and revocation of licenses, as it shall deem necessary.

SEC. 76. No person, firm or corporation shall interfere with, prevent, hinder or obstruct any offi-

cer, agent or inspector of the department of agri- Obstruction culture, or any officer or inspector of the state board of health, or of any city or county within such city or county, in the discharge of his or her duty, or from entering any place which such officer, agent or inspector is entitled by law to enter, or from making any inspection and examination of any such place or any artcle, substance or compound found therein or from taking and removing such sample of any such article, compound or substance as such officer, agent or inspector shall deem necessary to be taken, or from examining any book or record required by the provisions of this act to be kept in any such place, or to be open for the inspection of such department, or from making and removing copies thereof.

SEC. 77. Any person who shall violate or fail to Penalty for comply with the provisions of this act, or any sec- of act. tion or provision or part of a section or provision thereof, shall, unless otherwise herein provided, be guilty of a misdemeanor.

SEC. 78. It shall be the duty of the prosecuting Prosecutions. attorney of each and every county in this state, upon application of the department of agriculture or of any officer, agent or inspector thereof, to attend to the prosecution in the behalf of the State of Washington, of any and all persons whom he shall have reason to believe to have been guilty of any violation of this act in such county.

SEC. 79. Any superior court of this state and Jurisdiction any municipal court or justice of the peace shall have jurisdiction of all prosecutions and all proceedings for forfeiture and sale arising under this act.

SEC. 80. No two or more persons, companies or combinacorporations shall by agreement or understanding, prices. tacitly, or otherwise, fix or attempt to fix, the price

ment and health

at which butter, cheese, milk or other products herein mentioned shall be bought or sold; *provided*, this shall not apply to ordinary purchases or sales between buyer and seller.

SEC. S1. It shall be the duty of the attorney-general of the state, and of the prosecuting attorney in any county, when called upon by the department of agriculture, to render any legal assistance in his power to execute the laws and prosecute violations of this act: *Provided, however,* that the department of agriculture may employ special counsel when necessary.

SEC. 82. One-half of all fines collected from prosecutions under the provisions of this chapter shall be paid forthwith to the state treasurer and be placed to the credit of the general fund, and the remainder shall be forthwith paid into the treasury of the county in which the conviction is had.

SEC. 83. It is hereby declared that this act is enacted as an exercise of the police power of the State of Washington for the preservation of the public health and each and every section thereof shall be construed as having been intended to effect such purpose and not as having been intended to affect any regulation or restraint of commerce between the several states which may by the constitution of the United States of America have been reserved to the Congress thereof.

SEC. 84. The invalidity or unconstitutionality of any section or part of a section of this act shall not affect the act as a whole, or any other section or part of a section thereof.

SEC. 85. Nothing in this act shall be construed as modifying, altering or repealing chapter 101 of the Laws of 1915, or any section, part or provision thereof, except as provided in sections 86 and 87.

Assistance of law officers.

Disposition of fines.

Declaration of police power.

Partial invalidity.

Act cumulative.

SEC. 86. Section 1 of chapter 101 of the Laws of 1915 is hereby amended to read as follows:

Section 1. Any person, firm or corporation en- ownership gaged in the manufacture, sale or transportation cans, etc. of milk, cream, ice cream or any other dairy product may adopt a mark or marks of ownership to be stamped, marked or otherwise affixed to any can. tub or case used in the manufacture, sale or transportation of any such product and may upon the payment of a fee of five dollars (\$5.00) file an application for the exclusive right to use such mark or marks, in the office of the department of agriculture, which application shall contain the name and Application fee. address of the applicant, a description of the mark or marks proposed and the use to be made of the cans or tubs, or cases by such applicant. The department of agriculture shall refuse such application if such mark or marks of ownership shall be the same or so nearly similar to any mark or marks or ownership theretofore registered as to be mis-Otherwise such application, shall be Registration leading. granted and such fact. together with a description of the mark or marks of ownership, shall be entered in a register to be kept by said department of agriculture.

SEC. 87. Section 6 of chapter of 101 of the Laws of 1915 is hereby amended to read as follows:

Section 6. It shall be the duty of the department Enforceof agriculture to enforce the provisions of this act. It shall seize cans, tubs, and cases not rightfully used and return them to the person, firm or corporation in whose name they are registered. Any expense in transporting such seized cans, tubs or cases shall be paid by the owner of the cans, tubs, or cases: Provided, that the department of agricvulture shall not be liable for any loss of cans, tubs or cases lost in transportation.

of mark.

#### SESSION LAWS, 1919.

Act cumulative.

SEC. 88. Nothing in this act shall be construed as affecting or being intended to effect a repeal of sections 5449 to 5466, both inclusive, of Remington & Ballinger's Annotated Codes and Statutes of Washington, or of any of such sections, or of any part or provision of any such sections, and if any section or part of a section in this act shall be found to contain, cover or effect any matter, topic or thing which is also contained in, covered in or effected by said sections, or by any of them, or by any part thereof, the prohibitions, mandates, directions, and regulations hereof, and the penalties. powers and duties herein prescribed shall be construed to be additional to those prescribed in such sections and not in substitution therefor. And nothing in this act shall be construed to forbid the importation, transportation, manufacture, sale, or possession of any article of food which is not prohibited from interstate commerce by the laws of the United States or rules or regulations lawfully made thereunder, if there be a standard of quality. purity and strength therefor authorized by any law of this state, and such article comply therewith and be not misbranded.

SEC. 89. That section 1 of chapter 100 of the Laws of 1915 be amended to read as follows:

Section 1. On the written application of the owner of any bovine animal to the commissioner of agriculture for the examination and testing of such animal to ascertain whether the same is infected with tuberculosis, it shall be the duty of the commissioner of agriculture to cause such examination and test to be made. The inspector of the department of agriculture making the examination and test shall be a veterinarian duly licensed to practice veterinary medicine, surgery and dentistry in this state, and shall qualify by giving a bond to the state of Washington with sufficient surety to be ap-

Tuberculin tests.

Veterinary inspectors. Ch. 192.1

proved by the commissioner of agriculture in the penal sum of two thousand dollars (\$2,000.00): *Provided*, that veterinary inspectors of the United States bureau of animal industry may be appointed by the commissioner of agriculture to make the examination and tuberculin test as herein provided. and when so employed they shall act without bond or compensation, and shall possess the same power and authority in this state as the inspector of the department of agriculture.

SEC. 90. That section 2 of chapter 100 of the Laws of 1915 be amended to read as follows:

Section 2. On such examination and test being Indemnity completed, if the inspector shall believe that the of infected animal is infected with tuberculosis, the owner of the animal shall have the option of indemnity or quarantine: if he selects indemnity the owner and inspector shall appraise the value of the suspected animal, and in the appraisal of such animal due consideration shall be given to its breeding, dairy or meat value. In the event of their failing to agree upon the value, they shall call upon the county agricultural agent of the county in which the animal Appraisal and sale. was tested to decide the matter, or in case there be no county agricultural agent in the county the inspector shall apply to the judge of the superior court of the county where the animal or animals are located to appoint a third appraiser. Each owner, or agent, of tuberculous cattle which have been appraised shall market the cattle within thirty days from date of appraisal and shall obtain from the purchaser a report, in triplicate, blank forms for which shall be furnished said owner, or agent, by the inspector of the department of agriculture, certifying as to the amount of money actually paid The animal or animals shall be for the animals. slaughtered under the supervision of a veterinary inspector of the department of agriculture or the

animals.

United States bureau of animal industry, or a veterinarian duly licensed to practice veterinary medicine, surgery and dentistry in this state. The veterinary inspector or veterinarian shall hold a post-mortem examination and determine whether or not the animal shall be passed to be used for food. The post-mortem examination must conform with the meat inspection regulations of the United States bureau of animal industry. Upon the receipt of said report. in triplicate, certifying as to the amount of money actually paid for the animal or animals, and if the owner has complied with all lawful quarantine laws or regulations, the department of agriculture shall cause to be paid to the owner of the animal or animals one-third of the difference between the appraised value of each animal so destroyed and the value of the salvage thereof: Provided, that in no case shall any payment by the department of agriculture be more than twent-five dollars (\$25.00) for any grade animal, or more than fifty dollars (\$50.00) for any pure-bred animal. Every county agricultural agent who shall act as an appraiser, as hereinabove provided, shall receive his actual necessary traveling expenses in going to and returning from the place of appraisal, and every appraiser appointed by the judge of the superior court shall receive his actual and necessary traveling expenses and a per diem of three dollars (\$3.00) for the time actually spent, to be paid by the state: And provided further, that the state shall not be required to pay the owner of any animal imported into this state within six . months prior to the inspection and test the sums hereinabove provided for, but the owner of such animal shall receive the proceeds of the sale of such slaughtered animal: And provided further, that the right to indemnity shall not exist, nor shall payment be made for any animal owned by the United States.

Reimbursement of owner.

Compensation of appraisers. this state or any county, city or village in this state: And provided further, that the expenses of herding, caring for, feeding and transporting or slaughter- Expenses ing all animals under these provisions shall be paid to owner. by the owner thereof.

SEC. 91. That section 3213 of Rem. & Bal. Code Repealing be and the same is hereby repealed.

Sections 2512 to 2515, both inclusive, Sec. 92. 5446, 5446a to 5446e, both inclusive, 5446g, 5447, 5447a, 5447d, 5448a, 5448c, 5448i and 5448l of Remington & Ballinger's Annotated Codes and Statutes of Washington are hereby repealed.

Passed the House, March 7, 1919.

Passed the Senate, March 12, 1919.

Approved by the Governor March 20, 1919.

# CHAPTER 193.

#### [H. B. 180.]

#### BUREAU OF FARM DEVELOPMENT.

AN ACT relating to the Bureau of Farm Development, and amending Section 3000-15, 3000-17, 3000-18 and 3000-19 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 3000-15 of Rem. & Bal. Code be amended to read as follows:

Section 3000-15. There is hereby created the How Bureau of Farm Development of the State of Washington, which shall consist of the Director of the Extension Service of the State College of Washington, who shall be director thereof, and of the Boards of County Commissioners or representatives appointed by them of all counties of the State of Washington desiring to participate therein. The

established.

alaneae

Payment of expenses. officers and members of such Bureau of Farm Development shall serve without salary, and the expenses incident to the operation of said Bureau of Farm Development shall be borne by the county for which the same shall be incurred. Meetings of the Bureau of Farm Development shall be called by the director thereof at least once each calendar year.

SEC. 2. That section 3000-16 of Rem. & Bal. Code be amended to read as follows:

Section 3000-16. The Board of County Commissioners of any county may by request in writing apply to the Director of the Bureau of Farm Development for either the appointment of an agricultural expert, home economics expert, or a club work expert, or other agricultural or home economics expert or all of them, and they shall have the power to enter into agreement with the State College of Washington according to agreement forms which shall be approved by the Attornev General of the State of Washington, making provision for employing such experts and for paying their expenses incurred in performing their official duties. The director shall appoint and assign to such county the expert or experts applied for: Provided, that the expert or experts so appointed and assigned shall be satisfactory to the Board of County Commissioners applying therefor. The Board of County Commissioners shall have the power to determine the period during which any such expert or experts shall be employed and to fix the compensation of such expert or experts at not to exceed two hundred and fifty dollars (\$250.00) per month for any one expert and not to exceed for salaries the sum of five hundred dollars (\$500.00) per month, and in their discretion necessary traveling expenses: Provided further, that each such agreement relating to agricultural, home economics, or club work experts shall continue in full force until either the Board of

Appointment of experts.

Compensation. Ch. 193.1

County Commissioners or the State College of Washington shall terminate the agreement by giving notice to the other part or parties, this notice to be delivered in writing at least three (3) months prior to the date on which the agreement shall expire.

SEC. 3. That Section 3000-17 of Rem. & Bal. Code be amended to read as follows:

Section 3000-17. Any such expert or experts Expert's office, assistshall during the period of his or her employment ance and expenses. reside and maintain an office within the county for which he or she is appointed, and with the consent of the Board of County Commissioners of such county he or she may employ such assistance as may be required and purchase such books, equipment, apparatus, and material as may be required, which books, equipment, apparatus, and material purchased with county funds shall become and remain the property of the county: *Provided*, that the expenses which may be incurred by the authority of this section shall never exceed the sum of two thousand dollars (\$2000.00) during any calendar year.

That section 3000-18 of Rem. & Bal. SEC. 4. Code be amended to read as follows:

Section 3000-18. Such agricultural, home eco- Duties of experts. nomics or club work experts shall give individual instruction and conduct demonstration work with the object of improving the agricultural methods and conditions and home conditions of their counties, and shall perform such other duties as may be required to carry out the purposes of this act, subject to the general supervision and control of the director of the Bureau of Farm Development. Such home economics experts shall give individual instruction and conduct demonstration work in the buying, preserving and preparation of food, the purchase of material and the making of clothing, and in home sanitation and nursing and in home

Cooperation with U. S. Department of Agriculture. arrangement and housekeeping: Provided that the Boards of County Commissioners shall always have the right to cooperate with the Department of Agriculture in the United States in the appointment, maintenance and work of such experts; and in such event, the Director of the Bureau of Farm Development shall appoint for the county exercising the privilege herein granted, such person or persons as are mutually agreeable to the Board of County Commissioners, the United States Department of Agriculture and the Director of the Bureau of Farm Development, and said experts shall then be subject to the joint supervision and control of said Director of the Bureau of Farm Development and the United States Department of Agriculture. and said Department of Agriculture shall defray such portion as may be agreed upon of the salary, office expenses, and other expenses incurred by such experts.

SEC. 5. That section 3000-19 of Rem. & Bal. Code be amended to read as follows:

Tax levy for development work. Section 3000-19. For the purpose of fully and effectively carrying out the object and provisions of this Act, the Boards of County Commissioners of the counties participating herein are hereby empowered to levy, appropriate, and set aside such sum of money as may be necessary and in the event of failure from any cause to levy and appropriate such fund, and until the next annual tax levy, said Boards of County Commissioners are empowered to pay such salaries and expenses from the county current expense fund.

Passed the House, February 27, 1919. Passed the Senate, March 10, 1919. Approved by the Governor March 20, 1919.

## CHAPTER 194.

[S. B. 223.]

#### BENEFITS PAYABLE BY FRATERNAL BENEFIT ASSOCIATIONS.

AN ACT relating to Fraternal Benefit Associations, and amending sections 6059-210 and 6059-229 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 6059-210 of Rem. & Bal. Code be amended to read as follows:

Section 6059-210.

(1) Every society transacting business under Death and this article shall provide for the payment of death ability. benefits, and may provide for the payment of benefits in case of temporary or permanent physical disability, either as the result of disease, accident or old age: Provided, that the period of life at which the payment of benefits for disaiblity on account of old age shall commence, shall not be under seventy years, and may provide for monuments or Burial extombstones to the memory of the deceased members and for the payment of funeral benefits. Such society shall have the power to give a member, when permanently disabled or on attaining the age of seventy, all or such portion of the face value of his certificates as the laws of the society may provide: Provided, that nothing in this article contained shall be so construed as to prevent the issuing of Terminbenefit certificates for a term of years less than the whole of life which are payable upon the death or disability of the member occurring within the terms for which the benefit certificates may be issued. Such society shall, upon written application of the members, have the power to accept a part of Deferred payment of the periodical contributions in cash, and charge contribu-

penses.

surance.

the remainder, not exceeding one-half of the periodical contributions, against the certificate with interest payable or compounded annually at a rate not lower than four per cent per annum: *Provided*, that this privilege shall not be granted except to societies which have readjusted or may hereafter readjust their rates of contribution and to contracts affected by such readjustment.

(2) Any society which shall show by the annual valuation hereinafter provided for, that it is accumulating and maintaining the reserve necessary to enable it to do so, under a table of mortality not lower than the American Experience Table and four per cent interest, may grant to its members, extended and paid-up protection or such withdrawal equities as its constitution and laws may provide: *Provided*, that such grants shall in no case exceed in value the portion of the reserve to the credit of such members to whom they are made.

(3) Power and authority is hereby given to a society to divide its membership into separate classes, each class having a separate form of contract of similar or general plan and character in its purpose, and that the assets or mortuary collections made from the members of each class respectively shall be carried and maintained separate for such class, and that the required reserve accumulations of such class, if the contract therefor provides for such fund, shall be set apart and held specifically and separately for the use and benefit of such particular class, and shall not thereafter be mingled with the assets or mortuary collections of any other class of the society.

SEC. 2. [Vetoed.]

Passed the Senate March 4, 1919.

Passed the House March 11, 1919.

Section 1 approved and Sec. 2 vetoed by the Governor March 20, 1919.

Paid-up protection.

Withdrawal equities.

Classification of mem-

bership.

## CHAPTER 195.

#### [H. B. 230.]

#### AMENDMENTS OF ACT FOR PROTECTION OF HORTICULTURE.

AN ACT relating to horticulture and horticultural plants and products and the protection thereof and amending sections 2, 10. 7, 13, 16 and 29 of chapter 166 of the Laws of 1915.

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

SECTION 1. That section 2 of chapter 166 of the Laws of 1915 be amended to read as follows:

Section 2. The commissioner of agriculture shall Powers and duties of have the power and it shall be his duty:

commissioner of agriculture.

(a) To exercise a general supervisory and directory control over the horticultural interests of the state:

(b) To arrange for and hold meetings for the discussion and dissemination of information as to horticultural subjects and for the demonstration of methods of preventing diseases of and pests injurious to horticultural plants, fruits and vegetables, and of curing and removing the same;

(c) To publish and distribute circulars and reports upon horticultural subjects, the pests affecting and the diseases of fruit trees, vines or bushes, ornamental trees or shrubbery, horticultural plants, fruits, vegetables and nursery stock. and the means and methods of controlling, curing, removing, eradicating, and disinfecting for such diseases and pests;

(d) To issue licenses to nurserymen and dealers in nursery stock and their agents, salesmen and solicitors and revoke the same for violation of or failure to comply with this act, and to keep in his office a record of all licenses issued, showing the character of the license, name and address of the holder, the date of issue and the date of expiration or revocation;

(e) To furnish to the board of county commissioners of each county, annually, on or before September 1, an estimate of the expenses for the ensuing year of inspecting and disinfecting orchards, vineyard(s), berry farms, vegetable farms and nurseries, fruit trees, vines or bushes, ornamental trees or shrubbery, horticultural plants, fruit, fruit products, vegetables, and packing houses, ware-houses, dryhouses, storerooms, depots, docks and other places where fruits, vegetables or nursery stock are grown, packed, stored, shipped or held for shipment or delivery or offered for sale within said county.

(f) To appoint inspectors to enforce and carry out the provisions of this act, which inspectors may be of two classes, inspectors at large and local inspectors: *Provided*, that not more than twenty inspectors at large shall be appointed.

(g) The commissioner may also in his discretion appoint any officer or member of any local fruit protective association to act as inspector, vested with power only to enter premises and inspect orchards and report to the inspector-at-large. Such inspectors shall receive no compensation for services and shall not be required to take the regular examination required of inspectors-at-large and local inspectors.

(h) To make, adopt, issue and publish from time to time and enforce general rules and regulations governing the grading, packing, and the size and dimensions of commercial containers of apples and other fruit.

(i) To formulate, promulgate and enforce regulations fixing commercial grades of potatoes, and providing for the inspection of the same for either market or seed purposes, and furnishing of certificates of inspection.

The commissioner of agriculture, and under his Duties and powers of horticultural inspectors, shall have the power and it shall be their duty:

(a) To enforce the provisions of this act and all laws relating to horticultural interests.

(b) To inspect orchards, vinevards, berry farms, vegetable farms, nurseries, fruit trees, vines or bushes, ornamental trees or shrubbery, horticultural plants, fruits, vegetables, nursery stock and horticultural supplies, and packing houses, dry houses, warehouses, store rooms, depots, docks, cars, vessels, and other places where fruits, vegetables or nursery stock are packed, stored, shipped, or held for shipment or delivery or offered for sale. and other property liable to be infected with any disease or pest injurious to horticulture, and to require the disinfection of all such property and premises found to be infected and for that purpose shall have free access to such property and premises at all times.

(c) To inspect and examine orchards, vineyards, nurseries, berry farms, vegetable farms, fruits, vegetables, nursery stock and all other horticultural plants and products, at the request of the owner thereof for the purpose of discovering the existence of any disease or pest, and to report to the applicant the result of such investigation and prescribe proper remedies;

(d) To disinfect orchards, vineyards, berry farms, nurseries, fruit trees, vines and bushes, ornamental trees and shrubbery, horticultural plants, fruits, vegetables and nursery stock and packing houses, dry houses, warehouses, store-rooms, depots, docks, cars, vessels and other places where nursery stock, fruits, or vegetables are packed, stored or shipped or held for shipment or delivery, or offered for sale, in case the owner or person having the same in charge shall neglect or refuse so to do, after notice; and in case any infected fruit trees, vines or bushes, ornamental trees or shrubbery, horticultural plants, fruits, vegetables or nursery stock cannot be successfully disinfected to condemn and destroy the same or cause the same to be destroyed.

(e) To require all partially infected fruit, vegetable and nursery stock shipments to be sorted and repacked and, in case the owner or person having charge of the same shall neglect or refuse so to do after notice, to condemn and destroy the same;

(f) To issue certificates of inspection to licensed nurserymen and dealers in nursery stock, on stock inspected and approved.

SEC. 2. That section 7 of chapter 166 of the Laws of 1915 be amended to read as follows:

Section 7. It shall be unlawful for any person to offer for sale in the state of Washington any horticultural insecticide or fungicide which is adulterated or misbranded within the meaning of this act. The term "insecticide" as used in this act shall include any substance or mixture of substances intended to be used for preventing, destroying, repelling, or mitigating any insects which may infest The term "Paris green" as used in vegetation. this act shall include the product sold in commerce as Paris green and chemically known as the acetoarsenite of copper. The term "lead arsenate" as used in this act shall include the product or products sold in commerce as lead arsenate and consisting chemically of products derived from arsenic acid  $(H_3AsO_4)$  by replacing one or more hydrogen atoms by lead. That the term "fungicide" as used in this act shall include any substance or mixture of substances intended to be used for preventing, destroying, repelling or mitigating any and all fungi

Insecticides and fungicides, adulteration prohibited. Ch. 195.]

that may infect vegetation or be present in any environment whatsoever.

It shall be unlawful for any manufacturer, firm, Labels re-guired on corporation or person to sell, offer or expose for packages sale in this state, any insecticide, fungicide, or any materials to be used for preventing, destroying, repelling or mitigating insects, fungi, bacteria or other plant pests, unless such material shall have affixed to each and every package or container, in a conspicuous place on the outside thereof, a plainly printed statement as follows:

(1) The name, brand or trade mark under which it is sold.

(2) The purpose for which it is to be used.

(3) Direction for its application.

(4) The name and principal address of the manufacturer or person responsible for placing the commodity on the market.

(5) The net weight of the contents of the package.

(6) The correct statement of the character and name of each insecticidal or fungicidal ingredient used and the minimum per centum of such active ingredients and the maximum per centum of the inert ingredients contained in the package.

SEC. 21/2. That section 10 of chapter 166 of the Laws of 1915 be amended to read as follows:

Section 10. In case the officer making the inspec- Infected tion provided for in the preceding section shall find that the premises or property inspected is infected, he shall condemn the same and serve upon the owner or upon the person having possession or charge of said premises or of said property a notice in writing that the same is condemned and ordering the disinfection of any and all thereof which is capable of disinfection and the destruction of such property as is incapable of disinfection, which notice shall describe the premises or property ordered to be disin-

premises.

Notice to disinfect or destroy.

fected or destroyed with reasonable certainty and shall specify the time within which the same shall be so disinfected or destroyed: and shall give notice that unless the premises or property ordered disinfected or destroyed is disinfected or destroyed as directed, in the manner and within the time specified in said notice, the same will be done by the officer giving the notice and the expense thereof charged against the premises and the owner of said premises or property. In case said premises or property is in the possession or charge of any person upon whom service can be made, the officer making the inspection shall serve a copy of such notice upon such person and, in case the premises or property is in possession or charge of any other person than the owner thereof, or service cannot be had upon any person in possession or charge thereof, the officer shall serve said notice upon the owner of said premises or property by mailing or telegraphing him a copy thereof, if his home or postoffice address are known to the officer or can with reasonable diligence be ascertained. In case personal service of said notice cannot be had upon any person in possession or charge of said premises or property and the name and address of the owner of such premises or property are not known and cannot with reasonable diligence be ascertained, said notice shall be served by posting the same in a conspicuous place upon the premises where the property to be disinfected or destroyed is situated, as the case may be. In case the name and postoffice address of the owner are not known and cannot with reasonable diligence be ascertained and in the absence of fraud and gross neglect, service of such notice upon the person in possession or charge of said premises or property shall be construed to be substituted personal service upon the owner, and, in case service of such notice upon a person in possession or charge of such premises

or property cannot be had and the name and postoffice address of the owner is not known and cannot with reasonable diligence be ascertained and in the absence of fraud and gross neglect, such posting of the notice upon the premises shall be construed to be constructive personal service upon the owner of such premises or property. Upon the giving of such notice as hereinabove provided it shall become and be the duty of the owner and person having possession or charge of the premises or property described in the notice to, within the time specified in said notice, disinfect said premises or disinfect or destroy said property, as the case may be: Provided. that in the case of nursery stock, fruit or vegetables about to be shipped or any shipment thereof, or which is offered for sale, or held for the purpose of delivery upon any shipment or sale thereof, if the officer making the inspection shall find that only a part thereof is so affected that it cannot be successfully disinfected, he shall state in such notice that the owner or person in charge thereof has the privilege of separating the same into two or more of the following classes, to-wit, such as does not need disinfection, such as can be successfully disinfected, and such as cannot be successfully disinfected, and in such cases it shall be the duty of the owner and person in charge of such property to, within the time specified in said notice, disinfect such nursery stock, fruit or vegetables as can be successfully disinfected and destroy such as cannot be successfully disinfected: And provided, further. that in the case of fruit or vegetables that cannot be successfully disinfected the inspector may grant the owner or person in charge thereof the privilege of manufacturing the same into by-products or of shipping the same to a by-product factory and issue a permit in writing so to do, and in such case it shall be unlawful for the person receiving such permit to sell or dispose of such infected fruit without

By-products from infected fruit and vegetables. having first manufactured the same into a by-product or shipped the same to a by-product factory, or to divert any such shipment when made, and it shall be unlawful for the consignee of any fruit or vegetables shipped to a by-product factory, to sell or dispose of the same without first manufacturing it into a by-product. It shall be unlawful for any person to ship, deliver, sell, barter, give away or otherwise dispose of or part with the possession of, or for any common carrier to transport, any nursery stock, fruit or vegetable which has been found infected and condemned until all of the requirements of said notice and order have been complied with, and permission given in writing so to do by an inspector.

SEC. 3. That section 13 of chapter 166 of the Laws of 1915 be amended to read as follows:

Section 13. It shall be the duty of the board of county commissioners of each county at the time of making the regular annual tax levy in each year to include a tax upon the taxable property of such county in such an amount as they shall find will produce funds sufficient to meet the expense of inspecting and disinfecting orchards, vineyards, berry farms, vegetable farms, nurseries, fruit trees, vines or bushes, ornamental trees or shrubbery, horticultural plants, and packing houses, warehouses, dry houses, store-rooms, depots, docks and other places where fruits, vegetables or nursery stock are packed, stored, shipped or held for shipment or delivery or offered for sale within said county, which shall be inspected or disinfected by or under the direction of an inspector, which tax shall be known In estimating the as the "Horticultural tax". amount to be levied for such horticultural tax, the county commissioners shall take into consideration the expense of inspecting and disinfecting the above mentioned property within said county for the en-

Unlawful sales or shipments.

Levy of horticultural tax. suing year and the amount that will be collected from levies on property disinfected as in this act provided. The horticultural tax shall be levied and collected in the same manner as other general taxes and when collected shall, together with all sums collected by local inspectors for inspecting, and inspecting and disinfecting, such property within the county, be placed in the current expense fund of said county. Until the collection by any county of the taxes to be levied under the provisions of this section at the next annual tax levy after the taking effect of this act, the county commissioners of such county are authorized and empowered to cause to be paid, by warrants drawn upon the current expense fund of such county, all expenses for inspecting and disinfecting premises or property within said county properly chargeable to such county under the provisions of this act, and all expenditures made from and warrants drawn upon the current expense fund of any county by order of the board of county commissioners of such county, subsequent to the repeal of section 3133 of Rem. & Bal. Code and prior to the passage of this act for the purpose of paying the cost and expenses of inspecting or disinfecting the premises or property in such county as provided in this act, are hereby validated.

SEC. 4. That section 29 of chapter 166 of the Laws of 1915 be amended to read as follows:

Section 29. It shall be the duty of every horti- Inspection certificates. cultural inspector upon the inspection of any nurserv stock, fruit or vegetables found free from diseases and pests, to deliver to the owner or person in charge thereof a certificate of inspection over his signature, showing the date of inspection and stating that such nursery stock, fruit or vegetables were not infected, which certificate in case inspection be made at the initial point of shipment or at such place within a reasonable distance as requested

by the shipper shall be in triplicate form and it shall be unlawful for any person to substitute for any such nursery stock, fruit or vegetables not covered by said certificate, or to ship, sell or dispose of any other nursery stock, fruit or vegetables than that actually inspected and approved under such certificate of inspection: *Provided*, that the inspector may issue certificates of general inspection for shipment to points within this state in addition to the regular certificates of inspection.

Passed the House March 9, 1919.

Passed the Senate March 11, 1919.

Approved by the Governor March 21, 1919.

#### CHAPTER 196.

#### [S. B. 218.]

#### FIREMEN'S RELIEF AND PENSION FUND.

AN ACT relating to the Firemen's Relief and Pension Fund, in the several incorporated cities and towns, of the State of Washington; providing for the maintenance and distribution thereof, and repealing all acts or parts of acts in conflict herewith.

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

SECTION 1. The mayor, clerk or comptroller and three members of the common council of every incorporated city or town in the State of Washington, who, in addition to the duties now required of them, are hereby created and constituted, together with six (6) members from the fire department of such city or town, a board of trustees of the "Firemen's Relief and Pension Fund" of the fire department of such incorporated city or town, and shall provide for the disbursement of such relief and pension fund, and shall designate the beneficiaries thereof, as hereinafter directed, which board shall be known

Board of trustees. as the board of trustees of the Firemen's Relief and Pension Fund, and upon the taking effect of this act, the fire department of each such incorporated city or town shall elect by ballot, six (6) members of such fire department, two (2) of whom shall serve for the term of one (1) year, two (2) for the term Membership of two (2) years, and two (2) for the term of three of office. (3) years, and thereafter such fire department shall, each year, elect by ballot two (2) of its members to serve for the term of three (3) years upon said board of trustees: Provided, that in incorporated cities and towns having no council three (3) persons holding office therein, other than the mayor and clerk, shall be elected as trustees of the Firemen's Relief and Pension Fund of such city or town by the other members of the board of trustees, and: Provided further, that the boards of trustees of said fund, now acting in any city or town shall continue to act until their term has expired: Provided. this act shall not apply to any city or town where no paid fire department is maintained.

SEC. 2. The mayor shall be *ex-officio* chairman, the city clerk or comptroller shall be ex-officio secretary, and the city treasurer shall be ex-officio treasurer of said board. The secretary shall report annually, at the time of making his annual report as city clerk, the condition of the firemen's relief and pension fund, and the receipts and disbursements Annual on account of the same, with a full list of the beneficiaries of said fund, and the amount paid them.

SEC. 3. The board herein provided for shall hold Board meetings. monthly meetings on or before the 15th day of each and every month of each year, upon such dates as may be agreed upon by the board of trustees, and upon the call of its chairman at such other times as the chairman deems necessary: It shall issue orders, signed by its chairman and secretary, to the persons entitled thereto, of the amount of money

669

Officers of board.

reports.

Records.

ordered paid to such persons from such fund by said board, which order shall state for what purpose such payment is to be made. It shall keep a record of its proceedings, which record shall be public. It shall, at each monthly meeting, send to the treasurer of such city or town, a written or printed list of all persons entitled to payment from the fund herein provided for, stating the amount of such payment and for what granted, which list shall be certified to and signed by the chairman and secretary of such board, attested under oath.

Disbursement of funds. The treasurer of such city or town shall therefore enter a copy of said list upon a book to be kept for that purpose, which shall be known as "The Firemen's Relief and Pension Fund Book", and the said board shall direct payment of the said amounts to the persons named therein. A majority of all the members of said board herein provided for shall constitute a quorum and have power to transact business: *Provided, however,* no money belonging to said fund shall ever be disbursed for any purpose without a vote of a majority of all the members of the board of trustees, which shall be taken by the yeas and nays, and the vote of each member so voting entered upon the proceedings of the board.

Monthly pension on retirement due to age. SEC. 4. Whenever any person, at the taking effect of this act, or thereafter, shall have been duly appointed and has served for a period of twenty years or more, ten years of which shall have been consecutive immediately preceding the end of such period, as a member in any capacity or any rank whatever of the regularly constituted fire department of any such city or town which may be subject to the provisions of this act, the board shall be empowered to order and direct that such person may, after becoming fifty-five years of age, be retired from such fire department, and the board shall Ch. 196.1

retire any member so entitled as hereinabove provided for, upon his written request for same, and such member so retired shall be paid from such fund a monthly pension equal to one-half the amount of salary attached to the rank which he may have held in said fire department for one year next preceding the date of such retirement. Upon the death of any such retired member one-half of the amount of Portion the pension paid during his life, shall be continued and paid to his widow, who was his wife at the on death. time of his retirement, during her life, or until she shall again marry, and if there be no such widow, then to his minor child or children until such child or children shall have arrived at the age of eighteen vears, or shall prior thereto have married. Anv such widow or child or children of any such retired member at the time of the taking effect of this act. shall come under its provisions.

SEC. 5. Whenever any person, when serving as Retirement a fireman in any such city or town, shall become ability. physically or mentally disabled while in the performance of, or the result of his duty or duties as defined in this act, said board of trustees may, upon his written request, or without such request if it deems it for the good of said fire department, retire such person from active service, and if so retired, shall order and direct that he shall be paid from such fund a monthly pension equal to one-half the amount of salary attached to the rank which he Pensions. may have held in such fire department immediately preceding such retirement: Provided, that whenever such disability shall cease such pension shall cease, and such retired person shall be restored to active service in the same rank he may have held at the time of his retirement: Provided, further, upon Allowance the death of any member so retired, one-half of the wife or amount of pension allowed and paid to him during such retirement shall be continued and paid to his

payable to wife or children

widow, who was his wife at the time of his retirement, during her life as hereinafter provided, or if there be no such widow, then to his minor child or children, until they shall have reached the age of eighteen years: *Provided, however,* if such widow or child or children shall marry, then such person so marrying shall thereafter receive no further pension from said fund.

SEC. 6. No person shall be retired under this act, or receive any pension from said fund, except for old age, unless there shall be filed with the board of trustees, certificate of his disability or cause for retirement which certificate shall be subscribed and sworn to by said person, or members of the board of trustees, and by the firemen's relief and pension fund physician and attending physician if there be one, and the board may require other evidence of disability or cause before ordering such retirement and payment of pension as provided for in this act.

SEC. 7. Whenever any member of the fire department of any city or town shall, on account of temporary physical disability, the result of accident in consequence of the performance of his duty or duties, as defined in this act, be confined to any hospital or to his bed, or unable to perform his duties as such member on account of such temporary disability and shall require nursing and medical care. the board of trustees shall provide a professional nurse and pay all necessary hospital and professional nursing expenses of such member out of the said fund, and the salary of such member shall continue and shall be paid out of said fund while he is necessarily confined to such hospital or bed, or unable to perform his duties as a fireman on account of such temporary disability for a period not exceeding six months, after which period the other provisions of this act shall apply. Such pulmonary diseases as pneumonia and tuberculosis when di-

Showing of disability.

Hospital and medical expenses.

Diseases classed as physical disability.

-22

rectly traceable to exposure while in active fire duty, shall be considered the same as accident causing physical disability and not under sickness as hereinafter provided for. If, however, the pension fund physicians after an examination shall decide the member will be incapacitated for a period extending beyond six months, then, in that event the board shall have the power and authority to retire the member after the first month: Provided. further, that in cases of accident as herein defined, disabling the member, he shall receive his full salary for the period of six months, even though such member is sooner retired, after six months, the provisions of section 5 shall apply. If a member shall become temporarily disabled on account of sickness caused by becoming wet or from exposure, the result of the performance of his duty or duties as herein defined, he shall be entitled to the benefits and be governed by the provisions in case of disability by accident, except he shall receive but onehalf of his regular salary: Provided, if the pension fund physicians after an examination shall decide the member will be incapacitated for a period extending beyond six months, then in that event, the board of trustees shall have the power and authority to retire such member after the first month in accordance with section 5 of this act.

SEC. 8. Whenever any member of the fire de- Loss of life. partment of any city or town shall lose his life. or die from the direct result of injuries received while in the performance of his duty or duties as herein defined, leaving a widow, or child or children under the age of eighteen years, then, upon satisfactory proof of such facts made known to the board of trustees, said board shall order and direct that a monthly pension equal to one-half the amount of the salary attached to the rank which such member

Payment of half salary to beneficiaries.

held in said fire department at the time of his death, shall be paid to his widow during her life, or if there be no widow, then to his minor child or children until they shall have reached the age of eighteen years, or if there be no children then to his parents if it be proven to the satisfaction of the board of trustees that said parents are dependent upon said son for their support: *Provided*, if such widow, child or children or said parents shall marry, then such person so marrying shall thereafter receive no further pension from said fund.

Death not arising in performance of duties.

Lump sum payment.

Option to take monthly payments.

SEC. 9. Whenever any member regularly and actively employed in the fire department of any such city or town shall, after one year of service in said fire department die from natural causes. or accident not caused in the performance of his duty or duties as herein defined, and for which no pension is provided for in this act, and who has not been retired for old age or disability prior to his death, then in that event his widow, or children under eighteen vears of age, or if there be no widow or children, then his parents if. it be proven to the satisfaction of the board of trustees. that said parents are dependent upon said son for their support, shall be entitled to the sum of one thousand dollars (\$1,000.00) from said fund: Provided, in case of death as above stated before one year of service an amount proportionate to the time of service shall be paid to above mentioned beneficiaries: Provided, if the member at the time of his death had served fifteen years in the fire department, ten years of which shall have been continuous immediately prior to his death, his beneficiaries herein named shall have the option on request, to receive a monthly pension equal to one-quarter of the amount of salary received by such member at the time of his death until such time as the beneficiaries shall marry or the children become eighteen years of age, when the pension shall cease.

SEC. 10. All members of the fire department who Examina-tions of members of be retired for disability under the provisions temporarily may be retired for disability under the provisions of this act, except for old age or permanent disability, may be summoned before the board of trustees any time, and shall submit himself thereto for examination, as to his fitness for duty, and shall obey and abide the decisions and orders of such board, and shall report for examination to the firemen's relief and pension fund physician. or some physician designated by the board of trustees, on the first Monday of January, April, July and October of each year.

SEC. 11. When any person who shall have re- Cessation of ceived any benefits from said fund shall be con- for cause. victed of any felony, or shall become an habitual drunkard, or shall fail to report himself for examination for duty as required herein, unless excused by the board, or shall disobey the orders or requirements of said board under this act, then such board of trustees shall order and direct that such pension or allowances that may have been granted to such person shall immediately cease, and such person shall receive no further pension or allowance or benefit under this act, but in lieu thereof the said Lieu al-lowances. pension or allowance or benefit may at the discretion of the board be paid to those immediately dependent upon him, or to his legally appointed guardian.

SEC. 12. No person who has resigned or been Resignation dismissed from such fire department, or who refuses to comply with the orders of the board of trustees, shall be deemed entitled to any relief or pension from said fund, except in cases where notice of, or claim for disability has been filed with the board before such resignation or dismissal.

SEC. 13. The board herein provided for shall, Powers of board. in addition to other powers herein granted, have power, to-wit: '

or dismissal.

retired.

First—To compel witnesses to attend and testify before it, upon all matters connected with the operation of this act, and in the same manner as is or may be provided by law for the taking of testimony before notary publics; and its chairman or any member of said board may administer oaths to such witnesses.

Second-To provide for the payment from said fund of all its necessary expenses and printing. No compensation or emoluments shall be paid to any member of said board of trustees for any duties performed under this act, as a trustee: Provided. the board shall have the power and authority to appoint an assistant secretary in any city or town where the secretary is unable owing to his other duties to properly devote his time to the pension fund affairs. It shall be the duty of the assistant secretary to perform all clerical work and such duties as prescribed by the board of trustees, but he shall have no vote unless he be a member of the board of trustees; the board may pay such assistant secretary such salary as they deem just from the fund, and such salary shall be in addition to any salary he may receive from the city or town as regular employee, or any pension allowed to any retired or pensioned member from the pension fund.

Third—To make all needful rules and regulations for its guidance in conformity with the provisions of this act.

Fourth—To appoint one or more regularly licensed practicing physicians of such city or town who shall be known as the firemen's relief and pension fund physicians, who shall examine and report to the board of trustees, upon all applications for relief and pension under this act. They shall visit and examine all sick and temporary disabled members, when, in their judgment, the best interests of the relief and pension fund require it or when or-

Assistant secretary, appointment and compensation.

fund physicians, duties and compensation.

Pension

dered by the board of trustees. They shall perform all operations on sick and injured members and render all medical aid and care necessary for the recovery of the member on account of sickness or temporary disability received while in the performance of his duty or duties as defined in this act. And such appointed physicians shall be paid their fees from said fund, the amount of said fees or salary to be set and agreed upon by the board of trustees and the pension fund physicians. No other physician or surgeon not a regularly appointed pension fund physician shall receive or be entitled to any fees or compensation from said fund as private or attending physician to any sick or injured member of fire department, and should any sick or injured member refuse the services of the pension fund physicians, and engage any other physician or surgeon. he shall be liable for such fees to said physician. No person shall have a right of action against the board of trustees or the pension fund for negligence of any pension fund physician; the board shall have the power and authority to select and employ specialists to assist in consultation or performing any operation on sick or injured members as defined in section 7 of this act and shall pay his fees from said fund. Said board shall hear and decide all applications for such relief or pensions under this act, and its decisions on such applications shall be final and conclusive and not subject to revision or reversal except by the board.

SEC. 14. Said fund shall consist of all bequests, Pension fund, how fees, gifts, emoluments or donations given or paid provided. to the firemen's relief and pension fund, or any of its members, except otherwise designated by the donor, and a monthly fee which shall be paid into the fund by each member of said fire department, including substitutes and temporarily appointed members, amounting to one and one-half per cent

of his regular monthly salary as hereinafter provided, and the proceeds of the tax levy as provided for in this act, and the interest or investment of any portion of said fund.

Sec. 15. The city council or city commissioners of each city or town are hereby authorized and empowered to, and shall, when requested in writing by two-thirds of the members of the board of trustees of the firemen's relief and pension fund, at the same time other levies of taxes are made as provided for by the charter or laws, and in addition to the levy authorized by the charter or laws, levy a tax for an amount estimated to be required by the pension fund board of trustees, not to exceed onehalf mill on each dollar of the assessed valuation of the property in such city or town not exempt from taxation, which taxes shall be credited to the firemen's relief and pension fund. Should the amount in the fund at any time be exhausted by unforseen circumstances, the board of trustees shall be empowered to obtain a loan from the general fund or any other fund available or budget allowance of such city or town, until the firemen's relief and pension fund can be replenished and the loan returned to the other fund. The board of trustees by a two-thirds vote shall have the power to invest all funds, or any part thereof not required for immediate use, in government, county or city bonds, to be taken in the name of the firemen's relief and pension fund of such city or town and deposited in such bank or banks or vaults together with other securities of such city or town; by the same vote the board shall have power to sell and dispose of any securities.

SEC. 16. Payment provided for in this act shall be made monthly upon proper vouchers and in such manner as provided by the board of trustees in conformity with the procedure in other disbursements

Replenishment of fund by loans.

Investment of fund.

Monthly payments.

of such city or town: Provided. that no warrants shall be drawn upon said fund except by order of the board of trustees which shall be duly entered upon the records of the proceedings of the board.

SEC. 17. It shall be the duty of the auditor or Deductions city comptroller, or officer whose duty it is to draw bers salary warrants in making out warrants for the monthly salaries, to deduct and withhold monthly from the salary of each member of the fire department, including substitutes and temporarily appointed members, one and one-half per cent of such monthly salary during all the time such member may be in the employ of the fire department: Provided. however. the one and one-half per cent shall not be deducted from the allowance of any member of the fire department who has been retired and placed on the pension list on account of old age or disability; and it shall be the duty of the auditor or city comptroller to draw a warrant for the full amount so withheld from the firemen's salaries payable to the city treasurer and by him credited to the firemen's relief and pension fund.

SEC. 18. Upon the death of any active or retired member of the fire department, the board of expenses. trustees shall have the power and authority to appropriate from the fund the sum of one hundred dollars (\$100.00) to assist in defraying the funeral expenses of such member.

SEC. 19. The words, "Performance of Duty and "Perform-Duties" whenever and wherever mentioned in this duty" defined act, shall be construed to include the performance of any work required in or about company quarters, of any fire station or any other place under the direction or orders of the chief, acting chief, or any officer having the authority to so order such member to perform such work, working at or returning from an alarm of fire, drill or practice, going to

Allowance for funeral

and returning from meals in departments operating under what is known as the continuous or twentyfour hour system, responding to an alarm of fire when off duty in accordance with the rules and regulations of fire departments working under the double platoon or three shifts. Games and sports of any nature for recreation, amusement, exercise or compensation are expressly excluded. Members shall not be entitled to any benefits or pension from said fund, on account of any sickness or injury received while off duty, on vacation, or on leave of absence, except as provided for in section 9 of this act.

Partial invalidity.

Repealing clause.

SEC. 20. If any portion of this act should be declared unconstitutional, it shall not thereby affect the constitutionality of the remaining portions.

SEC. 21. All acts or parts of acts in conflict herewith are hereby repealed.

Passed the Senate March 7, 1919. Passed the House March 11, 1919. Approved by the Governor March 21, 1919.

# CHAPTER 197.

## [H. B. 133.]

## DESCENT AND ESCHEAT OF PROPERTY.

AN ACT relating to the descent of property.

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

Inheritance from stepparent. SECTION 1. If a person die leaving a surviving spouse and issue by a former spouse and leaving a will whereby all or substantially all the deceased's property passes to the surviving spouse or having before death conveyed all or substantially all his or her property to the surviving spouse, and afterwards the latter die without heirs and without disposing of his or her property by will so that except for this act the same would all escheat, the issue of the spouse first deceased shall take and inherit from the spouse last deceased the property so acquired by will or conveyance or the equivalent thereof in money or other property.

SEC. 2. Section one of this act shall be retro- Act retroactive as to estates unadministered or in course of administration and undistributed.

SEC. 3. Except as provided in section one, if a Escheats person die intestate leaving no husband or wife or di legal heirs. descendant or parent or ancestor, and no descendant of a parent or of a parent's parent, his estate shall escheat to the state for the support of the common schools.

Passed the House, February 5, 1919. Passed the Senate, March 11, 1919. Approved by the Governor March 22, 1919.

## CHAPTER 198.

#### [S. B. 100.]

#### GRANT OF TIDE LAND IN HOLMAN WATERWAY, FOR ROAD AND WHARF PURPOSES.

AN ACT granting to the town of Ilwaco and to R. A. Hawkins the right to construct and maintain a roadway in the Holman Waterway in Pacific county and granting to R. A. Hawkins the right to construct and maintain wharves and buildings within said waterway.

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

SECTION 1. There is hereby granted to R. A. Terms of Hawkins, his successors and assigns, the right and wharf. privilege for the period terminating with the 14th day of March, 1933, to construct and maintain wharves and buildings upon a strip or portion of

active

Ch. 198.]

## SESSION LAWS, 1919.

the east half of the Holman waterway, eighty (80) feet wide and six hundred (600) feet long, beginning at a point on the east half of said waterway, eighteen hundred (1800) feet southerly from the point of the intersection of the United States government meander line and the east line of said waterway and extending toward the inner harbor line, according to the official plat of the tide lands and inner harbor lines in front of the town of Ilwaco on file in the county of Pacific, state of Washington, and to conduct on the said described premises any industrial operations.

Terms for roadway.

Conditions of grant.

SEC. 2. There is hereby granted to R. A. Hawkins, his successors and assigns, and the town of Ilwaco, a municipal corporation, or its inhabitants, or any of them, the right and privilege for the period terminating with the 14th day of March, 1933, to construct and maintain a wharf roadway twenty (20) feet in width from the south end of the above described premises along and upon the east half of said waterway mentioned in the foregoing section. said wharf roadway to be at all times free to the public travel: *Provided*, that if the said grantee, his successors or assigns, shall cease to maintain its wharves and buildings, or cease to conduct or maintain thereon industrial operations, or cease to permit the public use of said wharf roadway free, then in that event the rights and privileges granted under this act shall cease.

Passed the Senate February 11, 1919. Passed the House, March 11, 1919. Approved by the Governor March 22, 1919.

#### CHAPTER 199.

#### [S. B. 269.]

#### SUPPLEMENTAL APPROPRIATION ACT.

AN ACT making an appropriation for the purchase of land for, construction of buildings at, for maintenance of, and sundry expenses at the various state institutions, schools and state offices, and for the sundry civil expenses of the state government, and for miscellaneous purposes for the fiscal term beginning April 1st. 1919 and ending March 31st. 1921, except as otherwise provided, and making appropriations for certain deficiencies, and declaring that this act shall take effect immediately.

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

SECTION 1. The following sums or as much Authorizing thereof as shall severally be found necessary, are hereby appropriated out of any moneys in the several funds of the state treasury hereinafter named in payment of the salaries of certain officers and employees of the state, and for the operation and maintenance of, and construction of buildings at, and other expenses for, and various state institutions hereinbelow designated and mentioned, and for the other divers purposes hereinafter expressed. and for the fiscal term beginning April 1st, 1919, and ending March 31st, 1921, and as hereinafter or otherwise particularly specified the amount appro priated for all buildings for state institutions. whether penal, charitable, educational or reformatory to be expended under the direction of the board having control.

#### FROM THE GENERAL FUND.

#### FOR THE STATE CUSTODIAL SCHOOLS.

Salary of Superintendent (to be paid out of the appro-e. priation heretofore made under Chapter 82, Session schools. For the construction and equipment of two ward buildings ..... 190,000 00

disbursements.

SESSION LAWS, 1919.	[Ch. 19	99.
FOR CAPITOL BUILDING AND GROUNDS. Salary of Superintendent (to be paid out of the appro- priation heretofore made under Chapter 82, Session Laws 1919, for salaries and wages)	\$4,000	00
FOR THE COURT REPORTER'S OFFICE.		
Additional for proof reader and clerk hire	\$600	00
FOR THE TAX COMMISSIONER.		
Inheritance tax deputy	\$4,800	00
FOR THE STATE BAB EXAMINER.		
Deficiency appropriation	\$1,500	00
For the Industrial Welfare Commission.	• '	
Salary and expenses of all kinds, investigations and		
conferences	\$4,000	00
SECRETARY OF STATE.		
For printing session laws, advance sheets, House and		
Additional for initiative and referendum and Consti-		
tutional amendments	50,000	00
FOR THE DEPARTMENT OF AGRICULTURE.		
For destruction of crickets, grass hoppers, (to be available out of the appropriation heretofore made under Chapter 82, Session Laws of 1919 for de- struction predatory animals)	\$3,000	00
EOD THE STATE PUBLIC SERVICE COMMISSION GRAIN DE	PA PTMF	NT
Salary Clerk and Registrar	3,600	
Salary Deputy Seattle	3,600	00
Salary Deputy Spokane	3,600	00
Salary Deputy Tacoma	3,600	00
	\$19,200	00
Supplies, material and service	\$1,500	00
Salaries of deputy inspectors, samplers, weighers, office rent, traveling expenses, office supplies, postage and incidentals and refund in an amount not exceeding \$10,000.00 on account of advances made to the grain department such as [refunds] funds to be made on sworn certificate of the chief grain inspector, certified to the state auditor after approval by the public service commission		
	Salary of Superintendent (to be paid out of the appropriation heretofore made under Chapter 82, Session Laws 1919, for salaries and wages)	Salary of Superintendent (to be paid out of the appropriation heretofore made under Chapter 82, Session Laws 1919, for salaries and wages)

Ch. 199.]

In lieu of the sum appropriated by Chapter 82 of the Laws of 1919 for "buildings, equipment and all other expenses at Prosser Experiment Station \$35,000.00" amend the wording to read, "For buildings, equipment and purchase of adjacent	ũ		Prosser ex- periment station.
lands and all other expenses of Prosser Experi- ment Station"	<b>\$</b> 35,00 <b>0</b>	00	•
In lieu of sum appropriated by Chapter 82 of the Laws of 1919, for "Dairy buildings and equipment at State College \$175,000.00", amend the wording to read "Buildings and equipment at State College"	175,000	00	State college.
J. E. Willis, judgment, (State of Washington vs. J. E. Willis)	101	22	Judgments.
Jeremiah Neterer et al, judgment, (Jeremiah Neterer vs. State of Washington)	281	16	
Thos. Joyce, judgment, (Thos. Joyce vs. State of Washington)	1,556	50	
Frank R. Buckley and Pacific Coast Casualty Co., judgment, (State of Washington vs. Frank R. Buckley and Pacific Coast Casualty Co.)	193	33	
Olympia Brewing Co., judgment, (Olympia Brewing Co. vs. State of Washington)	483	00	
W. D. Forbes, judgment, (W. D. Forbes, vs. State of Washington)	2,909	96	
Joe Adams, et al, judgment, (Joe Adams, et al vs. W. V. Tanner, Attorney General)	267	66	
Ransey Hardware Co., judgment (Ransey Hdwe. Co. vs. State of Washington)	2,707	45	
Frank Musselman, judgment, (State of Washington vs. Frank Musselman)	 126	00	
Paul Wilson, et al and Powell Mfg. Co. judgment, (Paul Wilson, et al vs. State of Washington)	60	02	
R. D. Vernon, judgment, (Howard Tilton, vs. R. D. Vernon)	25	00	
Tony Schimmels, judgment, (State of Washington vs. Tony Schimmels)	201	66	
For the relief of Asotin County for overpayment on judgment, State of Washington vs. Asotin County).	305	69	
FOR STATE AUDITOR-BUBEAU OF INSPECTION.			
For assistants for state work, checking state insti- tutions	\$7,500	00	Bureau of inspection.
Al Helander, judgment, statutory costs, (State of Washington, ex rel. Helander vs. Clausen et al)	64	00	
For the payment of library fund warrant No. 817	10		

685

.

## SESSION LAWS, 1919.

4,107 20

	• FOR WHATCOM COUNTY.	
Local assessments.	Construction assessment drainage district No. 5, (NE¼ of NW¼ 6-39-3 East, in full)       \$11         Maintenance assessment drainage district No. 7, (Tracts 1, 2, 15, 16, 19, 20, 29, 30 and the S½ Sec. 36-40-1 E. and the NE¼ of NW¼ 6-39-3 E. in full for years 1916, 1917 and 1918)	
	FOR THE CITY OF BELLINGHAM.	
	<ul> <li>(Local improvement assessment against State Tide Lands, Block A, lots 3, 4, and 5)</li></ul>	30
	front of Normal School	39
Miscellane- ous relief.	Cornelius Gerber and Herman McKinley, administra- tors of the estate of Frank W. Squires, deceased,	•••
	refund inheritance tax overpayment	22
	SE <sup>1</sup> / <sub>4</sub> of Section 16-19-34 E. Adams County	80
	For relief D. C. McKee, Smith Bldg., Seattle, Wash. refund corporation fee, Renton State Bank	00
	For relief of Gustaff Heiss, Irene Luther and Mabel Thomas, heirs Mamie Heiss, deceased, refund over-	00
	payment land application No. 4976 238	97
	For the Relief of Chas. H. Lilly Co., Seattle, Wash., Script	00
1	FOR THE STATE BOARD OF HEALTH.	
State board of health.	For Special Investigations Venereal Diseases (con- ditioned upon a like amount being received from the Federal Government) 25,000	00
	FOR THE SECRETARY OF STATE-MOTOR VEHICLE DEPARTMENT.	
Motor vehicle de- partment.	From the Motor Vehicle Fund: For supplies, material and service, including numerical index system, plate cost, postage, clerk hire, travel- ing expenses, freight and policing, and other inci- dental expenses incident to the operation and ad- ministration of the automobile department\$220,000	00
	FROM THE GENERAL FUND.	
Department of statistics.	DEPARTMENT OF STATISTICS AND IMMIGRATION. Clerk hire, supplies, material and service	
		40
	FROM THE PUBLIC HIGHWAY FUND. Great Northern Railway Co., judgment, Great Northern Railway Company vs. State of Washington \$25,625 For the relief of Henry McCleary Timber Co. for moneys expended on Olympia Highway between Eld	<b>0</b> 0

Inlet in Thurston County and McCleary in Grays

Harbor County.....

686

Ch. 199.]

## SESSION LAWS, 1919.

#### SKAGIT COUNTY.

Local Improvement assessment district No. 1. known as the Cook Road; (NE <sup>1</sup> / <sub>4</sub> of NE <sup>1</sup> / <sub>4</sub> ; S <sup>1</sup> / <sub>2</sub> of the NE <sup>1</sup> / <sub>4</sub> ; NE <sup>1</sup> / <sub>4</sub> of the NW <sup>1</sup> / <sub>4</sub> ; S <sup>1</sup> / <sub>2</sub> of the NW <sup>1</sup> / <sub>4</sub> ; NE <sup>1</sup> / <sub>4</sub> of SE <sup>1</sup> / <sub>4</sub> ; S <sup>1</sup> / <sub>2</sub> of SE <sup>1</sup> / <sub>4</sub> ; N <sup>1</sup> / <sub>2</sub> of the SW <sup>1</sup> / <sub>4</sub> and			Local as- sessments.
the SW¼ of the SW¼, Sec. 16-35-4 E.)	\$867	99	
SKAGIT COUNTY.			
Local Improvement Assessment District No. 7, known as Olympia March Riverside Road, (N½ of SW¼; SW¼ of SW¼; S½ of SE¼; NE¼ of the SE¼ and the SW14 of the NE14 Section 16 25 4 E)	<b>6</b> 940	95	
and the SW¼ of the NE¼, Section 16-35-4 E) For the relief of Camp Lewis Transportation Co., overcharge motor vehicle license (Motor Vehicle	\$240	20	
Fund)	\$284	00	·
FROM THE MILITARY FUND.			
For the relief of Percy Jenkins	\$30	00	
FROM THE GENERAL FUND.			
For the relief of Ernest Lister	\$5,000	00	
FOR THE INDUSTRIAL INSURANCE COMMISSION.			
Additional salary chief medical adviser (to be taken out of appropriation Chapter 82 Session Laws 1919 for clerk hire, traveling auditors, etc)	\$6,000	00	Industrial insurance commission.
FROM THE GENERAL FUND.			
To defray one-half of the expenditures provided by Section 6604-117 of the Workmen's Compensation Act, the said act being Section 6604 of Remington and Ballinger's Codes and Statutes of Washington\$1	175,050	00	
FROM THE MEDICAL AID FUND.			
To defray one-half the expenditures provided by Section 6604-117 of the Workmen's Compensation Act, the said act being Section 6604 of Remington and Ballinger's Codes and Statutes of Washington\$1	175,050	00	
FROM THE CURRENT SCHOOL FUND.			
<ul><li>William W. Manier, administrator estate of Catherine</li><li>A. Turner, deceased, judgment (Wm. W. Manier,</li><li>Administrator, vs. State of Washington)</li></ul>	<b>\$1,</b> 617	08	
FROM THE CURRENT SCHOOL FUND.			
William W. Manier, administrator estate of Catherine A. Turner, deceased, judgment (Wm. W. Manier,			
administrator vs. State of Washington)	\$53	89	

687

## SESSION LAWS, 1919.

#### FROM THE FISHERIES FUND. (Not to exceed the collections thereof.)

#### FOR THE DEPARTMENT OF FISHERIES.

Department of fisheries.

Salary of Fish Commissioner, of inspectors and em-		
ployees, traveling expenses of Commissioner, in-		
spectors and employees, rent and incidentals, con-		
struction, repairs and maintenance of salmon		
hatcheries, construction of new hatcheries, patrol		
service, improvements, replacements, destruction of		
seals, printing and for the other necessary expenses		
of the office of the Fish Commissioner\$243,10	0	00
For the relief of Independent Fisheries Co. of Seattle,		
overpayment of fish taxes	9	04
For the relief of the following persons for destruction		
of seals:		
Harry Shipman, Bay Center, Wash	6	00
Don L. Smith, South Bend, Wash	3	00
John Gaffney, Jr. 760 Belmont Place, Seattle,		
	1	00
John Mounser, Malone, Wash	6	00
Dewey Barichio, Bay Center, Wash	3	00
G. F. Cornish, Freeland, Wash	1	00
Henry Bjorklund, E. Stanwood, Wash 7	6	00
H. Bjorklund, E. Stanwood, Wash 10	1	00
Gottfrid Knutson, 3007 Kromer Ave. Everett,		
Wash 4	4	00
Carl Wood, Coyle, Wash	5	00
Andrew Chrey, Shelton, Wash	1	00
Gottfred Knutson, 3007 Kromer Ave., Everett,		
Wash	8	00
Gottfred Knutson, 3007 Kromer Ave., Everett,		
Wash 5	4	00
Miles P. Newbury, Ocosta, Wash	1	00
Chas. Seatit, Indian, LaConner, Wash	6	00

#### FROM THE GAME FUND.

(Not to exceed the collections thereof.)

#### FOR THE OFFICE OF THE STATE GAME WARDEN.

State game warden.

Salary and traveling expenses of State Game Warden, and salary and traveling expenses of two special deputy state game wardens, under the state game warden, maintenance of state trout hatcheries, new hatchery construction, equipment, maintenance and stocking of state game farm at the Walla Walla penitentiary, new construction at the state game farm, salaries of employees, rent, and incidentals, and printing of the state game warden and purchase of game birds and animals..... \$85,000 00 Ch. 199.]

• ·

FOR THE OFFICE OF THE OHIEF DEFUTI GAME WAR	DEN.		
Salary of chief deputy state game warden and travel- ing expenses, salary and traveling expenses of two special deputy state game wardens under the chief deputy state game warden, salaries of employees, rent, incidentals and printing of the chief deputy state game warden	\$12,770	00	
FROM THE STATE OYSTER RESERVE FUN: (Not to exceed the collections thereof.)	D.		
For the improvement and protection of the state oyster reserves	\$10,000	00	Oyster reserves.
FROM THE PERMANENT HIGHWAY FUND (From that part apportioned to King County.			
For the relief of J. L. Smith, Seattle, Wash (From that part apportioned to Spokane Count	у.)		Relief.
For the relief of C. M. Payne	\$882	96	
For the relief of J. M. Clifton	907	<b>24</b>	
(From that part apportioned to Pierce County For the relief of T. M. Morgan, Everett, Wash	r.) \$915	21	
FROM THE GENERAL FUND.			
For Pacific International Live Stock Exposition, Port- land, Oregon, premiums to be paid to Washington State pure bred exhibitors, under the direction of the commissioner of agriculture of Wash	\$10,000	00	Live stock premiums.
For indexing House and Senate Journals	600	00	Indexing journals.
FOR STATE LABOR COMMISSIONER.			
In lieu of sum appropriated by Chapter No. 82 of the Laws of 1919, for factory inspection, Salaries of six inspectors\$18,600 Supplies, material and service	•		Labor com- missioner.
	\$30.000	00	
FOR OFFICE OF STATE MINE INSPECTOR.	<i><b>v</b>oo,000</i>	•••	
Additional salary of deputy inspector	\$1,200	00	Mine in- spector.
FOR THE STATE TREASURER.			
For expenses of every kind and nature to protect the securities owned by the State of Washington or de-		•••	State treasurer.
posited with the state treasurer	\$7,500	00	
FOR YAKIMA COUNTY.			Local as-
Local Improvement Assessments State property For the purchase of conveyance, maintenance and operation transporting soldiers between the Home	\$915	60	sessments. Veterans'
and docks at the Washington Veterans home at Port Orchard	\$3,000	00	transporta- tion.

۰.

Emergency.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety and for the support of the state government and its existing public institutions and shall take effect immediately.

Passed the Senate March 10, 1919. Passed the House March 11, 1919. Approved by the Governor March 22, 1919.

## CHAPTER 200.

#### [S. B. 120.]

AMENDMENT OF MUTUAL SAVINGS BANKS LAW.

AN ACT amending sections 11, 17, 25 and 42 of an act entitled "An Act authorizing the incorporation of mutual savings banks, defining their powers and duties, and prescribing penalties for violations hereof," approved March 19, 1915, the same being chapter 175 of the Session Laws of 1915.

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

SECTION 1. That section 11 of Chapter 175 of the Session Laws of 1915, being "An Act authorizing the incorporation of mutal savings banks, defining their powers and duties, and prescribing penalties for violations hereof," approved March 19, 1915, be and the same is hereby amended to read as follows:

Investment of moneys.

Federal obligations. Section 11. A mutual savings bank may invest the moneys deposited therein, the sums credited to the guaranty fund thereof and the income derived therefrom in the following property and securities, and no others, and subject to the following restrictions:

## First—Public Funds.

(a) The bonds or interest bearing notes or obligations of the United States or those for which Ch. 200.1

the faith of the United States is pledged to provide for the payment of the interest and principal, including bonds of the District of Columbia.

(b) The bonds or interest bearing obligations State obligations. of this state issued pursuant to the authority of any law of this state.

(c) The bonds or interest bearing obligations of any other state of the United States upon which there is no default, and upon which there has been no default for more than ninety days: Provided, that within ten years immediately preceding the investment such state has not been in default for more than ninety days in the payment of any part of principal or interest of any debt duly authorized by the legislature of such state to be contracted by such state since January 1st, 1878.

(d) The valid bonds of any city, town, county, Municipal school district or port district in the state of Washington issued pursuant to law, and for the pavment of which the faith and credit of such municipality, county or district is pledged, or valid warrants of such municipality, county or district drawing interest, and for which payment such municipality, county or district is liable.

(e) Bonds of any incorporated city situated in Bonds of any other state of the United States: Provided, other states. such city has a population as shown by the Federal census next preceding the investment, of not less than 45,000 inhabitants, and was incorporated as a city at least twenty-five years prior to the making of the investment, and has not since January 1st, 1878, defaulted for more than ninety days in the payment of any part of principal or interest of any bond, note or other indebtedness, or effected any compromise of any kind with the holders thereof. If at any time the indebtedness of any such city, together with the indebtedness of any district (other than local improvement district) or

cities in

other municipal corporation or sub-division, except a county, which is wholly or in part included within the bounds or limits of said city, less its water debt and sinking fund, shall exceed seven per centum of the valuation of such city for purposes of taxation, its bonds shall thereafter, and until such indebtedness shall be reduced to seven per centum of such valuation, cease to be an authorized investment of the moneys of mutual savings banks.

(f) Bonds of any commercial waterway district in this state: *Provided*, the total obligations of such district by bonds, warrants or otherwise do not exceed ten per cent. of the assessed valuation of the lands and improvements within such districts: *And provided further*, that this authorization does not extend to the thirty per cent. in amount of such bond issue last callable for payment.

(g) Bonds of any local improvement district of any city or town of this state (except bonds for an improvement consisting of grading only) and bonds of any irrigation, diking, drainage, diking improvement or drainage improvement district of this state. unless the total indebtedness of the district after the completion of the improvement for which the bonds are issued, plus the amount of all other assessments of a local or special nature against the land assessed or liable to be assessed to pay the bonds, exceed fifty per cent. of the value of the benefited property, exclusive of improvements, at the time the bonds are purchased or taken by the bank, according to the actual valuation last placed upon the property for general taxation. Before any such bonds are purchased or taken as security the condition of the district's affairs shall be ascertained and the property of the district examined and appraised by at least two trustees who shall report in writing their findings and recommendations; and no bonds shall be taken unless such

Commercial waterway bonds.

Local improvement bonds. Ch. 200.1

report be favorable, nor unless the executive committee of the board of trustees after careful investigation is satisfied of the validity of the bonds and of the validity and sufficiency of the assessment or other means provided for payment thereof: Provided, that no city or town local improvement bonds falling within the twenty-five per cent. in amount of any issue last callable for payment, shall be acquired or taken as security.

## Second: The following Bonds of Railroad Corporations.

(a) The mortgage bonds of any railroad cor- Railway poration incorporated under the laws of the United bonds. States or any of the states thereof which actually owns in fee not less than five hundred miles standard guage railway, exclusive of sidings, within the United States: *Provided*, that at no time within five years next preceding the date of any such investment such railroad corporation shall have failed regularly and punctually to pay the matured principal and interest of all its mortgaged indebtedness, and in addition thereto regularly and punctually to have paid in dividends to its stockholders during each of said five years, an amount at least equal to four per centum upon all its outstanding capital stock: And provided further, that during said five years the gross earnings in each year from the operation of said company, including therein the gross earnings of all railroads leased and operated or controlled and operated by said company, and also including in said earnings the amount received directly or indirectly by said company from the sale of coal from mines owned or controlled by it, shall not have been less in amount than five times the amount necessary to pay the interest payable during that year upon its entire outstanding indebtedness, and the rentals for said year of all leased lines :

And provided further, that all bonds authorized for investment by this paragraph shall be secured by a mortgage which is at the time of making such investment, or was at the date of the execution of said mortgage (one) a first mortgage upon not less than seventy-five per centum of the railway owned in fee by the company issuing such bonds, exclusive of sidings at the date of such mortgage, or (two) a refunding mortgage issued to retire all prior lien mortgage debts of such company outstanding at the time of such investment and covering at least seventy-five per centum of the railway owned in fee by such company at the date of such mortgage. But no one of the bonds so secured shall be a legal investment in case the mortgage securing the same shall authorize a total issue of bonds which, together with all outstanding prior debts of such company, after deducting therefrom in case of a refunding mortgage the bonds reserved under the provisions of such mortgage to retire prior debts at maturity, shall exceed three times the outstanding capital stock of such company at the time of making such investment. And no mortgage is to be regarded as a refunding mortgage under the provisions of this paragraph unless the bonds which it secures mature at a later date than any bond which it is given to refund, nor unless it covers a mileage at least twenty-five per centum greater than is covered by any one of the prior mortgages so to be refunded.

(b) Any railway mortgage bonds which would be a legal investment under the provisions of paragraph (a) of this sub-division, except for the fact that the railroad corporation issuing such bonds actually owns in fee less than five hundred miles of road: *Provided*, that during five years next preceding the date of any such investment the gross earnings in each year from the operations of said Ch. 200.]

corporation, including the gross earnings of all lines leased and operated or controlled and operated by it, shall not have been less than ten hundred thousand dollars (\$1,000,000.00).

(c) The mortgage bonds of a railroad corporation described in the foregoing paragraphs (a) or (b) or the mortgage bonds of a railroad owned by such corporation assumed or guaranteed by it by endorsement on such bonds, provided such bonds are prior to and are to be refunded by a general mortgage of such corporation, the bonds secured by which are made a legal investment under the provisions of said paragraph (a) or (b): And provided further, that said general mortgage covers all the real property upon which the mortgage securing such underlying bonds is a lien. Bonds which have been or shall become legal investments for mutual Effect of savings banks under any of the provisions of this consolidasection shall not be rendered illegal as investments though the property upon which they are secured has been or shall be conveyed to another corporation, if the consolidated or purchasing corporation shall assume the payment of such bonds, and shall continue to pay regularly interest or dividends or both upon the securities issued against, or in exchange for or to acquire the stock of the company consolidated to an amount at least equal to four per centum per annum upon the capital stock (outstanding at the time of such consolidation or purchase) of the corporation which has issued or assumed such Not more than twenty-five per centum of Limitation bonds. the assets of any savings bank shall be loaned or invested in railroad bonds, and not more than five per cent. of the assets of any savings bank shall be invested in the bonds of any one railroad corporation. In determining the amount of the assets of any savings bank under the provisions of this sub-division its securities shall be estimated in the

on investments.

manner prescribed by section 26 of this act. Street railroad corporations shall not be considered railroad corporations within the meaning of this act.

Third—Loans on Personal Security.

Promissory notes payable to the order of the savings bank upon demand, secured by the pledge or assignment of any of the bonds, warrants or interest bearing obligations hereinbefore in this section mentioned, or secured by pledge or assignment of one or more real estate mortgages of the class described in sub-division fourth of this section, but no such loan shall exceed ninety per centum of the cash market value of such securities so pledged. Should any of the securities so held in pledge depreciate in value after the making of such loan, the savings bank shall require an immediate payment of such loan, or of a part thereof, or additional security therefor, so that the amount loaned thereon shall at no time exceed ninety per cent. of the market value of the securities so pledged for such loan.

Fourth—Real Estate Mortgage Loans.

Investments may be made in loans secured by first mortgage on real estate subject to the following restrictions:

In all cases of loans upon real property, a note or bond secured by a mortgage on the real estate upon which the loan is made, together with a complete abstract of title for such real estate signed by the person or corporation furnishing such abstract of title, (which abstract shall be examined by a competent attorney at law, selected by the bank, and his opinion furnished approving the title and showing that the mortgage is a first lien) or a policy of title insurance of a reliable title insurance company authorized to insure titles within this state shall be furnished to the savings bank by the bor-

Realty mortgage loans.

Personal security loans.

The real estate subject to such first mortrower. gage must be improved to such extent that the net annual income thereof, or reasonable annual rental value thereof in the condition existing at the time of making the loan, is sufficient to pay the annual interest accruing on such loan in addition to taxes and insurance. and all accruing charges and ex-No loan on real estate shall be for an penses. amount greater than fifty per cent. of the value of such real estate including improvements. The mortgage shall contain provisions requiring the mortgagor to maintain insurance on the buildings on the mortgaged premises to such reasonable amount as shall be stipulated in the mortgage, the policy to be payable in case of loss to the savings bank, and to be deposited with it. A loan may be made on real estate which is to be improved by a building or buildings to be constructed with the proceeds of such loan, if it is arranged that such proceeds will be used for that purpose and that when so used the property will be improved to the extent required by this section. Not more than seventy-five per cent. of the assets of any savings bank shall be invested in mortgage loans. No mortgage loan or renewal or extension thereof shall be made except upon written application showing the date, name of applicant, amount of loan requested, and the security offered, nor except upon the written report of at least two members of the board of investment of the bank certifying on such application according to their best judgment the value of the property to be mortgaged and recommending the loan, and the application and written report thereon shall be filed and preserved with the savings bank records. Every mortgage and every assignment of a mortgage taken or held by a savings bank shall be taken and held in its own name, and shall immediately 697

Limitations on mortgage loans. be recorded in the office of the county auditor of the county in which the mortgaged property is located.

Fifth—Real Estate as follows:

(a) A tract of land whereon there is or may be erected a building or buildings suitable for the convenient transaction of the business of the savings bank, from portions of which not required for its own use a revenue may be derived. The investment in such tract of land to be subject to the conditions prescribed in section 12 of this act.

(b) Such as shall be conveyed to such savings bank in satisfaction of debts previously contracted in the course of its business.

(c) Such as it shall purchase at sales under judgments, decrees or mortgages held by it.

# Sixth—Acceptances of the Kind and Character Following:

(a) Bankers' acceptances and bills of exchange of the kind and maturities made eligible by law for rediscount with Federal reserve banks, *provided* the same are accepted by a bank or trust company incorporated under the laws of this state, or under the laws of the United States.

(b) Bills of exchange drawn by the seller on the purchaser of goods and accepted by such purchaser, of the kind and maturities made eligible by law for rediscount with Federal reserve banks, *provided* the same are indorsed by a national bank or by a bank or trust company incorporated under the laws of this state. Not more than 20 per cent. of the assets of any mutual savings bank shall be invested in such acceptances. The aggregate amount of the liability of any bank or trust company or of any national bank to any mutual savings bank, whether as principal or indorser, for acceptances held by such savings banks and deposits made with it, shall not exceed 25 per cent. of the paid up

Bank acceptances and bills of exchange.

Accepted bills of exchange.

Limitations.

Realty investments. capital and surplus of such bank or trust company or national bank, and not more than 5 per centum of the aggregate amount credited to the depositors of any mutal savings bank shall be invested in the acceptance of or deposited with a bank or trust company or a national bank of which a trustee of such mutal savings bank is a director.

That section 17 of chapter 175 of the Sec. 2. Session Laws of 1915, be amended to read as follows:

Section 17. (1) When the aggregate amount of Limiton deposits and dividends to the credit of any indi- deposits. vidual, including in such aggregate all deposits and dividends credited to him as trustee or beneficiary of any trust and all deposits and dividends credited to him and another or others in either joint or several form, is three thousand dollars (\$3,000.00) or more, such aggregate shall not be increased by the receipt from him of any deposit but may be increased to not more than six thousand dollars (\$6,000.00) by the crediting of dividends. Additional accounts may, however, be maintained in the name of a parent as trustee for a dependent or minor child, and in the name of a child as trustee for a dependent parent, but not more than two hundred and fifty dollars (\$250.00) shall be deposited to any such additional account during any six month period.

(2) When the aggregate amount of deposits and dividends to the credit of any society or corporation is five thousand dollars (\$5,000.00) or more, such aggregate shall not be increased by the receipt of any deposit not made pursuant to order of a court of competent jurisdiction, but may be increased to not more than ten thousand dollars (\$10,000.00) by the crediting of dividends.

(3) Every such bank may further limit the ag- Refusal gregate amount which an individual or any corpora-

and return

individual

tion or society may have to his or its credit to such sum as such bank may deem expedient to receive; and may in its discretion refuse to receive a deposit, or may at any time return all or any part of any deposits or require the withdrawal of any dividend.

SEC. 3. That section 25 of chapter 175 of the Session Laws of 1915 be amended to read as follows:

Section 25. (1) Every savings bank shall regulate the rate of dividend not to exceed six per cent. per annum upon the amounts to the credit of depositors therewith, in such manner that depositors shall receive as nearly as may be all the earnings of the savings bank after transferring the amount required by section 24 hereof and such further amounts as its trustees may deem it expedient and for the security of the depositors to transfer to the guaranty fund, which to the amount of ten per cent. of the amount due its depositors the trustees shall gradually accumulate and hold. Such trustees may also deduct from its net earnings, and carry as undivided profits for the purpose of maintaining its rate of dividends, such additional sums as they may deem wise.

Classification of depositors.

Guaranty fund dividends. (2) Every savings bank may classify its depositors according to the character, amount or duration of their dealings with the savings bank, and may regulate the dividends in such manner that each depositor shall receive the same ratable portion of dividends as all others of his class.

(3) Unimpaired contributions to the initial guaranty fund and to the expense fund, made by the incorporators or trustees of such savings bank, shall be entitled to have dividends apportioned thereon, which may be credited and paid to such incorporators or trustees. Whenever the guaranty fund of any such savings bank is sufficiently large to per-

Dividend rate.

mit the return of such contributions, the contributors may receive dividends thereon not theretofore credited or paid at the same rate paid to depositors.

(4) A savings bank shall not

(a) Declare, credit or pay any dividend except Declaration as authorized by a vote of a majority of the board of dividends. trustees duly entered upon their minutes, whereon shall be recorded the ayes and naves upon each vote.

(b) Pay any dividend other than the regular quarterly or semi-annual dividend, or the extra dividend prescribed in sub-division six of this section.

(c) Declare, credit or pay dividends on any amount to the credit of a depositor for a longer period than the same has been credited: Provided. however, that deposits made not later than the tenth business day of the month commencing any semiannual dividend period or the third business day of any month, or withdrawn upon one of the last three business days of the month ending any quarterly or semi-annual dividend period, may have dividends declared upon them for the whole of the period or month when they were so deposited or withdrawn: And provided further, that, if the by-laws so provide, accounts closed between dividend periods may be credited with dividends at the rate of the last dividend, computing from the first dividend period to the date when closed.

(5) Whenever any dividend shall, except as Liability provided in sub-division six of this section, be declared and credited in excess of profits earned and appearing to the credit of the savings bank since the last declaration of dividends, after making the deduction for expenses, for amortization and for the guaranty fund as provided in sections 16. 24 and 25 hereof, the trustees voting for such dividend shall be jointly and severally liable to such savings

for excess dividends.

bank for the amount of such excess so declared and credited.

(6) The trustees of any savings bank whose undivided profits and guaranty fund, determined in the manner prescribed in section 23 hereof, amount to more than twenty-five per cent. of the amount due its depositors, shall at least once in three years divide equitably the accumulation beyond such twentyfive per cent. as an extra dividend to depositors in excess of the regular dividend authorized. A notice posted conspicuously in a savings bank of a changein the rate of dividends shall be equivalent to a personal notice.

SEC. 4. That section 42 of chapter 175 of the Session Laws of 1915, be amended to read as follows:

Section 42. The secretary of every such bank shall at least once each year send notice by mail to each depositor who has to his credit a sum in excess of the maximum permitted by section 17 of this act, stating the amount of such excess, and notifying the depositors that such excess will not participate in dividends, and requiring him to reduce the amount so that the same shall not exceed the maximum.

Passed the Senate February 21, 1919.

Passed the House March 11, 1919.

Approved by the Governor March 22, 1919.

Excess deposits.

Notice to reduce.

Extra dividends.

## CHAPTER 201.

#### [H. B. 214.]

#### AMENDMENT OF COAL MINING CODE.

AN ACT relating to coal mining, and amending sections 7, 36, 46, 47, 107, 200, and repealing section 221 of chapter 36 of the Laws of 1917.

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

SECTION 1. That section 7 of chapter 36 of the Laws of 1917 be amended to read as follows:

Section 7. The salary of the mine inspector shall be three thousand dollars (\$3,000.00) per annum, inspectors. and the salary of the deputy mine inspector shall be three thousand dollars (\$3,000.00) per annum. The inspector and his deputy shall be allowed their necessary expenses for office maintenance, stenographic services, and for equipment and instruments, as well as for actual and necessary traveling expenses while in the performance of their duties, under the provisions of this act. The auditor of this state is hereby authorized and directed to draw his warrant on the state treasurer in favor of the mine inspector and his deputy for the amounts due them for their salaries monthly, and also for their expenses, upon proper vouchers, to be paid out of any moneys in the state treasury appropriated for that purpose.

The mine inspector and his deputy shall devote their entire time to the duties of their respective offices; they shall have no financial interest, direct or indirect, in any mine under the supervision of the inspection department.

The mine inspector and his deputy shall, before entering upon the discharge of their duties, each take an oath to discharge their duties impartially and with fidelity and to the best of their knowledge and ability.

Duties of inspectors.

Salaries and exIt shall be the duty of the mine inspector and his deputy to enforce the provisions of this act, for the regulation of mines, unless enforcement is otherwise especially provided for.

SEC. 2. That section 36 of chapter 36 of the Laws of 1917 be amended to read as follows:

Section 36. Every main fan at gaseous mines shall be kept in operation continuously, day and night, unless operations are definitely suspended for a period of one week or more: *Provided*, that should it at any time become necessary to stop any fan at any mine, gaseous or non-gaseous, on account of accident to part of the machinery connected therewith, or by reason of any other unavoidable cause, it shall be the duty of the mine foreman, or the assistant mine foreman, in charge, after having first provided for the safety of the persons employed in the mine, to order said fan stopped for necessary repairs.

SEC. 3. That section 46 of chapter 36 of the Laws of 1917 be amended to read as follows:

Outlets and openings, number required.

Section 46. It shall be unlawful for the owner. operator or superintendent of any mine, or the agent of such owner, operator or superintendent, to employ any person or persons in such mine, or permit any person or persons to be in such mine forthe purpose of working therein, unless there are provided and maintained in connection with and leading from such mine, in addition to the hoisting shaft, slope or other place of delivery not less than. two openings or outlets to the surface, or one outlet to the surface and one underground passage leading to a contiguous mine; said openings or outlets to be separated from each other and from such. hoisting shaft, slope or other place of delivery, by a stratum of not less than fifty (50) feet in thickness, at and through which openings or outlets safe

Operation of gas fans.

and ready means of ingress and egress are at all times available by not less than three routes, for any person or persons employed in said mine; and in connection with and leading from each seam or stratum of coal being worked in said mine, and from every lift thereof, not less than two openings or outlets leading directly or indirectly to the surface, and separated by a stratum of not less than fifty (50) feet in thickness; at and through which two openings safe and ready means of ingress and egress are at all times available by not less than two routes for any person or persons employed in said stratum or seam of coal or lift thereof. This section shall not apply to a mine while being worked for the purpose of making communication between said outlets, or to open a seam or stratum of coal, or new lift thereof, so long as not more than twenty (20) persons are employed at any time in such part of a mine, or new lift of a mine; neither shall it apply to any mine or part of a mine in which any outlet has been rendered unavailable by reason of the final robbing of pillars, previous to abandonment, so long as not more than twenty (20) persons are employed in such mine or any part of such mine at one time.

This section shall apply only to mines or parts of mines which shall be developed or in which de- Application of act. velopment shall be started after this act shall go into effect, but it shall not be construed to permit any openings or outlets now in use for the safety of men to be abandoned unless other such openings are substituted therefor.

SEC. 4. That section 47 of Chapter 36 of the Laws of 1917 be amended to read as follows:

Section 47. It shall be unlawful for the owner. operator or superintendent of any mine to loosen or Distances remove, or cause or permit to be loosened or re--23

moved from its original position, any coal within a distance of two hundred and fifty (250) feet on either side of any hoisting slope, or within a distance of fifty (50) feet on either side of any permanent airway, or escapeway, or within twenty-five (25) feet of any level or gangway, or any parallel airway to any level or gangway, except for the purpose of driving air and escapeways, crosscuts and such other passages as may be necessary for the proper operation of the mine: *Provided*, that if the inspector shall deem it safe to permit coal to be loosened or removed within a distance nearer than two hundred and fifty (250) feet from any hoisting slope he may grant permission to the operator to remove such coal within a distance of not less than one hundred and fifty (150) feet of such hoisting slope, by issuing a written permit therefor. This section shall not be construed to prevent the drawing of pillars previous to the final abandonment of the mine.

SEC. 5. That section 107 of chapter 36 of the Laws of 1917 be amended to read as follows:

Section 107. When operations are temporarily suspended in a mine, the mine foreman shall see that a danger sign is placed across the mine entrance, which sign shall be sufficient warning for persons not to enter the mine. If the circulation of air through the mine be stopped, each entrance to said mine shall be fenced off in such manner as will ordinarily prevent persons from entering said mine, and a danger sign shall be displayed upon said fence at each entrance. The mine foreman shall see that all danger signs used at the mine are in good condition, and if they become defective he shall cause same to be repaired, or notify the superintendent.

In case of accident to a ventilating fan or its machinery whereby the ventilation in a mine is, or is about to be seriously interrupted, the mine foreman

Posting danger signs.

Interrupted ventilation.

shall order the men to withdraw immediately from the mine, and he shall not allow them to return to their work until the ventilation has been restored and the mine has been thoroughly examined by him, or by an assistant mine foreman or fire boss, and reported safe.

In case the operation of the ventilating fan is stopped at a gaseous mine because of the suspension of the operations in the mine, the mine foreman shall not allow the men employed therein to enter the mine until the ventilation has been restored by the operation of the fan for at least twelve hours and the mine has been thoroughly examined by him, or by an assistant mine foreman or fire boss, and reported safe.

SEC. 6. That section 200 of chapter 36 of the Laws of 1917 be amended to read as follows:

Copies of these rules shall be printed in English. Rules to be by the operator, and each workman in and around the mine shall procure a copy. If he cannot read the English language, he must at his own expense, procure an interpreter to correctly interpret the rules to him. The workman will pay the operator twenty-five cents (25c) per copy for the rules, and if he returns the same to the operator in legible condition, the amount so paid by him shall be returned.

SEC. 7. [Vetoed.]

Passed the House, February 26, 1919.

Passed the Senate, March 11, 1919.

Approved by the Governor, except Section 7, which was vetoed, March 22, 1919.

printed in English.

## CHAPTER 202.

## [H. B. 263.]

## PETITIONS FOR COMMITMENT OF MINORS TO PARENTAL SCHOOLS.

AN ACT in relation to parental schools, amending sections 8609 and 8610 Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That Section 8609 of Remington & Ballinger's Annotated Codes and Statutes of the State of Washington be amended to read as follows:

Section 8609. It shall be the duty of any truant officer or agent of such board of directors to petition and any reputable citizen of the city may petition the superior court, to inquire into the case of any child of compulsory school age, who is not attending school, or who has been guilty of habitual truancy, or incorrigibility, and the petition shall also state the name, if known, of the father and mother of said child, or the survivor of them; and if neither father nor mother of said child is living or cannot be found in the county or if their names cannot be ascertained, then the name of the guardian if there be one known, and if there be a parent living whose name can be ascertained, or guardian, the petition shall show whether or not the father or mother or guardian consents to the commitment of child to such parental or truant school. Such petition shall be verified by oath upon the belief of the petitioner and upon being filed the judge of the superior court shall have such child named in the petition brought before him for the purpose of determining the application contained in such petition. But no child shall be committed to such school who has ever been convicted of any offense punishable by confinement in any penal institution. Any child so received from

Ch. 203.]

the Juvenile Court shall be subject to the other provisions of this act and may at any time, by order of the School Directors be returned to the Juvenile Court and shall not thereafter be returned to the Parental school without the consent of the Directors of such School District.

SEC. 2. [Vetoed.]

Passed the House, March 9, 1919.

Passed the Senate, March 12, 1919.

Section 1 approved by the Governor March 22, 1919.

Section 2 vetoed by the Governor March 22, 1919.

#### CHAPTER 203.

[S. H. B. 19.]

PROVISIONS FOR MAINTENANCE OF CHILD BORN OUT OF WEDLOCK.

- AN Act relating to filiation proceedings, providing for the institution, trial, procedure, and judgment and enforcement thereof, in actions to determine the paternity of a child of an unmarried mother and providing for the maintenance of such child and certain expenses of the mother thereof, and providing for the prosecution and punishment of such person.
- Be it enacted by the Legislature of the State of Washington:

SECTION 1. When an unmarried woman shall be pregnant or delivered of a child which shall not be the issue of lawful wedlock, complaint may be made in writing by said unmarried woman, her father, mother or guardian, to any justice of the peace in the county of which she has been a resident for thirty days last past and where she may be so pregnant or delivered, or where the person accused may be found, accusing, under oath, a person with being the father of such child, and it shall be the duty of such justice forthwith to issue a warrant against the person so SESSION LAWS, 1919.

accused and cause him to be brought forthwith before such justice.

SEC. 2. Upon the appearance of the accused, it shall be the duty of such justice to examine the woman, if then present, under oath, in the presence of the man alleged to be the father of the child. touching the charge against him, or, if the woman be not then present, to fix a date for such examination not more than ten days thereafter and to require the accused to give a bond with sufficient surety conditioned that he will appear to answer such charge upon such date, or upon any other date to which such examination may be continued; and in default of the giving of such bond such justice shall cause the accused to be committed to the county jail. The acccused shall have the right to controvert such charge and evidence may be heard as in the case of trial of civil actions before such justice. If such justice shall be of the opinion that sufficient cause appears, it shall be his duty to bind the person so accused in bond with sufficient surety payable to the state of Washington and conditioned that he will appear in the superior court of such county, at such time or times as the judge thereof may fix or order, to answer such complaint, and abide the judgment and orders of the court; or failing therein, that he will pay such sums of money and to such person as may be adjudged by such court; and the justice shall transmit such bond, together with the transcript of his proceedings, the complaint and the other papers in the case, without delay to the clerk of the superior court of such county. And if the accused shall fail to give a bond as required, such justice shall commit him to jail until discharged by law. Such bond, or any bond given by said accused on any continuance or arrest, may be put in suit by any person in whose favor the court may adjudge any sum of money in such proceeding.

Hearing before justice of peace.

Accused bound over to superior court.

Action on bond. Ch. 203.1

Such proceeding shall be entitled in the Sec. 3. name of the state of Washington, and shall be prosecuted in both justice court and the superior court by the prosecuting attorney of the county where brought, and shall not be dismissed except by such prosecuting attorney upon a showing to the court that the provisions herein contemplated to be made for the maintenance, care, education and support of the child have been made.

SEC. 4. Any person committed to jail for failure Discharge to give such bond may be discharged from custody by filing at any time after his commitment, with the clerk of the superior court such bond, to the satisfaction of the said clerk; and a certificate of the clerk to the sheriff shall be sufficient to authorize him to discharge the accused from custody.

SEC. 5. The testimony of the mother, or mother to be, shall be by such justice reduced to writing, read carefully to such witness and be by her signed, and shall, by such justice, be returned to the superior court with the other papers in the proceeding, to be used by either party thereto.

SEC. 6. Upon the filing of the transcript, com- Docketing plaint and other papers in the superior court, the court clerk thereof shall docket the same, and said complaint shall stand as the complaint therein, and issue shall be joined thereon as now provided in civil actions.

SEC. 7. If the accused in the superior court Trial. denies the charge, the issue may be tried by the court or by jury if demanded by either party.

If on the trial of the issue joined, the Judgment of Sec. 8. finding or verdict shall be that the child is not the child of the accused, then the judgment of the court shall be that he be discharged: Provided, however, that no court costs shall be required of the com-

Duty of prosecuting attorney.

on recogni-zance bond.

Mother's testimony reduced to writing.

in superior

discharge.

plainant for the proceeding before such justice or the superior court.

SEC. 9. In the event the issue be found against the accused, or whenever he shall, in open court, have confessed the truth of the accusation against him, he shall be charged by the order and judgment of the court to pay a sum to be therein specified, during each year of the life of such child, until such child shall have reached the age of sixteen years, for the care, education and support of such child, and shall also be charged thereby to pay the expenses of the mother incurred during her sickness and confinement, together with all costs of the suit, for which costs execution shall issue as in other cases. And the accused shall be required by said court to give bond, with sufficient surety, to be approved by the judge of said court, for the payment of such sums of money as shall be so ordered by said court. Said bond shall be made payable to the people of the state of Washington, and conditioned for the true and faithful payment of such yearly sums, in equal quarterly installments, to the clerk of said court, which said bond shall be filed and preserved by the clerk of said court.

SEC. 10. In addition to the proceedings for enforcing the support of the child heretofore provided for, the accused may be prosecuted in any criminal proceeding now or hereafter to be provided for by the laws of the state of Washington, relating to the support of minor children by parents or other persons upon whom such children may be dependent for care, education or support.

SEC. 11. If the accused shall fail or refuse to give such a bond as may be required by such superior court by virtue of the provisions of section nine, such court shall at any time thereafter, upon application of the mother or guardian, render judgment

Judgment ordering support of child.

Bond securing payment in quarterly instalments.

Act cumulative with criminal proceedings.

Execution In absence of security bond. Ch. 203.1

against the accused for any sum or sums then due and unpaid under the terms of such order and judgment, and execution thereon shall issue from said court: Provided. That the rendition and collection of judgment as aforesaid shall not be construed to bar or hinder the taking of similar proceedings for the collection of judgment for the nonpayment of any sum or sums becoming due and unpaid thereafter.

SEC. 12. If the accused shall refuse and neglect to give such security as may be ordered by the court. under the provisions of section nine, he shall be committed to the county jail for contempt of court, there to remain until he shall comply with such order, or until otherwise discharged by due course of law. Any person so committed may at any time petition the court for a hearing as to his inability to comply with the order of the court and the court shall thereupon fix a time for the hearing of such petition which hearing shall be not less than ten days after the date of service of said petition on the prosecuting The prosecuting attorney may however attornev. waive the said ten day period in whole or in part. Hearing At the hearing the defendant shall be examined on oath in reference to the facts set forth in such petition and his ability to comply with such judgment and order, and any other legal evidence in reference to such matters may be produced by any of the parties interested. If it appears that the defendant is unable to comply with such judgment and order, the court may direct his discharge from custody, upon his making affidavit that he has not in his own name any property, real or personal, and has no such property conveyed or concealed, or in any manner disposed of with design to secure the same to his use or to avoid in any manner compliance with such judgment and order. If upon such hearing it appears that the defendant has property, but

Commitment for contempt.

upon ques-tion of inability to support.

not sufficient to comply with such judgment and order, the court may make such order concerning the same, in connection with such discharge, as justice may require.

SEC. 13. The judgment money, when received by said clerk either by payment by the accused or by execution against the accused or against the sureties, shall be paid to the mother or guardian of such child, if a guardian therefor be appointed, and shall be laid out for the support, care and education of such child in such manner as shall be directed by the court.

Sec. 14. Whenever default shall be made in the payment of the quarterly installments, or any part thereof, specified in the bond provided for in section nine, the superior court of the county wherein such bond is filed shall, at the request of the mother, guardian, or any person interested in the support of such child, issue a citation to the principal or sureties in such bond requiring them to appear on some day in said citation mentioned and show cause, if any there be, why execution should not issue against them for the amount of the installment or installments due and unpaid on said bond. And if the amount due on such installment or installments shall not be paid at or before the time mentioned for showing cause, as aforesaid, such court shall render judgment in favor of the people of the state of Washington, and the complainant or guardian, against the principal and sureties who have been served with such citation for the amount unpaid of the installment or installments on the bond, and the cost of such proceeding, and execution shall issue in due form from said court upon said judgment.

SEC. 15. Such court shall also have the power, in case the accused does not obey the order thereof, and in case of default in the payment when due, of any installment or installments, or any part thereof.

Disposition of judgment money.

Default in paying instalments.

Judgment against defendant and sureties.

Commitment for contempt. Ch. 203.1

in the conditions of the said bond mentioned, to adjudge the accused guilty of contempt of court by reason of the nonpayment as aforesaid, and order him to be committed to the county jail in such county until the amount of said installment or installments so due shall be fully paid, together with all the costs of such commitment, but the commitment of the accused shall not operate to stay or defeat the obtaining of judgment and collection thereof by execution: Provided. that the rendition and collection of judgment, as aforesaid, shall not be construed to bar or hinder the taking of similar proceedings for the collection of subsequent installments on said bond as they shall become due or remain unpaid. Provided further, that any judgment Modification entered herein may be modified at any time upon ments. proper showing to the court.

SEC. 16. No prosecution under this act shall be Limitation brought after two years from the birth of the child: Provided, the time during which any person accused shall be absent from the state shall not be computed.

SEC. 17. The death of the mother shall not abate Mother's the proceeding, if the child be living; but a sugto abate action. gestion of record of the fact shall be made, and the testimony of the mother taken in writing before aforesaid justice may be read in evidence by either party, and shall have the same force as though she were living and had testified to the same in court.

SEC. 18. The death of such child shall not cause Judgment in the abatement or bar to any prosecution hereunder; case of child's death. but the court trying the same, on conviction, shall give judgment for such sum as shall be deemed just.

SEC. 19. If the mother be a suitable person she Custody of child. shall be awarded the custody and control of said child; if she be not a suitable person, the court may deliver the care and custody of said child to any.

of judg-

on prosecu-

death not

reputable person, including the accused, charitable or state institution. Such order and judgment may further provide, in the discretion of the court, that the surname of the accused shall henceforth be the lawful surname of such child.

Passed the House, February 17, 1919. Passed the Senate, March 11, 1919. Approved by the Governor March 25, 1919.

## CHAPTER 204.

#### [H. B. 260.]

#### LICENSING AND BONDING OF ELECTRICIANS.

AN Act providing for the licensing and bonding of persons, firms or corporations engaged in or carrying on the business of installing wires to convey electric current, or electric apparatus to be operated by such current, prescribing the conditions of bonds and the rights of recovery thereof, and providing penalties for violations of this act.

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

SECTION 1. It shall be unlawful for any persons, firm or corporation to engage in, conduct or carry on the business of installing wires to convey electric current, in any first, second or third class city, or electric apparatus to be operated by such current, without first having obtained in the manner hereinafter provided and having in force a license so to do

SEC. 2. Every person, firm or corporation desiring to engage in or engaged in and desiring to continue the business of installing wires to convey electric current, or electric apparatus to be operated by such current, shall on or before the first day of July of each and every year file with the Secretary of State, an application in writing for a license so to do, which application shall state the name and ad-

License required for electric installations.

Application for license.

Ch. 204.]

dress of the applicant, in the case of firms the names of the individuals composing the firm, and in the case of corporations the names of the managing officers of such corporations, and shall state the location of the place of business of the applicant and the name under which the business is to be conducted. Before the license shall issue, the applicant shall pay to the Secretary of State for the use of the State, an annual Fee and license fee of fifteen dollars (\$15.00), and shall execute and file with the Secretary of State a bond running to the State of Washington in the penal sum of five hundred dollars (\$500.00) with good and sufficient surety to be approved by the Secretary of State, conditioned to pay all damages sustained by any person on account of failure of the principal on such bond to comply with all laws of the State of Washington and ordinances and building codes of the city or town in which such electrical installations. are performed, or for the failure of such principal to protect any person with whom such contract is made against liens for labor performed or material furnished in connection with such contract, the surety's total liability under the bond herein provided for shall in no event exceed the sum of five hundred dollars (\$500.00), and the right of action against the surety for recovery on the bond shall not exceed a period of ninety days from completion of any contract. All licenses shall bear the date of issue and shall expire on the first day of July next Date of following the date of issue: Provided, that all licenses issued prior to the first day of July, 1919. shall expire on the first day of July, 1920.

Every person, firm or corporation Renewal of licenses. Sec. 3. licensed under the provisions of this act shall be entitled, upon the expiration of his license or any renewal thereof, by the payment of a fee of fifteen dollars (\$15.00) on or before the date of the expiration of his license or any renewal thereof, to have his

expiration.

license renewed for the ensuing year ending July 1, so long as the bond originally given in compliance with the provisions of this act shall remain in force. The cancellation or revocation of, or the withdrawal of the surety from, any bond filed in accordance with the provisions of this act shall *ipso facto* work a suspension of the principal on such bond, until such time as such principal shall furnish a new bond to be approved of the Secretary of State.

Every person, firm or corporation dam-SEC. 4. aged by the failure of any person, firm or corporation licensed under the provisions of this act to perform any contract for the installation of wires to convey electric current or of electric apparatus, in strict compliance with the laws of the State of Washington and all ordinances and building codes of any city or town in which such work is performed or damaged by the failure of such license contractor to protect such person, firm or corporation from liens for labor performed or material furnished in connection with any such contract may recover any damages sustained from such licensed contractor and the surety on the bond hereinabove provided for in any court of competent jurisdiction.

SEC. 5. This act shall not apply to individuals, firms or corporations or to municipalities authorized to engage in the business of making or selling electricity in connection with the construction or maintenance of lines or wires for the transmission of electricity from the source of supply to the service switch, fuses or circuit breakers on the premises or property to be supplied; nor to the work of said individuals, firms, corporations or municipalities in installing, maintaining or repairing on the premises of customers service connections and meters and other apparatus or appliances used in the measurement or the consumption of electricity by customers; nor to work in connection with the lighting of streets.

718

Recovery of damages against licensee.

To whom act inapplicable. Ch. 205.]

alleys, ways, or public parks, areas or squares; nor to the work in connection with the work of persons, firms or corporations engaged in the business of transmission of intelligence by electricity, in installing and maintaining wires, apparatus and appliances used in such business, on its own premises or otherwise; nor to individuals, firms or corporations installing, maintaining or repairing apparatus or wires for making or distributing electricity upon the premises or property owned by them; nor to persons engaged in the business of installing and repairing ignition or lighting systems for motors and motor vehicles.

SEC. 6. Every person, firm or corporation vio- Penalty. lating or failing to comply with any of the provisions of this act, shall be guilty of a misdemeanor.

Passed the House, March 4, 1919. Passed the Senate, March 10, 1919.

Permitted to become a law without the signature of the Governor. I. M. HOWELL, Secretary of State.

### CHAPTER 205.

[S. B. 3.]

#### **REGULATION OF ARCHITECTS.**

AN ACT creating a board of architect examiners, providing for an architectural examination, regulating the use of the title architect, designating an examination fee, providing for the issuance of certificates, making reciprocal arrangements between states and providing a penalty for violation thereof.

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

SECTION 1. Any person residing in or having Certifica-tion of a place of business in the state, who, before this building architects. act takes effect, shall not have been engaged in the practice of architecture in the State of Wash-

ington, under the title of architect, shall before assuming the title of architect, secure a certificate of his qualifications to practice under the title of architect, as provided by this act. Any person who shall have been engaged in the practice of architecture under the title of architect before this act takes effect, may secure such certificate in the manner provided by this act. Any person having a certificate pursuant to this act may assume the title architect. No other person shall assume such a title or use any abbreviation thereof, excepting only landscape architects and naval architects, and not excepting these two classes if they combine with their landscape and naval work respectively the planning of buildings and supervision of their erection.

Sec. 2. The governor shall, within ninety days after this act takes effect, appoint a board of three examiners who shall make rules for the examination and registration of candidates for such certificates. Such board of examiners shall be composed of architects, who are citizens of the United States and who have been in active practice in the State of Washington for not less than five years previous to their appointment. Members of the examining board shall serve for a term of four years and until their successors are appointed and shall be entitled to compensation for their services under this act in a sum not to exceed ten dollars (\$10.00) per diem, and railroad fares: Provided. That the sum total does not exceed in the aggregate the amount of fees collected from applicants for examination, licenses and renewals thereof, Surplus funds accruing under this act shall revert to the school fund of the State of Washington.

Applicants.

SEC. 3. Any citizen of the United States, or any person who has duly declared his or her inten-

Board of examiners.

Appointment, terms and compensation. SESSION LAWS, 1919.

tions of becoming such citizen, being at least twenty-one years of age, may apply for examination or certificate of registration under this act. The examination shall have special reference to the con- scope of exstruction and design of buildings, and a test of knowledge of the candidate of the strength of materials and of his or her ability to make practical application of such knowledlge in the ordinary professional work of an architect, and in the duties of a supervisor of mechanical work on buildings, and should also seek to determine his or her knowledge of the laws of sanitation as applied to buildings. The applicant who shall satisfactorily pass such architectural examination as shall be established by the board of examiners, shall be granted a certificate. The board of examiners in lieu of all examinations may accept:

(a) A diploma of graduation or satisfactory Graduate certificate from a recognized architectural school or college.

Registration or certification as an archi-(b) tect in another state or country where the standard states. or qualifications for the same are not lower than those required by the board of examiners under this act shall be accepted by said board of examiners. and such architect may receive certification without examination.

SEC. 4. Any person who shall, by affidavit, show to the satisfaction of the state board of examiners of architects that he or she was engaged in the practice of the profession of architecture on the date of the passage of this act shall be entitled to a certificate of registration without an examination: Provided, Such application shall be made within six months after the passage of this act. Such license, when granted, shall set forth the fact that the person to whom the same was issued was

amination.

architects.

Registrants

Certification withamination. practicing architecture in this state at the time of the passage of this act, and is therefore entitled to a license to practice architecture without an examination by the board of examiners, and the secretary of the board, shall, upon payment to the board of the fee of twenty dollars (\$20.00), issue to the person named in said affidavit, a license to practice architecture in this state, in accordance with the provisions of this act. In the case of a co-partnership of architects, each member whose name appears must be licensed to practice architecture. No stock company or corporation shall be licensed to practice architects.

Fees.

Record and registration.

Certificates to be filed.

Revocation of certificate for fraud. SEC. 5. Every person applying for examination or certificate of registration under this act shall pay a fee of twenty dollars (\$20.00) to the board of examiners, and by it turned into the state treasury. All moneys received by said board shall be turned into the state treasury.

SEC. 6. The result of every examination or other evidence of qualifications, as provided by this act, shall be reported to the secretary of state by the board of examiners, and a record of the same shall be kept by the secretary of state, who shall issue a certificate of registration to every person certified by the board of examiners as having passed such examination or as being otherwise qualified to be entitled to receive the same. Every person securing such certificates shall file the same with the county clerk of the county in which he resides or maintains a place of business. The governor may revoke any certificate, if such action be recommended by the board of examiners, after thirty days' written notice to the holder thereof and after a hearing before the board of examiners, upon proof that such certificate has been obtained by fraud or

Licenses.

Ch. 205.1

misrepresentation, or upon proof that the holder of such certificate has been guilty of felony in connection with the practice of architecture.

SEC. 7. Every registered architect shall secure Annual reannually from the examining board a certificate of certificates. renewal of his registration and shall pay to the board of examiners for such renewal the sum of five dollars (\$5.00) annually. All renewals shall be registered and recorded in each county where he maintains his place of business within sixty days after the expiration of the previous certificate of registration, and failure to do so shall be punishable with a fine of five dollars (\$5.00) in addition to renewal fee; failure to renew certificate within one year from date of expiration of same, shall constitute forfeiture of certificate, and which may be renewed at the discretion of the board of examiners. after satisfactory oral or written examination.

Any violation of this act shall be a Penalties. SEC. 8. misdemeanor punishable for the first offense by a fine of not less than fifty dollars (\$50.00) and not more than one hundred dollars (\$100.00), and for a subsequent offense by a fine of not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00), imprisonment for not more than one year, or both.

Passed the Senate January 30, 1919. Passed the House March 10, 1919.

Permitted to become a law without the signature of the Governor. I. M. HOWELL, Secretary of State.

### CHAPTER 206.

#### [S. B. 213.]

### **REGULATION OF BAKERIES.**

AN ACT relating to and regulating bakeries, and amending section 5482 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 5482 of Rem. & Bal. Code be amended to read as follows:

Section 5482. All buildings or rooms occupied as biscuit, bread or cake bakeries shall be drained or plumbed in a manner conducive to the proper healthful and sanitary condition thereof, and constructed with air shafts and windows or ventilating pipes sufficient to insure ventilation as the commissioner of agriculture shall direct and no cellar or basement not used as a bakery on the thirtieth day of January 1919 shall thereafter be used and occupied as a bakery and a cellar or basement theretofore occupied as a bakery shall, when once closed, not be reopened for use as a bakery.

Passed the Senate March 3, 1919. Passed the House March 12, 1919. Approved by the Governor March 25, 1919.

Drainage and ventilation.

Use of basements prohibited.

### CHAPTER 207.

### [S. B. 201.]

#### MUTUAL INSURANCE COMPANIES.

#### AN ACT relating to insurance and amending Section 6059-87 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 6059-87 of Rem. & Bal. Code be amended to read as follows:

Section 6059-87. The directors of a mutual in- By-laws surance company shall adopt such by-laws, not in conflict with the laws of this state, as they may deem proper for the government of its officers and the conduct of its business. Said by-laws shall provide for the liability of its members or policy holders for the payment of its losses and expenses, which liability, including the amount of the premium, shall not be less than two times the amount of the premium nor more than six times the amount of the premium charged by solvent stock companies for like risks and terms. The by-laws shall limit the expenses to not more than forty per centum of the net premiums charged and collected for insurance, which expense must include all sums paid by the insured for his insurance including any membership, policy, survey, or inspection fee, or other fee or charge, if any: Provided, however. That "expense" in the case of Mutual Accident and Health Companies shall not be construed to cover costs of adjusting or defending claims.

Passed the Senate March 4, 1919. Passed the House March 12, 1919.

Permitted to become a law without the signature of the Governor. I. M. HOWELL, Secretary of State.

regulating liability and expenses.

## CHAPTER 208.

#### [S. B. 77.]

#### RELIEF OF J. J. QUIRK.

AN Act for the relief of J. J. Quirk, and authorizing the Industrial Insurance Commission to place him on the permanent pension roll of Class 10 under the Workmen's Compensation Act, and providing for the issuance of warrants upon the Accident Fund for his case.

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

Appropriation, \$709.25. SECTION 1. That there is hereby appropriated out of the Class 10 accident fund in the state treasury under the workmen's compensation act the sum of seven hundred and nine 25/100 dollars (\$709.25) for the relief of and to be paid to J. J. Quirk of Spokane, Washington, who, being then unmarried, was injured on the 18th day of July, 1916, while at work there in an establishment coming under Class 10 of said act, and whose injury appeared at first so slight as not to warrant his filing a claim under the act, but which after the expiration of one year following the occurrence of the injury developed into a case of permanent total disability.

SEC. 2. That the Industrial Insurance Commission be authorized to place the said J. J. Quirk on the permanent pension roll of said Class 10 dating from June 15, 1919, and that from that date on he be entitled to receive out of the accident fund of said class a monthly payment of twenty dollars (\$20.00) so long as he would have been entitled to receive the same under the provisions of said act if he had made his application before the expiration of said one year period.

SEC. 3. That the state auditor be and is hereby required to issue warrants upon the accident fund

Award of monthly pension.

726

Warrants upon accident fund.

 $\alpha$ 

Ch. 209.1

in favor of said J. J. Quirk in accordance with the provisions of Sections 1 and 2 of this act.

Passed the Senate March 7, 1919.

Passed the House March 11, 1919.

Permitted to become a law without the signature of the Governor. I. M. HOWELL, Secretary of State.

### CHAPTER 209.

#### [S. B. 136.]

#### AMENDMENTS OF BANK AND TRUST COMPANY LAW.

AN ACT relating to banking and trust business, the organization, regulation, management and dissolution of banks and trust companies, relating to the office of bank commissioner, providing penalties, and amending sections 2, 3, 5, 7, 9, 15, 23, 24, 28, 33, 36, 37, 40, 47, 49, 75 and 80 of chapter 80 of the Laws of 1917.

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

SECTION 1. The official title of the state bank Title of "bank exexaminer is hereby changed to "bank commissioner". The term "state bank examiner" whenever "bank com used in the laws of this state shall be held and construed to mean the bank commissioner. The terms "bank examiner" and "examiner" wherever used in the laws of this state where from the context of the law is meant the state bank examiner shall be held and construed to mean the bank commissioner. The terms "deputy state bank examiner", "depu- Changes in ty examiner", or "deputy" and "deputy state bank deputies. examiners", "deputy examiners", or "deputies" wherever used in the laws of this state shall be held and construed to mean bank examiner and bank examiners respectively. The terms "examiner" and "examiners" wherever used in the laws of this state where from the context of the law is meant

aminer' changed to "bank com-

itles of

the deputy state bank examiner or deputy state bank examiners shall be held and construed to mean bank examiner and bank examiners respectively.

SEC. 2. That section 2 of chapter 80 of the Laws of 1917 be amended to read as follows:

Section 2. The bank commissioner may appoint a deputy bank commissioner and one or more bank examiners, removable by him at will, who shall have the same qualifications and, subject to the supervision of said bank commissioner, possess the same He may also employ other necessary aspowers. In the case of the absence or inability sistance. to act, or vacancy in the office of the bank commissioner for thirty consecutive days, the deputy bank commissioner shall have all the powers and duties of bank commissioner until the inability of the bank commissioner shall be removed or until a new bank commissioner shall have been appointed by the governor.

SEC. 3. That section 3 of chapter 80 of the Laws of 1917 be amended to read as follows:

Section 3. The bank commissioner shall receive a salary of five thousand dollars (\$5,000.00) a year. The deputy bank commissioner shall receive a salary of three thousand six hundred dollars (\$3,600.00) a year. Each bank examiner may receive a salary of three thousand dollars (\$3,-000.00) a year.

Before entering upon his office, the bank commissioner, the deputy bank commissioner and each bank examiner shall take and subscribe an oath faithfully to discharge the duties of his office and shall each execute to the state a bond to be approved by the governor in the sum of twenty-five thousand dollars (\$25,000.00), with a surety company authorized to do business in this state, as surety, conditioned for the faithful performance of his duties.

Salaries.

Oaths and bonds. Ch. 209.1

The premiums on such bonds shall be paid by the state. Such oaths and bonds shall be filed with the secretary of state. Neither the bank commissioner. the deputy bank commissioner nor any bank examiner shall be personally liable for any act done by him in good faith in the performance of his duties.

SEC. 4. That section 5 of chapter 80 of the Laws of 1917 be amended to read as follows:

Section 5. Every bank and trust company shall Bank and trust company shall Bank and trust commake at least three regular reports each year to pany reports. the bank commissioner, as of the dates which he shall designate, according to form prescribed by him, verified by the president, manager or cashier and attested by at least two directors, which shall exhibit under appropriate heads the resources and liabilities of such corporation. The dates designated by the bank commissioner shall be the dates designated by the comptroller of the currency of the United States for reports of national banking associations. Each such report in condensed form, to be prescribed by the bank commissioner, shall be published once in a newspaper of general circulation, published in a place where the corporation is located, or if there be no newspaper published in such place, then in some newspaper published in the same county.

Every such corporation shall also make such special reports as said bank commissioner shall call for.

That section 7 of chapter 80 of the SEC. 5. Laws of 917 be amended to read as follows:

Section 7. It shall be the duty of the bank com- Examinamissioner, the deputy bank commissioner or a bank examiner without previous notice to visit each bank companies. and each trust company at least once in each year and oftener if necessary, for the purpose of making a full investigation into the condition of such cor-

tion of banks and trust

poration, and for that purpose they are hereby empowered to administer oaths and to examine under oath any director, officer, employe or agent of such corporation. Said bank commissioner may make such other full or partial examinations as he deems necessary. The bank commissioner may, in his discretion, accept in lieu of the examinations required in this section the examinations required under the terms of the federal reserve act for banks which are, or may become, members of a federal reserve bank. Any wilful false swearing in any examination shall be perjury.

SEC. 6. That section 9 of chapter 80 of the Laws of 1917 be amended to read as follows:

Section 9. Neither the bank commissioner nor any person connected with his office shall disclose any information obtained from any bank or trust company to any person not connected with such office, except federal, federal reserve bank, state or clearing house bank examiners, or to proper officials legally empowered to investigate criminal charges, or except as is otherwise required by law. Every person who shall violate any provision of this section shall forfeit his office or employment and shall also be guilty of a gross misdemeanor.

SEC. 7. That section 15 of chapter 80 of the Laws of 1917 be amended to read as follows:

Section 15. No person shall engage in banking except in compliance with and subject to the provisions of this act, except it be a national bank or except in so far as it may be authorized so to do by the laws of this state relating to mutual savings banks, nor shall any corporation engage in a trust business except in compliance with and subject to the provisions of this act, nor shall any bank engage in a trust business, except as herein authorized, nor shall any bank or trust company establish

Perjury.

Disclosure of information.

Penalty.

Banks excluded from act. any branch. The practice of collecting or receiving Branch bankings deposits or cashing checks at any place or places other than the place where the usual business of a bank or trust company and its operations of discount and deposits are carried on shall be held and construed to be establishing a branch: Provided. however. That any bank or trust company may par- Federal ticipate in membership in the federal reserve banking system of the United States and may to that end comply with any requirements or laws of the United States or any rules or regulations duly promulgated pursuant thereto, anything elsewhere in this act to the contrary notwithstanding.

That section 23 of chapter 80 of the Sec. 8. Laws of 1917 be amended to read as follows:

Section 23. Upon the issuance of a certificate of authority to a bank, the persons named in the articles of incorporation and their successors shall thereupon become a corporation and shall have power:

1. To adopt and use a corporate seal.

To have succession for the term of years 2 mentioned in its articles of incorporation.

3. To make contracts.

4. To sue and be sued, the same as a natural person.

To elect directors who, subject to the pro-5. visions of the corporation's by-laws, shall have power to appoint such officers as may be necessary or convenient, to define their powers and duties and to dismiss them at pleasure, and who shall also have general supervision and control of the affairs of such corporation.

6. To prescribe by its stockholders by-laws not inconsistent with law, regulating the manner in which its stock shall be transferred, its directors and officers elected or appointed, its stockholders

convened for general or special meetings, its property transferred, its general business conducted and the privileges granted to it by law exercised and enjoyed.

7. To discount and negotiate promissory notes, drafts, bills of exchange and other evidences of debt, to receive deposits of money and commercial paper, to lend money on real or personal security, to buy and sell bullion, coins and bills of exchange.

8. To take and receive as bailee for hire upon terms and conditions to be prescribed by the corporation, for safe keeping and storage, jewelry, plate, money, specie, bullion, stocks, bonds, mortgages, securities and valuable paper of any kind and other valuable personal property, and to rent vaults, safes, boxes and other receptacles for safe keeping and storage of personal property.

9. If the bank be located in a city of not more than five thousand inhabitants, to act as insurance agent.

SEC. 9. [Vetoed.]

SEC. 10. That section 28 of chapter 80 of the Laws of 1917 be amended to read as follows:

Section 28. A state bank or trust company may, upon first notifying the bank commissioner of such intention, reorganize under the laws of the United States as a national bank. As soon as it shall have obtained a certificate authorizing it to commence business under the United States banking laws, it shall retain and hold all the assets, real and personal, which it acquired during its existence under this act, and shall hold the same subject to all existing liabilities against such bank or trust company at the time of its reorganization and it shall supply the bank commissioner with a copy of its certificate of authority as a national banking association certified to by its president and cashier.

Acting as insurance agent.

Reorganization as national bank. SEC. 11. [Vetoed.]

SEC. 12. [Vetoed.]

SEC. 13. [Vetoed.]

That section 40 of chapter 80 of the Sec. 14. Laws of 1917 be amended to read as follows:

Section 40. A foreign corporation, whose name Foreign contains the words "bank", "banker", "banking", companies not to enor "trust", or whose articles of incorporation empower it to do a banking or trust business and which desires to engage in the business of loaning money on mortgage securities or in buying and selling exchange, coin, bullion or securities in this state may do so, but only upon filing with the bank commissioner and with the secretary of state a certified copy of a resolution of its governing board to the effect that it will not engage in banking or trust business in this state, which copy shall be duly attested by its president and secretary. Such corporation shall also comply with the general corporation laws of this state relating to foreign corporations doing business herein.

SEC. 15. That section 47 of chapter 80 of the Laws of 1917 be amended to read as follows:

Section 47. Any debt due a bank or trust com- Bad debts. pany on which interest is one year or more past due and unpaid, unless such debt be well secured and in course of collection by legal process or probate proceedings, shall be considered a bad debt, and shall be charged off of the books of such corporation. A judgment held by a bank or trust com- Judgments pany shall not be considered an asset of the corporation after two years from the date of its rendition unless with the written permission of the bank commissioner specifying an additional period: Provided. That time consumed by any appeal shall be excluded

trust business.

as assets.

SEC. 16. That section 49 of chapter 80 of the Laws of 1917 be amended to read as follows:

Section 49. Every corporation doing a trust business shall maintain in its office a trust department in which it shall keep books and accounts of its trust business, separate and apart from its other business. Such books and accounts shall specify the cash, securities and other properties, real and personal, held in each trust, and such securities and properties shall be at all times segregated from all other securities and properties. Such corporation shall also cause each bond, warrant, note, mortgage, deed or other security of any nature to be labeled to indicate the trust to which it belongs. Any person connected with a bank or trust company who shall co-mingle any funds or securities of any kind held by such corporation in trust, for safe keeping or as agent for another, with the funds or assets of the corporation shall be guilty of a felony.

SEC. 17. That section 75 of chapter 80 of the Laws of 1917 be amended to read as follows:

Section 75. A bank or trust company may for the purpose of consolidation or voluntary liquidation transfer its assets and liabilities to another bank or trust company, by a vote of the stockholders owning two-thirds of its capital stock, but only with the written consent of the commissioner and upon such terms and conditions as he may pre-Upon any such transfer being made, or scribe. upon the liquidation of any such corporation for any cause whatever, or upon its being no longer engaged in the business of a bank or trust company, the commissioner shall terminate its certificate of authority, which shall not thereafter be revived or renewed. When the certificate of authority of any such corporation shall have been revoked, it shall forthwith collect and distribute its remaining assets, and when that is done the bank commissioner

Separate books for trust business.

Securities labeled to indicate trusts.

Penalty for commingling funds.

Transfer of assets and liabilities.

Revocation of author-

shall certify the fact to the secretary of state, whereupon the corporation shall cease to exist and the secretary of state shall note that fact upon his records.

SEC. 18. That section 80 of chapter 80 of the Laws of 1917 be amended to read as follows:

Section 80. Every person who shall violate, or knowingly aid or abet the violation of any provision of this act for which no penalty has been prescribed, and every person who fails to perform any act which it is made his duty to perform herein and for which failure no penalty has been prescribed, shall be guilty of a misdemeanor. No person who has been convicted for the violation of the banking laws of this or any other state or of the United States shall be permitted to engage in or become an officer or official of any bank or trust company organized and existing under the laws of this state.

SEC. 19. No loan shall be made by a bank or trust company unless it has on hand more than the minimum of available funds required by section 46 of chapter 80 of the Laws of 1917, and no loan shall be made if thereby its available funds be reduced to less than such minimum.

SEC. 20. Every officer, director, agent, employe or stockholder of any bank or trust company who shall, directly or indirectly, receive a bonus, commission. compensation, remuneration, gift. speculative interest or gratuity of any kind from any person, firm or corporation for granting, procuring or endeavoring to procure, for any person, firm or corporation, any loan by or out of the funds of such bank or trust company or the purchase or sale of any securities or property for or on account of such bank or trust company or for granting or Penalty. procuring permission for any person, firm or cor-

Penalty where not otherwise prescribed.

Convictions debarring from banking business.

Loans below required minimum.

Officer receiving bonus from bank's clients.

poration to overdraw any account with such bank or trust company, shall be guilty of a felony.

Passed the Senate March 7, 1919.

Passed the House March 11, 1919.

Approved by the Governor March 25, 1919, with the exceptions of sections 9, 11, 12 and 13, vetoed, March 25, 1919.

## AUTHENTICATION.

I, I. M. Howell, Secretary of State of the State of Washington, and custodian of the seal of said state, do hereby certify that I have carefully compared the foregoing published laws passed by the Legislature of the State of Washington, at its sixteenth session, from January 13th to March 13th, 1919, inclusive, with the original enrolled laws, now on file in this office, and find the same to be full, true and correct copies of said originals with the exception of such corrections in spelling and use of words as indicated by the use of brackets, thus [], in each case as provided by law.

In Testimony Whereof, I have hereunto set my hand and affixed hereto the seal of the State of Washington.

Done at Olympia, this 15th day of May, A. D. 1919.

I. M. Howell, Secretary of State.

[SEAL]

-24

# JOINT AND CONCURRENT RESOLUTIONS OF THE SENATE AND HOUSE.

### (Minor Resolution and Memorials, of no public importance, are not printed herein)

SENATE CONCURRENT RESOLUTION NO. 2.

RELATING TO PRINTING ACTS OF LEGISLATURE.

WHEREAS, the present statute requires the secretary of the state to print one thousand (1000) copies in pamphlet form of acts of the legislature for temporary use; and

WHEREAS, this number is deemed insufficient, therefore

Be it resolved, by the legislature of the State of Washington that the secretary of state be requested to print an additional fifteen hundred (1500) copies of the advance sheets of Session Laws for the purpose of supplying the demand therefor.

Passed the Senate January 16, 1919. Passed the House January 29, 1919.

## SENATE CONCURRENT RESOLUTION NO. 18.

### RELATING TO INDEFINITE LEAVE OF ABSENCE FOR GOVERNOR LISTER.

Resolved by the Senate, the House concurring, That, while deeply regretting the necessity for such action, and appreciating the loss that it means to the State of Washington, Governor Lister be granted an indefinite leave of absence until such time as he shall fully recover his health and strength and be able to take upon himself the duties of the Governor of the State of Washington.

Adopted by the Senate February 13, 1919. Adopted by the House February 13, 1919.

# SENATE JOINT RESOLUTION NO. 1.

### JOINT RESOLUTION RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA.

WHEREAS, both houses of the sixty-fifth congress of the United States of America, by a constitutional majority of two-thirds thereof, made the following proposition to amend the constitution of the United States of America, in the following words, to-wit:

# "Joint Resolution

"Proposing an amendment to the Constitution of the United States.

"1. Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein), that the following amendment to the Constitution be, and hereby is, proposed to the states, to become valid as a part of the Constitution when ratified by the legislatures of the several states as provided by the Constitution:

# "ARTICLE

"Section 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited. "Sec. 2. The Congress and the several states shall have concurrent power to enforce this article by appropriate legislation.

"Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several states, as provided in the Constitution, within seven years from the date of the submission hereof to the states by the Congress."

Therefore, Be it resolved by the Legislature of the State of Washington:

SECTION 1. That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby ratified by the Legislature of the State of Washington.

SEC. 2. That certified copies of this preamble and joint resolution be forwarded by the Governor of this state to the Secretary of State at Washington, to the presiding officer of the United States Senate, and to the Speaker of the House of Representatives of the United States.

Passed the Senate January 13, 1919. Passed the House January 13, 1919.

# SENATE JOINT RESOLUTION NO. 2.

RELATING TO REVISION AND READJUSTMENT OF PER-SONAL PROPERTY TAX LAWS OF THE STATE OF WASHINGTON.

WHEREAS, The personal property tax laws of the State of Washington are in great need of revision and readjustment to existing conditions; and

WHEREAS, Several different plans for the taxation of personal property have been proposed to cure the existing evils in our present system; for the purpose of giving this important matter mature deliberation and careful study to the end that the most beneficial and available system of personal property taxation may be obtained,

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

### Ι

That a commission be appointed to investigate the subject of personal property taxation.

## Π

That said commission shall be composed of the Governor of the State of Washington, the State Tax Commissioner and five (5) members of the Legislature of 1919, two (2) of said members to be appointed from the Senate, by the President of that body and three (3) to be appointed from the House, by the Speaker of the House. The appointment of said members of the Legislature to be made not later than the close of the present session.

## III

That the first senator appointed on said commission shall be chairman of the board and the first member of the House appointed shall be secretary of the board. Vacancies caused by death or resignation of either of said chairman or secretary shall be filled by a majority vote of the commission.

## $\mathbf{IV}$

That said commission shall meet at such times and places as the chairman shall designate and shall have power to summon witnesses and employes for necessary clerical assistance for said work.

That said commission shall make a comprehensive and exhaustive study and examination of the different systems of personal property taxation and incorporate its findings and conclusions in a bill, or bills, which shall be presented to the Legislature of 1921, together with a report setting out its findings and recommendations.

## VI

That the Governor shall have said report and said bill or bills printed and copies sent to each member elect of the Legislature of 1921, not later than January 11, 1921.

## $\overline{\mathrm{VII}}$

That the members of said commission, who are members of the Legislature, be paid their regular per diem for each day when actually employed; in all not to exceed sixty (60) days and also their actual expenses. Payments to be made upon vouchers approved by the chairman of the commission.

## $\overline{\text{VIII}}$

That the per diem of clerks be paid upon vouchers approved by the chairman.

Adopted by the Senate February 17, 1919. Adopted by the House March 5, 1919.

## SENATE JOINT RESOLUTION NO. 6.

Providing for the appointment of a committee to visit the Legislatures of Montana, Idaho and Oregon in the interests of the Veterans' Welfare Commission, and on behalf of the veterans and the soldiers, sailors and marines of the United States in the war with Germany.

WHEREAS, The Legislature in the enactment of House bill No. 122 has provided for the creation of what is to be known as the Veterans' Welfare Commission and has appropriated the sum of five hundred thousand dollars (\$500,000.00) for the use of said Veterans' Welfare Commission in assisting the veterans and the soldiers, sailors and marines of the United States in the war with Germany and her allies, and to do such things as will readily re-adjust the economic conditions of the State; and

WHEREAS, It is important that some such action be taken by our neighboring states;

Therefore. Be it resolved. by the Senate and House of Representatives of the Legislature of the State of Washington that a committee consisting of two senators to be appointed by the President, and three representatives to be appointed by the Speaker of the House, be and it is hereby directed to proceed at the earliest convenient date to make the necessary arrangements for and to present to the Legislature of the State of Oregon, now in session at Salem, and the Legislature of the State of Idaho now in session at Boise, and the Legislature of the State of Montana now in session at Helena, and submit to each of said legislatures the details so far as they are worked out for the work of said Veterans' Welfare Commission and secure so far as possible the cooperation of the legislature of each of said states.

Be it further resolved, That the secretary of the Senate and the chief clerk of the House, be and they are hereby directed to audit the accounts for traveling and hotel expenses of the several members of the committee hereby created, and the State Auditor is directed to pay said expense bills so audited as other legislative expenses.

Adopted by the Senate January 31, 1919. Adopted by the House January 31, 1919.

## SENATE JOINT RESOLUTION NO. 7.

Relating to joint conference by committees from the legislatures of Washington and Oregon upon matters pertaining to fisheries on the Columbia river.

WHEREAS, Committees from the legislatures of Washington and Oregon have heretofore followed the custom of meeting biennially, alternately at the cities of Seattle, Washington, and Portland, Oregon, for the purpose of conferring jointly upon matters pertaining to fisheries on the Columbia river; and

WHEREAS, The last conference was held two years ago in the city of Seattle, Washington; and

WHEREAS, A similar conference should be held during the present sessions of the legislatures of the said states during the present year; and

WHEREAS, Saturday, the 8th day of February, 1919, appears to be the latest date at which it would be feasible to hold such a conference;

Therefore. Be it resolved by the Senate and House of Representatives of the State of Washington that a joint committee be appointed consisting of five members from the Senate, to be appointed by the president, and six members from the House, to be appointed by the speaker; that the Legislature of the State of Oregon is hereby invited and requested to name similar committees to meet with the committees named by the Legislature of Washington, to meet in joint conference in the city of Portland, Oregon, upon Saturday, the 8th day of February, 1919, for the purpose of conferring on such legislation affecting the fisheries on the Columbia river as may be of joint interest to the two states and that such committee from the Legislature of Washington be allowed to use one of the

regularly appointed clerks or stenographers, and that the members of said committee and said stenographer be allowed their actual expenses in going to, returning from and while in attendance at such conference, and further, that a copy of this resolution be forthwith telegraphed to the Legislature of Oregon and a prompt acceptance or rejection be requested of the invitation herein extended.

Adopted by the Senate February 5, 1919. Adopted by the House February 5, 1919.

# SENATE JOINT RESOLUTION- NO. 8.

Relating to the appointment of Will H. Adams, inspector of oils of the department of agriculture of the State of Washington to confer with a legislative committee of the State of Oregon on the gravity of gasoline.

WHEREAS, The Legislature of the State of Oregon has adopted a House joint resolution appointing one member of the Senate and two members of the House to confer with a like committee from the Legislature of the State of Washington upon the regulations on the gravity of gasoline used in the states of Oregon and Washington, this committee to meet in Portland, Saturday, February 8, 1919;

Therefore, Be it resolved by the Senate and House of Representatives of the State of Washington that Mr. Will H. Adams, inspector of oils of the department of agriculture of the State of Washington, be requested and he is hereby authorized to act for the State of Washington at a conference with a legislative committee of the State of Oregon in the city of Portland, Oregon, on Saturday, the 8th day of February, 1919, upon the regulations on the gravity of gasoline used in the states of Oregon and Washington.

Adopted by the Senate February 7, 1919. Adopted by the House February 7, 1919.

## SENATE JOINT RESOLUTION NO. 9.

### RELATING TO THE INVESTIGATION OF THE MOUNTAIN VIEW SANATARIUM AT LAKEVIEW, PIERCE COUNTY, WASHINGTON.

Be it resolved, by the Senate and the House of Representatives that the president of the Senate shall appoint two members of the Senate and the speaker of the House shall appoint three members of the House, subject to confirmation of the Senate and House, respectively, such appointees to constitute a committee to investigate the conditions, conduct, management and control of the Mountain View Sanatarium at Lakeview, Pierce county, Washington

Said committee shall investigate the treatment of patients, the rules by which they are admitted, maintained and discharged, and all books and other documents, together with any other data, suggestions and conditions concerning the same, and shall report the result of such investigations to the Senate and House at a time to be hereinafter determined by the Senate and House, on or before the 21st day of February, 1919.

Said committee is hereby vested with all the power and authority of the Legislature to regulate the mode and manner of making such investigation within said period, prior to February 21st, 1919, to require of all officers, employes and inmates, the books, records and other documents as they may deem necessary to be investigated to appear before them at hearings, and are authorized within such time to subpoen a witnesses and the production of files, books, documents, accounts and data relating to or in any way connected with such institution or its inmates or the officers managing the same, and in its discretion may employ stenographers or expert accountants and may call to its assistance the Attorney General or any other state official at any time it may deem necessary in the furtherance of such investigation.

Said committee shall elect one of its number chairman and the committee shall hold its meetings at the Lakeview Hospital or elsewhere, and at such times as it may desire and may deem expedient, prior to the date aforesaid. Any member of the committee is hereby authorized to administer oath. Members of the committee shall receive no extra per diem for their services in conducting this investigation except their actual traveling expenses, to be paid out of the fund for the expenses of the Legislature of the sixteenth session, the expenses of said committee to be paid in the usual manner provided by law.

Adopted by the Senate February 17, 1919. Adopted by the House February 17, 1919.

## SENATE JOINT RESOLUTION NO. 10.

Providing for the payment of the expenses of the commission to investigate the subject of personal property taxation, created and provided for by Senate joint resolution No. 2.

Be it resolved by the Legislature of the State of Washington, that the per diem and actual expenses of the legislative members of, and the per diem of clerks and employees employed by, the commission to investigate the subject of personal property taxation, created by Senate joint resolution No. 2, shall be considered and are hereby declared to be a legislative expense of the 16th Legislature, and shall be paid out of the moneys appropriated for the expenses of the 16th legislature, either for printing or otherwise, by either chapter 1 or chapter 2, legislative laws of 1919: *Provided*, the amount to be expended shall not exceed five thousand dollars (\$5,000.00).

Adopted by the Senate March 8, 1919. Adopted by the House March 11, 1919.

## HOUSE CONCURRENT RESOLUTION NO. 10.

Resolved by the House, the Senate concurring, that the chief clerk of the House and the secretary of the Senate be authorized and directed to cause to be printed six hundred copies of the Legislative Manual for the Session of 1919, said Manual to be published on a page 6 by 33/4, printed in 17 ems pica; the standing committees, joint rules, House and Senate rules to be set in eight-point leaded and the remainder to be set in six-point solid, with headnotes only; and that said chief clerk and secretary be authorized and instructed to cause a sufficient number of said Manuals to be bound in limp leather to supply all members of the Senate and House of Representatives and the assistant clerks of said houses; the remainder of the total edition of six hundred copies to be in paper binding.

Adopted by the House January 29, 1919. Adopted by the Senate January 31, 1919.

# HOUSE JOINT RESOLUTION NO. 3.

Be it resolved by the House of Representatives and the Senate of the State of Washington:

That a committee, consisting of three members of the House and two members of the Senate be appointed to make a thorough investigation of the conditions at the State Training School, and the attitude of the board of control toward said institution.

Adopted by the House February 13, 1919. Adopted by the Senate February 17, 1919.

## HOUSE CONCURRENT RESOLUTION NO. 22.

ESTABLISHING "AMERICAN INDIAN DAY."

WHEREAS, Many thousand American Indians, resident in the State of Washington and elsewhere throughout the United States, wish to save from oblivion the record of the glory and shadows of their race and the heroic struggle of their ancestors for the preservation of homes and families, against forces which they had no means of measuring; and earnestly desire now to move forward and acquire all those things that make races and nations more efficient and more noble; to reach out for a larger life, through brotherly love, purposeful action, and constructive service to our common country;

WHEREAS, They avow their hopes and destinies to be inseparably united with those of the people of the United States of America, and with hearts and minds forever loyal to their mother country would serve in their fullest capacity as men and Americans, having as proof of such loyalty sent nine thousand of their sons to serve in the war with Germany, contributed \$2,000,000 to the Red Cross, and invested \$50,000,000 in Liberty bonds; and feel that they have established their right to call upon the people of this nation to consider their early philosophy, their love of freedom, their social institutions and their history in the full light of trust and in the balances of justice, in honest comparison with the annals of other races, that there may be gleaned therefrom those traits of nobility which they believe worthy of emulation;

WHEREAS, This purpose will be furthered by the observance of one day in the year by all the citizens of the State of Washington; and

WHEREAS, The most appropriate season for such observance is that period of the Indian summer known in the Indian calendar as the "Hunting Moon," when spring and summer have perfected the year with flowers, fruit and vegetation—the Corn Festival and great Council Ceremony for all the tribes; now, therefore,

Be it resolved by the House of Representatives of the Legislature of the State of Washington, the Senate concurring, that the fourth Saturday in September be nominated "American Indian Day"; and on that day the people of the state are recommended to meet together and, through fitting programs, consider the mutual interest, friendship, and destiny of the white and red races.

Adopted by the House February 17, 1919. Adopted by the Senate March 12, 1919.

# All Initiative and Referendum Measures, Filed in the Office of the Secretary of State, and the Disposition Thereof.

- INITIATIVE MEASURE NO. 1 (State Wide Prohibition)—Refiled as Initiative Measure No. 3 (q. v.).
- INITIATIVE MEASURE NO. 2 (Eight-Hour Law)—Refiled as Initiative Measure No. 5 (q. v.).
- INITIATIVE MEASURE NO. 3 (State Wide Prohibition)—Submitted to the people November 3, 1914; passed.
- INITIATIVE MEASURE NO. 4 (Drugless Healers) No petition filed.
- INITIATIVE MEASURE NO. 5 (Eight-Hour Law) No petition filed. See Initiative Measure No. 13, covering same subject.
- INITIATIVE MEASURE NO. 6 (Blue Sky Law)—Submitted to the people November 3, 1914; failed to pass.
- INITIATIVE MEASURE NO. 7 (Abolishing Bureau of Inspection) —Submitted to the people November 3, 1914; failed to pass.
- INITIATIVE MEASURE NO. 8 (Abolishing Employment Offices)— Submitted to the people November 3, 1914; passed.
- INITIATIVE MEASURE NO. 9 (First Aid to Injured)—Submitted to the people November 3, 1914; failed to pass.
- INITIATIVE MEASURE NO. 10 (Convict Labor Road Measure) ---Submitted to the people November 3, 1914; failed to pass.

INITIATIVE MEASURE NO. 11 (Fish Code)-Petition failed.

- INITIATIVE MEASURE NO. 12 (Abolishing Tax Commission)— Petition failed.
- INITIATIVE MEASURE NO. 13 (Eight-Hour) Submitted to the people November 3, 1914; failed to pass.
- INITIATIVE MEASURE NO. 14 (Reapportionment) No petition filed. See Initiative Measure No. 16, covering same subject.
- INITIATIVE MEASURE NO. 15 (Fundamental Reform Act)-No petition filed.
- INITIATIVE MEASURE NO. 16 (Reapportionment) No petition filed.
- INITIATIVE MEASURE NO. 17 (State Road Measure)—No petition filed.
- INITIATIVE MEASURE NO. 18 (Brewers' Hotel Liquor Bill)— Submitted to the people November 7, 1916; failed to pass.
- INITIATIVE MEASURE NO. 19 (Non-partisan Election and Presidential Primary)—No petition filed.

- INITIATIVE MEASURE NO. 20 (First Aid)-No petition filed.
- INITIATIVE MEASURE NO. 21 (Home Rule) No petition filed.
- INITIATIVE MEASURE NO. 22 (Fisheries Code) No petition filed.
- INITIATIVE MEASURE NO. 23 (Politicians' Code) No petition filed.
- INITIATIVE MEASURE NO. 24 (Brewers' Bill)—Submitted to the people November 7, 1916; failed to pass.
- INITIATIVE MEASURE NO. 25 (Repealing Chapter 2, Laws 1915, known as Initiative Measure No. 3)—No petition filed.
- INITIATIVE MEASURE NO. 26 (Making the State a Prohibition District)—No petition filed.
- INITIATIVE MEASURE NO. 27 (Repealing Chapter 57, Laws 1915)—No petition filed.
- INITIATIVE MEASURE NO. 28 (Non-partisan Elections)----No petition filed.
- INITIATIVE MEASURE NO. 29 (Capitol Removal Bill)---No petition filed.
- INITIATIVE MEASURE NO. 30 (Eight-Hour Law) No petition filed.
- INITIATIVE MEASURE NO. 31 (Municipal Marketing Measure) No petition filed.
- INITIATIVE MEASURE NO. 32 (Picketing Measure)—No petition filed.
- INITIATIVE MEASURE NO. 33 (Non-partisan Elections and Presidential Primary)—No petition filed.
- INITIATIVE MEASURE NO. 34 (Relating to Salmon Fishing)— No petition filed.
- REFERENDUM MEASURE NO. 1 (Teachers' Retirement Fund) —Submitted to the people November 3, 1914; failed to pass.
- REFERENDUM MEASURE NO. 2 (Quincy Valley Irrigation Measure)—Submitted to the people November 3, 1914; failed to pass.
- REFERENDUM MEASURE NO. 3 (Chapter 54, Laws 1915, Relating to Initiative and Referendum)—Submitted to the people November 7, 1916; failed to pass.
- REFERENDUM MEASURE NO. 4 (Chapter 55, Laws 1915, Recall of Elective Public Officers)—Submitted to the people November 7, 1916; failed to pass.

- REFERENDUM MEASURE NO. 5 (Chapter 52, Laws 1915, Party Conventions Act)—Submitted to the people November 7, 1916; failed to pass.
- REFERENDUM MEASURE NO. 6 (Chapter 181, Laws 1915, Anti-Picketing)—Submitted to the people November 7, 1916; failed to pass.
- REFERENDUM MEASURE NO. 7 (Chapter 178, Laws 1915, Certificate of Necessity Act)—Submitted to the people November 7, 1916; failed to pass.
- REFERENDUM MEASURE NO. 8 (Chapter 46, Laws 1915, Port Commission) — Submitted to the people November 7, 1916; failed to pass.
- REFERENDUM MEASURE NO. 9 (Chapter 49, Laws 1915, Budget System)—Submitted to the people November 7, 1916; failed to pass.
- REFERENDUM MEASURE NO. 10 (Chapter 19, Laws 1917, Bone Dry Law)—Submitted to the people November 5, 1918; passed.
- REFERENDUM MEASURE NO. 11 (Chapter 167, Laws 1917, Capitol Building Fund Bonds)—No petition filed.

# GENERAL INDEX

ADAMS, JOE: Relief appropriation	Сћ. 199	Sec. 1	Page 685
AERIAL TRANSPORTATION: Landings, power to condemn lands	48	1	102
AGRICULTURAL COLLEGE—(see STATE COLLEGE).			
AGRICULTURE—(see ANIMAL PESTS; COMMISSIONER OF AGRICULTURE; GRAIN AND HAY; HORTICULTURE; MILK AND MILK PRODUCTS; SEEDS): Department of—			
appropriations, general	82	2	188
deficiency	13	1	39
destruction of crickets and grasshoppers Farm development—	199	1	684
bureau created		1	653
experts, appointment and compensation		2	654
equipment, purchase of		3	655
instruction and demonstration work		4 5	$655 \\ 656$
tax levy authorized Liens on farm products		5 1	521
Markets, farm, appropriation for director	82	2	182
	02	-	102
ALASKA-PACIFIC-YUKON EXPOSITION: Appropriation (warrant interest)	82	2	186
ALIENS:			
Employment in public work unlawful		1	272
acceptance by aliens unlawful		2	273
contractors to furnish lists		3	273
violation of act, penalty		4	273.
Legal practice, debarred from		1	243
Office holding, ineligible for		1	390
Teachers, employment of	38	1	82
AMANUENSIS, COURT—(see COURT STENOGRAPHERS).	•		
AMENDMENTS, CONSTITUTION, PROPOSED: Eminent domain, art. I, sec. 16	196	1	385
Salaries, governor, art. III, sec. 17		1	385 460
ileutenant governor, art. III, sec. 16		1	460
secretary of state, art. III, sec. 17		1	460
state treasurer, art. III, sec. 19		1	460
state auditor, art. III, sec. 20		1	460
attorney general, art. III, sec. 21		1	460
superintendent of public instruction, art. III, sec. 22		1	460
AMENDMENTS, INITIATIVE MEASURE No. 3, sec. 23-anew	25	1	53
AMENDMENTS, LAWS 1907:		-	
Chapter 57, sec. 1amended		1	154
Chapter 57, sec. 2amended	77	2	154
AMENDMENTS, LAWS 1911:			<b>•</b> • • <del>•</del>
Chapter 91repealed		34	607
Chapter 117, sec. 25amended AMENDMENTS, LAWS 1913:	33	1	61
Chapter 96, sec. 1repealed	110	9	271
Chapter 110, sec. 2amended		1	494
Chapter 110, sec. 3amended		2	494
Chapter 110, sec. 4amended	169	3	495

## AMENDMENTS, LAWS 1913.

		1913—Continued:	Ch.		Page
Chapter 110,		amended		4	496
Chapter 110,		amended		5	497
Chapter 110,		amended		6	499
Chapter 110,	sec. 10	amended	169	7	500
Chapter 110,	sec. 14	amended	169	8	500
Chapter 110,	sec. 15	amended	169	9	501
Chapter 110,	sec. 16	amended	169	10	502
Chapter 110,	sec. 18	amended	169	11	503
Chapter 110,	sec. 19	amended	169	12	504
Chapter 110,	sec. 20	amended	169	13	505
Chapter 110,	sec. 23	amended	169	14	507
Chapter 110,	sec. 24	amended	169	15	507
Chapter 110,	sec. 27	repealed	169	16	508
Chapter 120,	sec. 40	amended	78	1	155
AMENDMEN'TS.	LAWS	1015 -			
	sec. 23		25	ľ	53
- ·		. 12		10	469
- ·	sec. 11, sec. 7	•	88	. 10	203
-	sec. 2	amended	63	1	128
-	sec. 2 sec. 3	amended		2	123
	sec. 4	amended		3	129
-	sec. 5	amended		4	129
	sec. 6	amended	63	5	130
	sec. 1			1	432
		a		2	432
•	sec. 5			3	433
Chapter 100,				89	650
Chapter 100, Chapter 100,				90	651
Chapter 100,				86	649
Chapter 101,				87	649
Chapter 135,				1	254
Chapter 138,		amended		1	394
Chapter 142,		amended	59	1	113
• Chapter 142,		amended		3	115
		(	59	4	115
Chapter 142,	sec. 5	amended	178	1	523
Chapter 142,	sec. 8	amended		5	117
Chapter 142,		amended		6	118
Chapter 142,				7	119
Chapter 142,				8	119
Chapter 142,			46	1	90
Chapter 142,		amended		2	93
Chapter 142,				3	93
Chapter 142,				9	120
Chapter 142,			59	10	120
Chapter 142,				11	122
Chapter 142,		amended	59	12	123
Chapter 142,				13	123
Chapter 155,	sec. 1	amended	64	1	131
Chapter 164,	sec. 15	amended	110	1½	268
Chapter 164,				1	156
Chapter 166,			195	1	659
Chapter 166,		amended	195	2	662
Chapter 166,	sec. 10	amended	195	$2\frac{1}{2}$	663
Chapter 166,			195	3	666
Chapter 166,	sec. 29	amended	195	4	667
Chapter 175,	sec. 11			1	690
Chapter 175,				2	699
Chapter 175.				3	700
Chapter 175,	sec. 42	amended	200	4	702

## AMENDMENTS, LAWS 1917.

	LAWS 1915-CONTINUED:	Ch.	Sec.	Page
Chapter 176,			1	608
Chapter 184,			1	275
Chapter 184,			1	489
Chapter 184,	sec. 29amended	113	$^{2}$	275
AMENDMENTS,	LAWS 1917:			
Chapter 34,	sec. 1amended	104	2	255
	sec. 7amended	201	1	703
Chapter 36,	sec. 36amended		2	704
	sec. 46amended	201	3	704
Chapter 36,	sec. 47amended	201	4	705
	sec. 107amended	201	5	706
Chapter 36,	sec. 200amended	201	6	707
Chapter 59,	sec. 1amended		1	389
Chapter 76,	sec. 4amended	69	1	138
Chapter 78,	sec. 2amended	146	1	408
Chapter 78,	sec. 3anew	146	2	408
Chapter 78,	sec. 3bnew	146	3	408
Chapter 78,	sec. 4amended	146	4	409
Chapter 78,	sec. 4anew	146	5	409
Chapter 78,	sec. 5amended	146	6	409
Chapter 80,	sec. 2amended	209	2	728
Chapter 80,	sec. 3amended	209	3	728
Chapter 80,	sec. 5amended	209	4	729
Chapter 80,	sec. 7amended	209	5	729
Chapter 80,	sec. 9amended	209	6	730
Chapter 80,	sec. 15amended	209	7	730
Chapter 80,	sec. 23amended	209	8	731
Chapter 80,	sec. 28amended	209	10	732
Chapter 80,	sec. 40amended	209	14	733
Chapter 80,	sec. 47amended	209	15	733
Chapter 80,	sec. 49amended	Z09	16	734
Chapter 80,	sec. 75amended	209	17	734
Chapter 80,	sec. 80amended	209	18	735
Chapter 88	repealed	168	3	493
Chapter 108,	sec. 2amended	19	3	45
Chapter 109,	sec. 1amended	20	1	46
Chapter 109,	sec. 2amended	20	<b>2</b>	47
Chapter 115,	sec. 1amended	100	1	243
Chapter 115,	sec. 10amended	100	<b>2</b>	244
Chapter 115,	sec. 11amended	100	3	244
Chapter 115,	sec. 12amended	100	4	245
Chapter 115,	sec. 12½new	100	5	246
Chapter 115,			6	246
Chapter 115,			7	247
Chapter 116,		81	1	159
Chapter 116,		81	2	160
Chapter 116,		81	6	166
Chapter 116,		81	7	167
Chapter 116,		81	8	169
Chapter 116,		81	9	170
Chapter 116,		81	10	171
Chapter 116,		81	12	172
Chapter 116,		81	3	. 163
Chapter 116, Chapter 116		81	4	163
Chapter 116,		81	5	164
Chapter 116, Chapter 117		81	11	171
Chapter 117, Chapter 117		71	1	141
Chapter 117, Chapter 117,		71	2	143
Chapter 117, Chapter 117,		71	3	143
Chapter 117,	sec. 420	71	4	144
	(757)			

## AMENDMENTS, LAWS 1917.

AMENDMENTS, LAWS 1917-CONTINUED:		Ch.	Sec.	Page
Chapter 117, sec. 42c	new	71	5	145
Chapter 155, sec. 1	amended	59	1	113
Chapter 155, sec. 3		59	3	115
Chapter 155, sec. 5		59	5	117
Chapter 155, sec. 8		59	7	118
Chapter 155, sec. 14		59	9	110
Chapter 155, sec. 18		59 59	12	120
- ,		59	13	123
Chapter 156, sec. 95		23	1	51
Chapter 156, sec. 162		31	1	59
Chapter 163, sec. 8			1	415
Chapter 163, sec. 11			2	416
Chapter 163, sec. 15			3	417
Chapter 163, sec. 16	amended	150	4	417
Chapter 163, sec. 26	new	150	5	418
Chapter 166, sec. 1	amended	21	1	48
Chapter 166, sec. 2	amended	21	2	48
AMENDMENTS, LAWS 1919:				
Chapter 3	renealed	174	3	519
			1	523
Chapter 59, sec. 4		110	1	020
AMENDMENTS, REMINGTON & BALLINGER'S				
Section 42-9		66	2	133
Section 42-13		66	1	133
Section 1190	amended	176	1	521
Section 1864	amended	143	1	394
Section 2161	amended	16	.1	42
Section 2392	amended	112	1	273
Section 2436	amended	132	1	368
Section 2445	amended	17	1	42
Section 2512 to 2515		192	92	653
Section 2601-1	-	64	1	131
Section 2675			6	261
Section 3000-6	-		ĩ	295
Section 3000-15			1	653
Section 3000-16			2	654
Section 3000-17			3	655
			3 4	
				655
Section 3000-19			5	656
Section 3005		65	1	132
Section 3055 to 3068	-		18	586
Section 3082-2	•		1	659
Section 3082-7			2	662
Section 3082-10			$2\frac{1}{2}$	
Section 3082-13			3	666
Section 3082-29			4	667
Section 3201-1	amended	192	89	650
Section 3201-2	amended	192	90	651
Section 3213	repealed	192	91	653
Section 3244	amended	148	1	412
Section 3246	amended	148	2	413
Section 3258 to 3264			. 14	287
Section 3345-11			1	690
Section 3345-17			2	699
Section 3345-25			3	700
Section 3345-42			4	702
Section 3601-2			1	494
Section 3601-2			2	494
Section 3601-4			3	494
Section 3601-5			4	495
Section 3601-6		103	5	497
				•

.

MENDME	NTS, REMINGTON & BALLINGER'S CODES—CONTIN	UED:		
		Ch.	Sec.	Page
	3601-7amended		6	499
	3601-10amended		7	50 <b>0</b>
	3601-14amended		8	500
Section	3601-15amended	169	. 9	501
Section	3601-16amended	169	10	502
Section	3601-18amended	169	11	503
Section	3601-19amended	169	12	504
Section	3601-20amended	169	13	505
Section	3601-23amended	169	14	507
	3601-24amended		15	507
Section	3601-27repealed	169	16	508
Section	3686amended		1	512
Section		172	2	515
Section			3	516
Section			3	520
Section		168	3	493
Section		87	1	202
Section			3	493
	4033 to 4061repealed		3	493
Section			<b>2</b>	526
Section		90	1	207
Section		90	<b>2</b>	208
Section		90	3	208
	4482amended	90	4	210
	4482anew	90	5	211
	4487amended	90	6	211
Section		90	7	212
Section		90	8	212
Section		90	9	213
Section			1	437
Section		45	1	88
Section		90	10	215
Section		90	11	215
Section		30	1	57
Section		90	12	216
Section		90	13	217
Section		90	14	218
Section		90	15	218
Section		90 90	16	219
Section		-	17	219
Section		90	18	220
Section Section		90 90	$19 \\ 24$	$\begin{array}{c} 220 \\ 222 \end{array}$
Section	-	90	24	220
	4676, 4677	90	20	222
	4679 to 4682	90	24	222
Section	-	90	24	221
Section		90	22	221
Section		90	23	222
Section			1	462
Section	•		2	462
Section			- 3	462
Section			4	463
Section			5	464
Section			6	465
Section			7	466
Section			8	467
Section			9	468
	4771-2, 4771-3repealed		10	469
Section			11	469

## AMENDMENTS, REMINGTON & BALLINGER'S CODES-CONTINUED:

.

#### AMENDMENTS, REMINGTON & BALLINGER'S CODES-CONTINUED:

MENDME	NTS, REMINGTON & BALLINGER'S CODES-CONTINU	UED :			
		Ch.	Sec.	Page	
Section	4781partial repeal	175	3	520	
Section	4784amended	163	12	470	
Section			13	470	
Section			14	470	
Section			15	471	
Section	· · · · · · · · · · · · · · · · · · ·		16	472	
Section			17	472	
Section			18	473	
Section			18	473	
Section			19	473	
Section	•				
	•		19	473	
Section		85	1	199	
Section			20	473	
	4910-10amended		23	475	
Section	•		21	474	
Section			22	475	
	5013amended		1	182	
	5049-7amended	63	1	128	
	5049-8amended	63	<b>2</b>	129	
	5049-9amended	63	3	129	
	5049-10amended	63	4	129	
	5049-11amended	63	5	130	
Section	5131amended	170	1	510	
Section	5140-4amended	190	1.	608	
Section	5395-40amended	78	1	155	
Section	5446, 5446a, 5446b, 5446crepealed	192	92	653	
Section	5446d, 5446e, 5446grepealed	192	92	653	
Section	5447, 5447a, 5447drepealed	192	92	653	
Section	5448, 5448a, 5448c, 5448i, 54481repealed	192	92	653	
Section	5448-1amended	192	86	649	
Section	5448-6amended	192	87	649	
Section	5482amended	206	1	724	
Section	5554-10amended	35	1	63	
Section	5562-2amended	59	1	113	
Section	5562-4amended	59	3	115	
~		59	4	115	
Section	5562-5amended	178	1	523	
Section	5562-8amended	59	5	117	
	5562-11amended	59	6	118	
	5562-12amended	59	7	118	
	5562-14amended	59	8	119	
	5562-15amended	46	1	90	
	5562-17amended	46	2	93	
	5562-18amended	46	3	93	
	5562-19amended	59	9	120	
	5562-21amended	59	10	120	
	5562-26amended	59	11	122	
	5562-30amended	59	12	123	
	5562-34amended	59	13	123	
Section			1	390	
	5578amended	49	1	103	
	5686-22amended	88	1	203	
	5761amended	95	1	230	
Section			1	230	
Section			1	382	
Section			2	384	
	5878-2amended	57	1	111	
	5878-2aamended		1	267	
	5878-2eamended		2	268	
	5878-2famended		23	269	•
NUCLION		110	U	200	
	(760)				

ME	NDME	NTS, REMINGTON & BALLINGER'S CODES-CONTIN	UED:		
			Ch.	Sec.	Page
s	ection	5878-2jnew	110	6	270
S	lection	5878-2k	110	7	271
S	Section	5878-21new	118	8	271
s	lection	5879-14amended	73	1	149
		5901repealed		9	271
		59.01-erepealed		9	271
		5901-frepealed		9	271
		5901-famended		11/2	
		5901-grepealed		9	271
ŝ	lection	5901-h)			
s	lection	5901-i }amended	79	1	150
ŝ	lection	5901-jrepealed	110	9	271
		5901-1amended		4	269
		5903repealed		9	271
		5905partial repeal		9	271
		5980-1 to 5980-32repealed		34	607
		6011 to 6022		11	252
		6059-4amended		2	294
		6059-7amended		1	369
		6059-23, 6059-27repealed	18	1	44
		6059-84amended	47	1	96
		6059-87amended		1	725
		6059-210amended		1	657
		6262-23anew	25	1	53
		6414	42	ĩ	86
		6417 :amended		1	527
		6417-1		$\overline{2}$	530
	Section			3	531
	Section			4	533
	ection			5	536
S	ection	6427-1 new		6	538
S	Section	6432-1amended	154	1	432
S	Section	6432-2aamended	154	2	432
		6432-5amended		3	433
S	Section	6433amended	180	7	540
S	ection	6434amended	180	8	541
S	Section	6435amended	180	9	541
S	ection	6436amended	180	10	542
S	lection	6437amended	180	11	542
s	ection	6439amended	180	12	543
S	Section	6440amended	180	13	544
S	Section	6454amended	180	14	546
S	Section	6457-1amended	180	15	547
S	Section	6457-3amended	180	16	548
S	Section	6457-8new	180	17	549
S	Section	6461-1new	180	18	549
S	Section	6461-2new	180	19	550
S	lection	6461-3new	180	20	551
S	Section	6461-4new	180	21	552
S	Section	6461-5new	180	22	553
S	Section	6461-6new	180	23	554
	Section		62	1	127
S	Section	6552amended	62	2	127
S	Section	6604-2amended	131	1	340
S	Section	6604-3amended	131	2	342
		6604-4amended		3	345
		6604-5amended		4	355
		6604-6amended		5	. 364
		6604-10amended		6	365
S	Section	6604-18amended	67	1	134

#### AMENDMENTS, REMINGTON & BALLINGER'S CODES-CONTINUED:

.

.

(761)

.

AMENDMENTS, REMINGTON & BALLINGER'S CODES-CONTINUED:

.

MENDME	NTS, REMINGTON & BALLINGER'S CODES—CONTINE	UED :		
		Ch.	Sec.	Page
Section	6604-18anew	67	2	135
Section	6604-18bnew	67	3	136
	6604-22amended		7	366
Section	6604-23amended	131	8	367
Section	6604-34amended	129	1	300
Section	6604-35amended	129	2	301
Section	6604-37amended	129	3	303
Section	6604-38amended	129	4	303
Section	6604-39amended	130	40	322
Section	6604-40amended	130	41	322
Section	6604-45amended	129	5	305
Section	6604-46amended	129	6	308
Section	6604-48 to 6604-120new	130	1	309
Section	6794amended	155	1	434
Section			2	435
Section	6798anew	155	3	435
Section	6848amended	97	1	232
Section	6849amended	97	. 2	232
Section	6852amended	97	3 ·	233
Section	7224amended	137	1	386
	7671-6amended		1	275
Section	7671-17amended	167	1	489
	7671-29amended		<b>2</b>	275
Section	7892-35amended	70	1	139
	7892-36amended		2	139
	8061 to 8077repealed		· 21	680
Section			1	266
Section			1	258
Section			1	289
-	8385-1amended		1	254
Section			1	372
Section			2	373
Section	•		13	382
Section			3	373
Section			4	375
Section			5	376
Section			6	376
Section			7	376
Section			8	379
Section			9	380
Section			10	380 381
Section			12	381
Section	-		13 1	382 708
Section			1	76
Section			2	80
Section	-		23	80
	8626-25amended		1	61
	8626-61amended		1	431
Section			1	556
Section			ĩ	191
Section			5	192
Section			7	194
Section			1	54
Section			6	193
Section			Ğ	293
Section			2	292
Section			6	293
Section	· · · · · · · · · · · · · · · · · · ·		5	293
Section		1 77	1	154
Beenon	0010		-	

(762)

AMENDMENTS, REMINGTON & BALLINGER'S CODES-CONTIN	UED :		
	Ch.	Sec.	Page
Section 9052amended	77	1	154
Section 9112amended	142	4	393
Section 9193amended	24	1	52
Section 9195amended	29	1	56
Section 9339 <sup>1</sup> / <sub>2</sub> amended	108	1	261
Section 9368amended	108	2	263
ANARCHISTS:			
Display of insignia and banners	181	1	555
ANIMALS — (see ANIMAL PESTS; APIARIES; BEAVERS; BOUNTIES; DOGS; ESTRAYS; GAME FARMS).			
ANIMAL PESTS:			
Districts, creation authorized	152	1	425
formation and alteration	152	2	426
county board to determine	152	3	427
record of	152	4	427
local assessments	152	7	429
public lands, how met	152	8	429
appropriation for	152	10	430
obligations within revenues	152	9	430
supervisors of extermination	152	6	428
tax levy	152	7	429
extension on rolls		5	428
APIARIES:			•
Apiculture division of state college	116	1	283
instruction in	116	2	283
Appropriation	116	15	287
Combs, immovable prohibited	116	12	286
Imported bees to be inspected	116	11	286
Infected, destruction of		5	284
sale or removal prohibited	116	6	285
Inspection, when to be made	116	4	284
obstructing	116	7	285
Inspectors, appointment and compensation	116	3	283
duties	116	8	285
Queen bees, inspection and shipment		9	285
Repealing clause	116	14	287
Reports by state entomologist		10	285
Violations of act, penalty	116	13	287
APICULTURE—(see APIARIES).			
APPROPRIATIONS:			
Agriculture, department of			
main office \$47,730 00	82	2	188
apiculture division 4,000 00	116	15	287
dairy and horticulture 5,500 00	13	1	39
dairy and livestock division 157,564 00	82	2	188
food, feed, fertilizer and oil division 45,080 00	82	<b>2</b>	188
horticulture division	82	2	188
premiums for purebred stock exhibitors 10,000 00	199	1	689
seed division 5,600 00	82	2	188
seed revolving fund	145	3	407
state fair	82	2	189
Alaska-Yukon-Pacific Exposition, warrant interest. 2,500 00	82	2	186
Animal pest districts—		-	-
assessments on state lands 10,000 00	152	10	430
Armories, Aberdeen 100,000 00	20	1	47
Everett 125,000 00		1	48
Walla Walla 100,000 00	19	. 1	44
Attorney general 89,000 00	82	2	174

APPROPRIATIONS-CONTINUED:		Ch.	Sec.	Page
Bar examiners, state \$3,000	00	82	2	177
deficiency 1,500	00	199	1	684
Barber examiners, state board 10,000	00	82	2	179
Bellingham normal school 349,497	91	82	2	190
Bounties on wild animals 35,000	00	82	2	186
crickets and grasshopers (\$3,000.00 from				
general appropriation)		199	1	684
seals	00	199	1	688
Bureau of Inspection and supervision—(see State				
Auditor).				
Bureau of labor-(see State labor commissioner).				
Capitol buildings and grounds—				
bond redemption 272,000	00	82	2	187
commission	00	82	2	185
construction	00	34	2	62
interest	00	82	2	187
maintenance, capitol 50,300	00	82	2	185
temple of justice		82	2	186
superintendent 4,000		199	1	184
Cheney normal school 290,440		82	2	. 190
local assessment		82	2	191
deficiency 8,000		55	1	109
Children's home, Tacoma		82	2	186
Chiropody, state board		82	2	180
. Chiropractic examiners, board of		82	2	180
Columbia basin project		60	3	126
Commissioner of public lands		82	2	175
Criminal cost bills		82	2	182
Dam at Five Mile Rapids		96	2	231
Dental examiners, state board		82	2	179
Dental examiners, state board		82	2	181
Drugless examiners, board of $\dots \dots \dots $		36	15	75
Ellensburg normal school 242,380	00	.82	13	190
		82	2	191
local assessment 2,087 Embalmers' examining board 1,000		82	2	180
Farm markets, director of		82	2	182
		199	1	688
		199	1	689
		82	2	186
		199	1	688
Game wardens, state (fish commissioner)		199	1	689
deputy state game warden		82	2	182
		82	2	174
		11	1	37
deficiency for extradition and rewards 2,500 mansion 15,000		82	2	174
		84 7	1	31
biennium 1917-1918 9,000		82	2	187
Harbor improvement		82	2	187
Highways, office of state commissioner		02 14	1	40
ormonia official for a second se		56	2	110
federal aid projects		92	1	223
primary and secondary		32 10	1	35
reappropriation 619,844		~ ~	-	
trunk line highways		28 82	1 2	55 179
Hotel Inspector, state 22,275				
Industrial code commission		$     184 \\     82 $	1 2	$566 \\ 177$
		82 53	2	107
deficiency		53 82	1 2	187
injury awards		82 82	2	187
medical aid awards	00		2	187 687
lieu appropriation (\$6,000.00)state mining board and state safety board 350,100		199	1	687
state mining poard and state safety poard 300,100		133	1	001

APPROPRIATIONS-CONTINUED :			Ch.	Sec.	Page
Industrial welfare commission	\$10,850		82	2	186
additional expense allowance	4,000	00	199	1	684
Initiative and referendum—(see Secretary of State)					
Ladies' G. A. R. home, Puyallup	3,000	00	82	2	186
Land settlement—(see Reclamation of lands).				•	
Lebanon home, Ballard	3,000		82	2	186
Legislative expenses	115,000		1	1	1
indexing journals	600 15,000		$199 \\ 2$	1 1	689 2
printing	3,400		82	2	174
Lieutenant governor	500		40	1	84
expense allowance	5,000		118	1	288
	0,000	00	110	-	200
Local assessments	011		100		686
Bellingham, city of	611 1,107		$199 \\ 199$	1	687
Skagit county	1,107		199	1	686
Warren Construction Co	1,090		199	1	686
Yakima county	915		199	1	689
Medical aid—(see Industrial insurance commission)		00	155	1	000
Medical examiners, state board	,. 7,090	0.0	82	2	180
National guard and naval militia	374,853		82	2	186
deficiency	38,000		61	1	126
Nautical school, state	50,000		82	2	181
Nurse examiners, state board	2,500		82	2	180
Optometry, state board	1,500		82	2	180
Osteopathic examiners, board of	2,000	00	82	2	180
Pacific Coast Rescue and Protective Society	3,000	00	82	2	186
Pharmacy, state board	11,200	00	82	2	180
Powder and explosives, state control	500,000	00	157	8	442
creating revolving fund	75,000	00	157	8	442
Prosser experiment station—(see State college).					
Public archives commission	1,500		82	2	186
Public service commission	183,000		82	2	177
grain department	155,700		199	1	684
Reclamation of lands1			158	13	450
expenses of state board	50,000		158	13	450
creating revolving fund	100,000		158	13	450
land settlement purposes	150,000		188	8 8	588
state board expenses	10,000	00	188	0	588
Relief			100		005
Adams, Joe	267		199	1	685 685
Asotin county		69 10	$199 \\ 82$	1	
Barkley, Hugh	29	10	84	4	187
Buckley, Frank R., and Pacific Coast Casualty Co	193	33	199	1	685
Camp Lewis Transportation Co		00	199	1	687
Chas. H. Lilly Co		00	199	1	686
Clifton, J. M		24	199	1	689
Cover, Margaret Duval		13	82	2	188
Cutter & Malmgren	250		7	1	31
Davis, Geo. R	-	06	82	2	188
Donald, George	500	00	12	1	38
Fisher, Frank P	•	60	82	2	187
Forbes, W. D	2,909	96	199	1	685
Gerber, Cornelius, et al., admrs	325	22	199	1	686
Govan, David	12,000	00	128	2	299
Great Northern Ry. Co	25,625	00	199	1	686
Heffernan, J. T		00	12	1	38
Heiss, Gustaff, et al		97	199	1	686
Henry McCleary Timber Co	4,107	20	199	1	686

APPROPRIATIONS—CONTINUED:					
Relief-			Ch.	Sec.	Page
Jenkins, Percy	\$30	00	199	1	687
Joyce, Thomas	1,556	50	199	1	685
Kennewick, city of	195	62	82	<b>2</b>	187
Koch, Fred	76	80	199	1	686
Lister, Ernest	5,000	00	199	1	687
Lord, C. J	500	00	12	1	38
Lowman, W. A	500		12	1	38
McCain, J. C		10	82	<b>2</b>	188
McGonagle, Fred	388		82	2	187
McKee, S. C		00	199	1	686
Manier, William W., admr	1,670		199	1	687
Morgan, T. M	915		199	1	689
Mountain View sanitarium, Tacoma	1,771		82	2	184
Musselman, Frank	126		199	1	685
Neterer, Jeremiah	281		199	1	685
Olympia Brewing Co	483		199	1	685
Patterson, W. J	500		12	1	38
Payne, C. M	882		199	1	689
Pedersen, Hans	541		199	1	686
Port Townsend, city of	338		82	2	187
Quirk, J. J	709		208	1	726
Ransey Hardware Co	2,707		199	1	685
Rydstrom, Arvid	27,319		128	1	299
Schimmels, Tony	201		199 82	1	685
Seattle, city of	$96 \\ 2,500$		84 177	2 1	$\frac{191}{522}$
Sill, Irving D			199		522 689
Smith, J. L	1,185 2,169		82	1 2	187
Spokane, city of			82	$\frac{2}{2}$	187
Stiles, R. H., Una E. and Chas. H	690 2,070		82	2	187
Tacoma, city of		50 58	82	2• 2•	187
Vernon, R. D.		00	199	1	685
Western Life and Casualty Co	-	00	82	1 2	187
Willis, J. E	101		199	1	685
Wilson, Paul, and Powell Mfg. Co		02	199	1	685
Wisconsin Logging & Timber Co	296		82	2	187
Yakima, City of		35	82	2	191
			82	2	186
Salvation Army home, Spokane	3,000 63,800		82	2	175
Secretary of state, main office	220,000		199	1	686
motor vehicle department biennium 1917-1918	24,567		58	1	112
initiative and referendum	24,501		82	2	176
additional	18,000		199	1	684
printing expert	4,200		82	2	176
session laws and journals	18,000		199	ĩ	684
publicity fund	50,000		82	2	176
statistics and immigration department	15,000		82	2	175
additional	10,000		199	1	686
weights and measures department	35,000		82	2	175
Shore land improvement, warrant interest	28,000		82	2	186
Spanish-American war veterans' graves	144		82	2	186
	45.900		82	2	175
State auditor, office	45,900 32,300		82	2	175
bureau of inspectionadditional	32,300 7,500		199	1	685
savings and loan association inspection	10,000		169	24	510
bureau of inspection, 1917-1918	43.700		105	1	31
sundries	-	00	199	1	685
State bank commissioner	83,000		82	2	178
State Bank Commissioner			62	4	1.0

.

.

-

APPROPRIATIONS-CONTINUED :			Ch.	Sec.	Page
State board of control, office	\$51,640	00	82 .	2	176
parole department	30,000	00	82	2	183
penitentiary	579,250	00	82	2	183
hospitals for insane, eastern	560,987	00	82	2	184
northern	588,025		82	2	184
western	664,375		82	2	184
deportation of alien and non-resident insane	25,000		82	2	184
state custodial school	358,780		82	2	184
buildings	190,000		199	1	683
state school for blind	76,650		82	2	185
state school for deaf			82	22	185
	118,800				
state school for girls	239,026		82	2	183
state training school	273,500		82	2	183
state soldiers' home and colony	271,700		82	2	185
transportation of convicts, insane, etc	66,000		82	2	183
. Washington state reformatory	173,600		82	2	184
Washington veterans' home	253,480	00	82	2	185
transportation of soldiers	3,000	00	199	1	689
tuberculosis hospitals, state aid	150,000	00	82	2	184
deficiency for hospitals and training school	50,000	00	15	1	41
State board of equalization	1,500	00	82	2	175
State board of finance	900	00	82	2	175
State board of health	67,115	00	82	2	179
venereal disease investigation	25,000		195	1	686
State college			82	2	189
deficiency	38,500		32	1	60
lieu appropriations				1	685
State fire warden	100,200		82	2	186
State Historical Society	23,240		82	2	183
State hydraulic engineer	43,240		82	2	182
State insurance commissioner	99,450		82	2	177
State law library	27,400		82	2	176
librarian's salary 1917-1918	6,000		7	1	31
State labor commissioner, office	28,400		82	2	178
factory inspection	30,000		82	2	178
in lieu of foregoing				1	689
biennium 1917-1918	1,500	00	7	1	31
steamboat inspection	1,800	00	82	2	178
State library	12,040	00	82	2	182
deficiency	900	00	39	1	83
State mine inspector	22,850	00	82	2	178
additional salary	1,200	00	199	1	689
State mining and safety board-(see Industrial					
insurance commission).					
State reclamation board—(see Reclamation of					
lands).					
State tax commissioner	26,250	00	82	-2	178
deputy for inheritance taxes	4.800		199	1	684
State treasurer	26.750		82	2	176
expense protecting securities	7,500		199	1	689
Superintendent of public instruction, office	49,550		82	2	181
high school supervision	43,350 8.800		82	2	181
industrial and agricultural work	15,000		82	2	181
rural extension	7,800		82 82	2	181
state board of education	3,000		82	2	181
vocational education	24,000		82	2	181
Superior courts	142,000		82	2	177
Supreme court	157,910		82	2	177
reporter	21,000		82	2	177
additional clerk hire	, 600		199	1	684
Theodora home, Seattle	3,000	00	82	2	186
(767)					

.

٠

.

(767)

,

APPROPRIATIONS—CONTINUED:	Ch.	Sec.	Page
Topographical and hydrographical survey \$35,000 00	82	<b>2</b>	182
Traveling library 25,680 00	82	<b>2</b>	182
Uniform law commission	82	2	177
University of Washington	82	2	189
Veterans' welfare commission	9	5	34
Veterinary examiners, state board	82 82	$\frac{2}{2}$	180
Women's industrial home and clinic 150,000 00	82 186	16	$186 \\ 578$
Workmen's compensation—(see Industrial insur-	100	. 10	978
ance commission).			
ARCHITECTS:			
Board of examiners		2	720
Certification required		1	719
Examinations, scope of		3	720
unnecessary for existing practitioners		4	721
Licenses, issuance		6	•722
fees		5	722
renewals, annual fee		7	723
Violations of act, penalties	205	8	723
ARMORIES:			
Aberdeen, appropriation	20	1	46
commission	20	2	47
Everett, appropriation	$21^{-1}$	1	48
commission	21	2	48
Walla Walla, appropriation	19	1	44
commission	19	<b>2</b>	45
ASSESSMENTS—(see LOCAL ASSESSMENTS; TAXATION).			
ASSOCIATIONS-(see FRATERNAL BENEFIT; MUTUAL IN- SUBANCE: SAVINGS AND LOAN, WATER USERS')			
ASSOCIATIONS—(see FRATERNAL BENEFIT; MUTUAL IN- SURANCE; SAVINGS AND LOAN; WATER USERS').			
SURANCE; SAVINGS AND LOAN; WATER USERS').	82	2	174
SURANCE; SAVINGS AND LOAN; WATER USERS'). ATTORNEY GENERAL: Appropriation Disbarment proceedings	82	2 7	174 247
SURANCE; SAVINGS AND LOAN; WATER USERS'). ATTORNEY GENERAL: Appropriation Disbarment proceedings Drugless healing	82	7	
SURANCE; SAVINGS AND LOAN; WATER USERS'). ATTORNEY GENERAL: Appropriation Disbarment proceedings Drugless healing Hydraulic engineer	82 100 36 71	. 7 . 3 1	247 67 141
SURANCE; SAVINGS AND LOAN; WATER USERS'). ATTORNEY GENERAL: Appropriation Disbarment proceedings Drugless healing Hydraulic engineer Milk law violations.	82 100 36 71 192	7 . 3 1 81	$247 \\ 67 \\ 141 \\ 648$
SURANCE; SAVINGS AND LOAN; WATER USERS'). ATTORNEY GENERAL: Appropriation Disbarment proceedings Drugless healing Hydraulic engineer Milk law violations. Salary increase, constitutional amendment.	82 100 36 71 192 162	7 . 3 1 81 1	247 67 141 648 460
SURANCE; SAVINGS AND LOAN; WATER USERS'). ATTORNEY GENERAL: Appropriation Disbarment proceedings Drugless healing Hydraulic engineer Milk law violations.	82 100 36 71 192 162	7 . 3 1 81	$247 \\ 67 \\ 141 \\ 648$
SURANCE; SAVINGS AND LOAN; WATER USERS'). ATTORNEY GENERAL: Appropriation Disbarment proceedings Drugless healing Hydraulic engineer Milk law violations. Salary increase, constitutional amendment. Seed law violations.	82 100 36 71 192 162	7 . 3 1 81 1	247 67 141 648 460
SURANCE; SAVINGS AND LOAN; WATER USERS'). ATTORNEY GENERAL: Appropriation Disbarment proceedings Drugless healing Hydraulic engineer Milk law violations. Salary increase, constitutional amendment.	82 100 36 71 192 162 183	7 . 3 1 81 1 16	247 67 141 648 460
SURANCE; SAVINGS AND LOAN; WATER USERS'). ATTORNEY GENERAL: Appropriation Disbarment proceedings Drugless healing Hydraulic engineer Milk law violations. Salary increase, constitutional amendment. Seed law violations. ATTORNEYS-AT-LAW:	82 100 36 71 192 162 183	7 . 3 1 81 1	247 67 141 648 460 563
SURANCE; SAVINGS AND LOAN; WATER USERS'). ATTORNEY GENERAL: Appropriation Disbarment proceedings Drugless healing Hydraulic engineer Milk law violations. Salary increase, constitutional amendment Seed law violations. ATTORNEYS-AT-LAW: Admission to practice.	82 100 36 71 192 162 183 100 100	7 . 3 1 81 1 16	247 67 141 648 460 563 243
SURANCE; SAVINGS AND LOAN; WATER USERS'). ATTORNEY GENERAL: Appropriation Disbarment proceedings Drugless healing Hydraulic engineer Milk law violations. Salary increase, constitutional amendment Seed law violations. ATTORNEYS-AT-LAW: Admission to practice. certificates	82 100 36 71 192 162 183 100 100 100	7 3 1 81 16 · · · ·	247 67 141 648 460 563 243 243
SURANCE; SAVINGS AND LOAN; WATER USERS').         ATTORNEY GENERAL:         Appropriation         Disbarment proceedings         Drugless healing         Hydraulic engineer         Milk law violations.         Salary increase, constitutional amendment.         Seed law violations.         ATTORNEYS-AT-LAW:         Admission to practice.         law clerks	82 100 36 71 192 162 183 100 100 100	7 . 3 1 81 1 16  1 4 5	247 67 141 648 460 563 243 245 246
SURANCE; SAVINGS AND LOAN; WATER USERS').         ATTORNEY GENERAL:         Appropriation         Disbarment proceedings         Drugless healing         Hydraulic engineer         Milk law violations.         Salary increase, constitutional amendment.         Seed law violations.         ATTORNEYS-AT-LAW:         Admission to practice.         certificates         law clerks         law school graduates.         non-residents, temporary         Ethics, enforcement by bar examiners.	82 100 36 71 192 162 183 100 100 100 100 100	7 3 1 81 16  1 4 5 2 4 6	247 67 141 648 460 563 243 245 246 244
SURANCE; SAVINGS AND LOAN; WATER USERS').         ATTORNEY GENERAL:         Appropriation         Disbarment proceedings         Drugless healing         Hydraulic engineer         Milk law violations.         Salary increase, constitutional amendment.         Seed law violations.         ATTORNEYS-AT-LAW:         Admission to practice.         law clerks         law school graduates.         non-residents, temporary         Ethics, enforcement by bar examiners.         witnesses, power to subpoena.	82 100 36 71 192 162 183 100 100 100 100 100 100 100	7 3 1 81 1 6 7	247 67 141 648 460 563 243 245 246 244 245 246 247
SURANCE; SAVINGS AND LOAN; WATER USERS').         ATTORNEY GENERAL:         Appropriation         Disbarment proceedings         Drugless healing         Hydraulic engineer         Milk law violations.         Salary increase, constitutional amendment.         Seed law violations.         ATTORNEYS-AT-LAW:         Admission to practice.         law clerks         law school graduates.         non-residents, temporary         Ethics, enforcement by bar examiners.         witnesses, power to subpoena.         Students, credits for office and school work.	82 100 36 71 192 162 183 100 100 100 100 100 100 100	7 3 1 81 1 16  1 4 5 2 4 6 7 2	247 67 141 648 460 563 243 245 246 244 245 246 244 245 246 244
SURANCE; SAVINGS AND LOAN; WATER USERS').         ATTORNEY GENERAL:         Appropriation         Disbarment proceedings         Drugless healing         Hydraulic engineer         Milk law violations.         Salary increase, constitutional amendment.         Seed law violations.         ATTORNEYS-AT-LAW:         Admission to practice.         certificates         law clerks         law school graduates.         non-residents, temporary         Ethics, enforcement by bar examiners.         witnesses, power to subpoena.         Students, credits for office and school work.         examination in yearly courses.	82 100 36 71 192 162 183 100 100 100 100 100 100 100 100 100	7 3 1 81 16 7 2 4 6 7 2 3	247 67 141 648 460 563 243 245 246 244 245 246 244 245 246 247 244
SURANCE; SAVINGS AND LOAN; WATER USERS').         ATTORNEY GENERAL:         Appropriation         Disbarment proceedings         Drugless healing         Hydraulic engineer         Milk law violations.         Salary increase, constitutional amendment.         Seed law violations.         ATTORNEYS-AT-LAW:         Admission to practice.         certificates         law clerks         law school graduates.         non-residents, temporary         Ethics, enforcement by bar examiners.         witnesses, power to subpoena.         Students, credits for office and school work.         examination in yearly courses.	82 100 36 71 192 162 183 100 100 100 100 100 100 100 100 100	7 3 1 81 1 16  1 4 5 2 4 6 7 2	247 67 141 648 460 563 243 245 246 244 245 246 244 245 246 244
SURANCE; SAVINGS AND LOAN; WATER USERS').         ATTORNEY GENERAL:         Appropriation         Disbarment proceedings         Drugless healing         Hydraulic engineer         Milk law violations.         Salary increase, constitutional amendment.         Seed law violations.         ATTORNEYS-AT-LAW:         Admission to practice.         certificates         law school graduates.         non-residents, temporary         Ethics, enforcement by bar examiners.         witnesses, power to subpoena.         Students, credits for office and school work.         examination in yearly courses.         Suspension	82 100 36 71 192 162 183 100 100 100 100 100 100 100 100 100	7 3 1 81 16 7 2 4 6 7 2 3	247 67 141 648 460 563 243 245 246 244 245 246 244 245 246 247 244
SURANCE; SAVINGS AND LOAN; WATER USERS').         ATTORNEY GENERAL:         Appropriation         Disbarment proceedings         Drugless healing         Hydraulic engineer         Milk law violations.         Salary increase, constitutional amendment.         Seed law violations.         ATTORNEYS-AT-LAW:         Admission to practice.         certificates         law clerks         law school graduates.         non-residents, temporary         Ethics, enforcement by bar examiners.         witnesses, power to subpoena.         Students, credits for office and school work.         examination in yearly courses.	82 100 36 71 192 162 183 100 100 100 100 100 100 100 100 100	7 3 1 81 16 7 2 4 6 7 2 3	247 67 141 648 460 563 243 245 246 244 245 246 244 245 246 247 244
SURANCE; SAVINGS AND LOAN; WATER USERS').         ATTORNEY GENERAL:         Appropriation         Disbarment proceedings         Drugless healing         Hydraulic engineer         Milk law violations.         Salary increase, constitutional amendment.         Seed law violations.         ATTORNEYS-AT-LAW:         Admission to practice.         certificates         law clerks         law school graduates.         non-residents, temporary         Ethics, enforcement by bar examiners.         witnesses, power to subpoena.         Students, credits for office and school work.         examination in yearly courses.         Suspension         AUTOMOBILES—(see MOTOR VEHICLES).         AVIATION—(see AERIAL TRANSPORTATION).         BAIL:	82 100 36 71 192 183 100 100 100 100 100 100 100 100 100	7 3 1 81 1 16 7 2 4 6 7 2 3 7	247 67 141 648 460 563 245 246 244 245 246 244 245 246 244 247 244 244
SURANCE; SAVINGS AND LOAN; WATER USERS').         ATTORNEY GENERAL:         Appropriation         Disbarment proceedings         Drugless healing         Hydraulic engineer         Milk law violations.         Salary increase, constitutional amendment.         Seed law violations.         ATTORNEYS-AT-LAW:         Admission to practice.         certificates         law clerks         law school graduates.         non-residents, temporary         Ethics, enforcement by bar examiners.         witnesses, power to subpoena.         Students, credits for offlee and school work.         examination in yearly courses.         Suspension         AUTOMOBILES—(see MOTOR VEHICLES).         AVIATION—(see AERIAL TRANSPORTATION).	82 100 36 71 192 183 100 100 100 100 100 100 100 100 100	7 3 1 81 16 7 2 4 6 7 2 3	247 67 141 648 460 563 243 245 246 244 245 246 244 245 246 247 244
SURANCE; SAVINGS AND LOAN; WATER USERS').         ATTORNEY GENERAL:         Appropriation         Disbarment proceedings         Drugless healing         Hydraulic engineer         Milk law violations.         Salary increase, constitutional amendment.         Seed law violations.         ATTORNEYS-AT-LAW:         Admission to practice.         certificates         law clerks         law school graduates.         non-residents, temporary         Ethics, enforcement by bar examiners.         witnesses, power to subpoena.         Students, credits for office and school work.         examination in yearly courses.         Suspension         AUTOMOBILES—(see MOTOR VEHICLES).         AVIATION—(see AERIAL TRANSPORTATION).         BAIL:	82 100 36 71 192 183 100 100 100 100 100 100 100 100 100 76	7 3 1 81 1 16 7 2 4 6 7 2 3 7	247 67 141 648 460 563 245 246 244 245 246 244 245 246 244 247 244 244

•

BONDS.

BAKERIES:	Ch.	Sec.	Page
Basements, use prohibited		1	724
Drainage and ventilation	206	1	724
BALLOTS—(see ELECTIONS).			
BANKS AND TRUST COMPANIES:			
Assets, charging off bad debtsjudgments as		15 15	733 733
Branch banking, what constitutes	209	15	730
Commissioner, change of title		1	727
deputy, appointment	209	2	728
examiners, appointment		2 3	$\begin{array}{c} 728 \\ 728 \end{array}$
oath of office and bondsalaries		3	728
Corporate powers		8	731
Disclosing information as to banks	209	6	730
Examination		5	729
Federal reserve system, participation Foreign companies, business in state		7 14	730 733
Loans, minimum requirements		19	735
Mutual savings banks—			
deposits, excess, notice to reduce		4	702
limit on individual		2 3	699 700
dividends, regulation ofinvestments, permitted classes		3 1	690
National banks, change to		10	732
Officers, bonuses prohibited		20	735
Reports to bank commissioner		4	729
Transfer of assets and liabilities		17 16	734 734
Trust business, separate books Violations of act, penalties		18	735
BARKLEY, HUGH:			
Relief appropriation	82	2	187
BASTARDS-(see FILIATION PROCEEDINGS).			
BEANS:	100	12	593
Grading and weighing	189	12	090
BEAVERS: Possession or killing, penalty	78	1	155
Skins, dealing in foreign, authorized		1	155
BEES-(see APIARIES).			
BELLINGHAM NORMAL SCHOOL:			
Appropriation	82	2	190
BIRDS-(see GAME FARMS).			
BOARD OF CHIROPRACTIC EXAMINERS: Appropriation	82	2	180
BOARD OF DRUGLESS EXAMINERS:			
Appropriation	82	2	181
BOARD OF OSTEOPATHIC EXAMINERS:			
Appropriation	. 82	2	180
BONDS:	- 0		140
County, for road improvement Independent highway districts	. 73 . 81	1 2	149 160
Independent fighway districts	. 154	1	432
School districts	. 90	12	216
Trunk line highway construction	. 99	8	238

## BOUNTIES.

BOUNTIES:	Un.	Sec.	Page
Appropriation, destroying animals		2	186
lieu, for grasshoppers and crickets		1	684
seals, destruction of		1	688
	155	Т	000
BREMERTON HARBOR:			
Grant to United States	161	1	459
reversion to state		2	459
		-	100
BRIDGES—(see INTERSTATE; TOLL BRIDGES).			
BUCKLEY, FRANK R.:			
Relief appropriation	199	1	685
BUILDING AND LOAN ASSOCIATIONS ( CANINGS AND			
BUILDING AND LOAN ASSOCIATIONS-(see SAVINGS AND			
LOAN ASSOCIATIONS).			
BUREAU OF FARM DEVELOPMENT—(see AGRICULTURE).			
BUREAU OF INSPECTION AND SUPERVISION:			
Appropriation	82	2	179
additional	199	1	685
1917-1918 biennium	7	1	31
State examiners, salary and expenses		1	289
Water right contests, audit of expenses		2	141
	•	-	
BUREAU OF LABOR(see COMMISSIONER OF LABOR).			
CAMP LEWIS TRANSPORTATION COMPANY:			
	100		00 <del>7</del>
Relief appropriation	199	1	687
CAPITOL BUILDINGS AND GROUNDS:			
Appropriation for buildings	34	2	62
care of property	82	- 3	185
commission, expenses	82	2	185
	82	2	185
interest and bond redemption		-	
superintendent's salary		1	684
temple of justice, care of		2	186
Construction contracts authorized		1	62
Superintendent, appointment and salary		1	104
duties	50	2	104
CARNAL KNOWLEDGE AND ABUSE:			
Penalty	132	1	368
1 charty	102	-	000
CENTRALIA NORMAL SCHOOL:			
Board of trustees, appointment	147	3	411
Establishment	147	1	410
Fund, Centralia normal school	147	5	411
Opening of school	147	4	411
Site, commission to select		2	410
Tax levy authorized	147	6	411
future re-adjustment		7	412
CHEESE (see MILK AND MILK PRODUCTS).			
CHEMICALS:			
Grading and weighing	189	12	593
CHENEY NORMAL SCHOOL:			
Appropriation	82	2	190
deficiency	82 55	1	109
local assessments	82	2	109
	<u>د ن</u>	-	191
CHILDREN'S HOME, TACOMA:			
Appropriation	82	2	186

## CLIFTON, J. M.

CHIROPRACTIC, PRACTICE OF:	Ch.	Sec.	Page
Advertising, limitations on	5	15	25
Board of examiners created	5	1	18
meetings		3	19
members, appointment	5	2	19
compensation and expenses	5	11	24
removal	5	13	25
powers	5	3	19
records	5	3	19
Crimes, duty of prosecuting attorney	5	16	26
false personation		15	25
violations of act		15	25
Fees, disposition of		11	24
license and examination		5	20
	<b>\</b> 5	8	22
annual		10	<b>24</b>
Health regulations govern practitioners		12	25
Licenses, essential in order to practice		4	20
examination of applicants		5	20
dispensed with, when		7	22
subjects and manner of		6	21
fees for		5	20
foreign practitioners		-14	25
recording by county clerk		9	23
revocation and refusal, grounds	5	8	22
Repealing clause		17	26
Secretary-treasurer, bond	5	13	<b>25</b>
duty to enforce act	5	16	26
CITIES AND TOWNS-(see FIREMEN'S RELIEF AND PEN- SION FUND):			
Eminent domain, aviation landings		1	102
Highways, apportionment from trunk line fund		10	239
Local assessments		1	139
delinguency certificates		2	139
Street railways, exterritorial operation		1	389
Taxation, levies for less than 20,000 population	170	1	510
Second class—			
tax levies validated	91	1	222
Third class—			
claims, validation of void	8	1	32
offices, filling vacancies		1	275
police judge, appointment and jurisdiction	113	2	275
taxation, levies	167	1	489
library purposes	171	1	511
special improvements	167	2	490
validation	190	1	608
vote to increase library levy	171	2	511
Fourth class—			
taxation, levy for library purposes	171	1	511
increase, vote to authorize		2	511
CLAMS:			
Propagation on oyster lands	166	1	488
CLARKSTON CUTT OF			
CLARKSTON, CITY OF:	75	1	152
Grant of Snake river shore lands		1	152
conditions and reversion	. 75	4	192
CLIFTON, J. M.:			
Relief appropriation	. 199	· 1	689

#### COAL MINES.

COAL MINES:	Ch.	Sec.	Page
Danger signs, posting	201	5	706
Educational standards	130	10	313
Gas fans, operation	201	2	704
Inspectors, duties	201	1	703
salary and expenses	201	1	703
Loosening coal, permissible distances	201	4	705
Openings, number required	201	3	704
Rules, promulgation and distribution	201	6	707
Safety standards	130	9	313
enforcement	130	28	319
inspection	130	49	327
Ventilation, interruption of	201	6	707
CODES ( INDUSERIAL CODE COMMISSION, DISPOSIO			
CODES — (see INDUSTRIAL CODE COMMISSION; PIERCE'S CODE).			
COLUMBIA BASIN IRRIGATION PROJECT:			
Appropriation	60	3	126
Survey commission created	60	1	125
report to federal government	60	2	125
		~	150
COMMISSIONER OF AGRICULTURE—(see APIARIES; CON- CENTRATED COMMERCIAL FEEDING STUFFS; EGGS; HORTICULTURE; MILK; SEEDS):			
Appropriation	82	2	188
Powers, additional	124	1	294
State fair grounds, control		1	132
COMMISSIONER OF LABOR:			
Advisory member state safety board	130	7	312
Appropriation	82	<b>2</b>	178
additional	199	1	689
Assistants, compensation	62	1	127
female, duties and compensation		2	127
Inspection of industrial establishments	130	50	328
Salary	62	1	127
Seasonal labor disputes, determination	191	4	610
COMMISSIONER OF PUBLIC LANDS:			
Appropriation	82	2	175
Duties, animal pest expenses		8	429
petroleum and gas leases		3	435
Salary		1	294
		-	201
CONCENTRATED COMMERCIAL FEEDING STUFFS:			
Brands and constituents, regulation		2	248
Definition of term		1	248
Deleterious substances, commingling		6	251
Food values, showing of depletion		5	251
Labeling packages		3	249
Partial invalidity		12	253
Repealing clause		11	252
Rules and regulations		9	252
enforcement, assistance of law officers		10	252
Samples taken by commissioner of agriculture		7	251
Violations of act, penalty	101	4	250
CONSTITUTION, PROPOSED AMENDMENTS:			
Eminent domain, art. I, sec. 16	136	1	385
Salaries of state officers		1	460
publication of act		2	461
CORONERS:	160	2	491
Salary	T09		491

## COUNTY SUPERINTENDENT OF SCHOOLS.

CORPORATIONS(see WATER USERS' ASSOCIATIONS):	Ch.	Sec.	Page
Board of trustees, selection and expulsion		1	512
Capital stock, increase and reduction		2	515
certification of change		3	516
Preferred stock, issuance and redemption		1	510
Treferreu stock, issuance and redemption	112	1	012
COUNTIES—(see TOLL BRIDGES):			
Animal pest districts	159	1	425
Claims against, filing and verification		1	414
Classification		1	490
Danger signals on highways, maintenance		3	408
Elections, filling vacancies		2	520
Eminent domain for aviation purposes		1	102
Ferries, acquisition and operation		1	282
Franchises for toll bridges	93	1	226
Guide posts, construction on highways	146	1	408
failure to construct	146	5	409
Highways, road district divisions	140	1	390
apportionment of money from trunk line fund		10	239
credit from permanent highway fund		1	108
oroat from pormanone mannay fundition interest	373	1	149
rural post roads	69	1	138
-			
Mothers' pensions, to provide for		1	254
Officers, elections for		2	520
term of office		1	520
repealing clause		3	520
Powder warehouses	157	3	440
Salaries and traveling expenses	168	2	491
repealing clause	168	3	493
Soldiers, relief of indigent	83	1	191
Tax levy for highway improvements		1	298
Toll bridges, purchase of		1	226
Ion bridges, parchase of	50	-	220
COUNTY ASSESSOR:			
Deputies, appointment and compensation	87	1	202
		2	491
Salary		1	202
Valuation experts, appointment	01	1	202
COUNTY ATTORNEY-(see PROSECUTING ATTORNEY).			
COUNTY AUDITOR:		• •	
Election returns, custody		21	475
Recording deeds, mortgages, etc		1	536
soldiers' discharge papers	86	1	201
Salary	168	2	491
COUNTY CLERK:			
Registration of certificates—			
	-		0.0
chiropractors		9	23
drugless healers		6	69
optometrists		6	406
osteopaths	4	8	9
revocation of certificates, entry	4	9	10
physicians and surgeons	134	6	376
Salary	168	2	491
COUNTY COMMISSIONERS:		-	
Road supervisors, appointment		1	103
Salary	168	2	491
COUNTY ENGINEER:			
Salary	169	2	491
Dalaly	100	2	101
COUNTY SUPERINTENDENT OF SCHOOLS:			
Salary	168	2	491
-			

COUNTY TREASURER.

COUNTY TREASURER:	Ch.	Sec.	Page
Animal pest districts, ex-officio treasurer		5	428
Highway districts, independent, treasurer		5	164
Salary		2	491
	100	-	101
COURT STENOGRAPHERS:			
Amanuensis for courts, pay	66	2	133
act applicable to certain counties	66	1	133
COURTS—(see JUSTICE OF THE PEACE; SUPERIOR COURT; SUPREME COURT).			
COVER, MARGARET DUVAL:			
Relief appropriation	82	2	188
-	•-	-	
CRANBERRIES:			
Sales, retail, dry measure standards		3	253
standard containers for wholesale		1	253
less than, capacity indicated	102	<b>2</b>	253
Violations of act, penalty	102	4	254
CRIMES AND PUNISHMENTS:			
		,	079
Aliens, employment on public work		4	273
employment as teachers		3	82
Anarchy and sedition	181	1	455
Apiculture law violations		3	287
Architect law violations		8	723
Banking law violations	209	<b>∫</b> 5	729
		76	730
Banking law violations	209	(18)	735
		1 20	
Carnal knowledge of children	132	` 1 '	368
Chiropractic law violations	5	15	25
County auditor, not returning election count	163	21	474
Cranberry law violations		4	254
Drugless healing act violations		17	75
Eggs, foreign, violations of act		4	290
Electrician law violations.		6	719
False swearing in school elections	90	21	221
Flags, failure to display at schools	90	5	211
uniform flag law violations		5	261
Game farm act violations	72	11	149
Guide post law violations		5	409
Feed stuff law violations		4	250
(	101	8	252
Intoxicating liquor, burden of proof	25	1	53
Milk law violations	192	$\begin{cases} 17 \\ \end{cases}$	626
		<b>{</b> 77	647
Minors, health and morals law violations	17	1	42
Motor vehicle act violations	59	12	123
joy-riding	64	1	131
Murder, first degree, death penalty	112	1	273
Optometry, violations of act	144	22	406
misfeasance of county clerk	144	6	400
		۶ (	10
		14]	
Osteopathy, violation of act	4	1 15	15
		16	
		{ <sup></sup> <sub>5</sub>	376
Physicians' and surgeons' act violations	134	1 8	379
	101	) ș	380
Powder control act violations	157	17	441
Sabotage		1	517
Safety devices, removal or destruction		5	311
parety utvittes, removal or destruction	130	Ð	911

## DRUGLESS HEALING.

.

CRIMES AND PUNISHMENTS-CONTINUED:	Ch.	Sec.	Page 507
Savings and loan law violations	169	{ 18	508
Schools, violations of attendance law	15 <b>1</b>	$\left\{\begin{array}{c}19\\7\end{array}\right.$	509 423
		j 9	424
Syndicalism	174	` 1	518
Trials, separate for jointly charged		1	42
Venereal disease act violations	114	5	279
CRIMINAL COST BILLS: Appropriation	82	2	182
CUTTER & MALMGREN: Appropriation	7	1	31
DAIRIES-(see MILK AND MILK PRODUCTS).			
DAMS, FIVE MILE RAPIDS, SNAKE RIVER:			
Survey by state hydraulic engineer	96	1	231
appropriation	96	<b>2</b>	231
DAVIS, GEO. R.:			
		•	100
Relief appropriation	82	2	188
DEEDS:			
Record, prior registration of plats	182	1	556
DEPARTMENT OF AGRICULTURE—(see AGRICULTURE).			
DEFARTMENT OF AGRICULTURE—(see AGRICULTURE).		-	
DESCENT:			
Step-children as heirs	107	1	680
act retroactive	197	2	681
DIRECTOR OF FARM MARKETS:			
Appropriation	82	2	182
	04	4	184
DOGS:			
Domestic animal protection fund created	6	2	28
	-		
damages payable from, when	6	3	28
transfer to wild animal bounty account	6	<b>2</b>	28
License tax, amount	6	1	<b>27</b>
disposition of moneys in citles	6	1	27
in counties	6	2	28
municipal regulation	6	8	30
payable, when	6	3	28
Vicious dogs, killing authorized	6	6	29
killing animals, jurisdiction of justice of peace	6	4	28
owner liable for damages	6	5	29
duty to kill	6	7	30
fine for not killing	6	7	30
	v	•	
DONALD, GEORGE:			
Relief appropriation	12	1	38
DRAINAGE DISTRICTS:			
Enlargement of systems		1	525
eminent domain, power conferred	179	2	526
DRUGLESS HEALING:			
Advertising, restrictions on	36	14	74
Appeals from examiners	36	3	65
Application of act	36	8	69
Appropriation for expenses of board	36	15	75
Board of examiners, how composed	36	1	64
compensation	36	5	68
oath of office	36	2	65
officers	36	1	64
	36	1	64
records	30	T	04
(775)			

(775)

## DRUGLESS HEALING.

DRUGLESS HEALING-CONTINUED:	Ch.	Sec.	Page
Certificate to practice, classification interchangeable term for license	36 36	4	67 74
Definitions of terms	36 36	$13 \\ 12$	74
Examination of applicants, time and places	36	12	64
regulations for	36	11	71
subjects	36	3	65
Fees, credited to drugless practitioners' fund	36	5	68
Fund, drugless practitioners'	36	5	69
transfers to general fund	36	5	69
Health regulations govern practitioners	36	7	69
Licenses, affidavits necessary	36	4	67
fees	36	3	65
recording by county clerk	36	6	69
refusal, grounds	36	3	65
revocation and cancellation	36	3	65
Repealing clause	36	16	75
Secretary, salary of	36	5	69 74
Therapeutics, drugless, defined Treasurer, bond	$\frac{36}{36}$	13 5	69
Unprofessional conduct defined	36	9	89 70
Violations of act, penalty	36	9 17	75
	30	11	10
DURLAND, C. M.: Grant, state interest in Colville lots	74	1	151
EASTERN STATE HOSPITAL:			
Appropriation	82	2	184
EGGS:			
Foreign imports to be branded	120	1	290
broken eggs, containers how marked		2	290
rules and regulations, promulgation	120	3	290
violations of act, penalty	120	4	290
ELECTIONS:			
Instructions for voting, posting	163	20	473
Nominations at primaries, publication	163	14	470
Notice, form of		12	470
Officers, of, fees	163	13	470
Primary—			
ballots, how marked		15	471
judicial, form of		1	199
candidates, party restrictions		18	473
judges, determination of majorities		1	199
party ballots to be supplied		15	471
nominees, percentage vote		24 16	478
polls, open, when publication of nominations		16	472 470
repealing clause		14	470
vacancies, party committee cannot fill		24	478
votes, counting		17	472
number necessary for nomination		24	478
plurality sufficient		18	473
Registration-			
books, arrangement	163	7	466
closing		6	465
delivery to election officers		11	469
kept where		4	463
opening		3	462
notice of		5	464
removals, new registration		9	468
repealing clauses	163	$\left\{ \begin{array}{c} 1\\ 1 \end{array} \right\}$	462
		<b>{</b> 10	469

(776)

## EXECUTORS AND ADMINISTRATORS

ELECTIONS-CONTINUED:			
Registration—	Ch.	Sec.	Page
residence, changes noted	163	9	468
time for	163	2	462
voters, foreign born, evidence of right	163	7	466
unregistered, disqualified	163	8	466
Returns, safe keeping and delivery by auditor	163	21	474
Votes, canvass of	163	21	474
repealing clause	163	22	475
Voting machines, custodian of	163	23	475
delivery to polling places	163	23	475
examination of		23	475
preparation for elections		23	475
ELECTRIC TRANSMISSION:			
Rights of way over state lands	97	1	232
ELECTRICIANS:			
Application of act		5	718
Damages, liability for	204	4	718
Licenses for installation work	204	1	716
application for	204	2	716
renewal	204	3	717
Violation of act, penalty	204	6	719
ELEVATORS-(see GRAIN AND HAY).			٥
ELLENSBURG NORMAL SCHOOL:			
Appropriation	82	2	190
local assessment	82	2	191
EMBALMERS' EXAMINING BOARD:			
Appropriation	82	2	180
	02	-	1,00
EMBLEMS: Anarchistic and seditious, prohibited	181	1	555
EMINENT DOMAIN:			
Aerial transportation	48	1	103
Constitutional amendment	136	1	385
Drainage districts	179	2	526
Highways, trunk line	99	3	236
Irrigation districts	180	) 5	537
-		27	540
procedure	180	6	538
State lands, assessment under		12	485
Warehouses and elevators	98	1	233
location and survey of lands	98	2	234
procedure	98	3	234
public necessity	98	4	235
restriction on exercise		4	235
ESCHEATS:			
Default of legal heirs, passes to school fund	197	3	681
Grant to Skagit county et al		1	229
to C. M. Durland		1	151
ESTRAYS:			
Recovery by owner, fees payable	148	. 2	413
Registration by finder		1	412
Working, prohibited		• 2	413
EXECUTORS AND ADMINISTRATORS-(see DESCENT):			
Appraisement of estates	23	1	51
Final reports, notice of hearings	31	1	59
Inventory, time for	23	1	51

.

. .

#### EXPLOSIVES.

•

EXPLOSIVES-(see POWDER).

FARM DEVELOPMENT-(see AGRICULTURE).

#### FARM MARKETS-(see AGRICULTURE).

#### FARM PRODUCTS--(see LIENS).

FEDERAL AID AND COOPERATION: Agriculture	Ch. 193	Sec. 4	Page 655
Columbia river basin project	60	2	125
Dam, Snake river rapids	96	1	231
Highways	56	1	110
Irrigation districts	180	( 4	533
		5	536
Land settlement	188	3	584
Militia	137	1	386
Reclamation of lands	158	6	447
Rural post roads	69	1	138
Vocational education	160	1	454
part-time schools	151	6	422
FEED STUFFS—(see CONCENTRATED COMMERCIAL FEED- ING STUFFS).			
FEES:			
Appearances by plaintiff and defendant	84	8	198
County auditor, soldiers' discharge certificates	86	1	201
Justice of peace. schedule		1	394
Justice of peace, schedule	140	1	004
FERRIES:			
Counties may acquire and operate	115	1	282
FERTILIZERS:			
Grading and weighing	189	12	593
FILIATION PROCEEDINGS:			
Action, abatement, when		17	715
docketing in superior court		6	711
judgment of discharge		8	711
limitation of action		16	715
trial		7	711
Child, custody		19	715
Contempt of court	203	$\int 12$	713
		15	714
Criminal proceedings not affected		10	712
Judgment, default in payment		14	714
bond for instalment payments		. 9	712
discharge from		8	711
dlsposition of money		13	714
execution on		11	712
Justice of the peace, complaints before		1	709
hearings, action on		2	710
mother's testimony taken in writing		5	711
recognizance of defendant		4	711
Prosecuting attorney, duties		3	711
Support of child, judgment for		9	712
inability of father, hearings	203	12	713
FINES:	30	1	57
Bail forfeitures construed as Disposition, intoxicating liquor violations		1	57 57
osteopathic law violations		14	οι 15
Dogs, owner failing to kill vicious	4 6	7	30
Dogs, Uwnet failing to kin vicious	v	•	

FIDEMEN'S DELIGE AND DENSION FILMO.	<i>a</i> 1	g	<b>D</b> = = =
FIREMEN'S RELIEF AND PENSION FUND: Age retirements, monthly pensions	Ch. 196	Sec. 4	Page 670
Benefits, cessation, causes for		11	675
Board of trustees		1	668
meetings and records	196	3	669
officers		2	669
powers		13	675
Death in performance of duty, benefits		8	673
not in performance of duties, benefits Disability, diseases constituting		9 7	$674 \\ 672$
pension allowances		6 5	671
showing to be made		6	672
temporary, examinations		10	675
Dismissal from service, effect		11	675
Funeral expenses, allowance	196	18	679
Fund, disbursement		3	669
investment		15	678
payments from		16	678
provided, how		14	677
replenishment		$15 \\ 17$	678 679
tax levy for		15	678
Hospital and medical expenses		13	672
Partial invalidity		20	680
Performance of duty defined		19	679
Physician, appointment		13	675
Repealing clause	196	<b>21</b>	680
Resignation, effect	196	12	675
FISH:			
Fisheries fund, transfers to	123	1	293
Oyster reserves, appropriation to protect		1	689
Shell fish, propagation on oyster lands	166	1	488
FISH COMMISSIONER:			
Appropriation	199	1	688
oyster reserve improvement		1	689
FISHER, FRANK P.:			
Relief appropriation	82	2	187
FLAGS:			
Anarchistic and seditious standards	1 8 1	1	555
application of act		5	555
possession unlawful		2	555
searches and seizures authorized		4	555
violations of act, penalty	181	. 3	555
Desecration	107	3	260
Display in schools	90	4	210
failure to comply	90	5	211
Uniform flag law-	105	•	• • • •
advertising, unlawful use		2 4	$260 \\ 260$
application of act cited, how		4 8	260 261
construction		7	261
definitions	-	i	259
violations, penalty		5	261
FLORENCE CRITTENDEN HOMES:		•	
Appropriation	82	2	186
	52	-	100
FOOD—(see MILK AND MILK PRODUCTS).			
FORBES, W. D.:			
Relief appropriation	199	1	685

•

٠

.

#### FUNERAL BENEFIT SOCIETIES.

#### FRATERNAL BENEFIT SOCIETIES-(see INSURANCE). FUNDS: Ch. Page Sec. Cities, current expense and indebtedness..... 170 Domestic animal protection..... Drugless practitioners ..... Harbor improvement ..... Indigent soldiers' relief..... Intoxicating liquor prosecutions, special fund..... Reclamation revolving ..... 158 Trunk line highway..... bond redemption ..... Transfers from general to fisheries..... 123 GAME FARMS: propagation ..... property in ..... q transfers between licensees...... Common carriers, freight tagged..... Eggs, disposal of..... Inspection by game warden..... Licenses for breeding and sale..... hotels and restaurant sales..... Reports to state game warden..... Sales, regulations for..... Violation of act, penalty..... GAS-(see PUBLIC LANDS). GERBER, CORNELIUS, ET AL., ADMRS.: Relief appropriation ..... 199 GOVAN, DAVID: GOVERNOR: Appropriationdeficiency, extraditions and rewards..... mansion ..... biennium 1917-1918 ..... office, etc. ..... Capitol superintendent, appointment..... Salary, proposed constitutional amendment...... 162 GRAIN AND HAY: Actions pending, governed by prior law..... 189 Car examinations ..... 189 Discrimination and preferences..... 189 Exports, inspection and grading..... 189

HAŸ.

GRAIN AND HAY-CONTINUED:	Ch.	Sec.	Page
Inspection, certificates, conclusiveness		14	596
bonds of inspectors, action on		5	591
chief inspector	189	3	590
deputies		4	590
employees		9	592
interest in commodities prohibited		6	591
misconduct of inspectors		15	597
offenses, penalty points for		7 8	592 $592$
designation of other localities		8	592 592
terminal warehouses		24	601
other warehouses		26	602
Loading facilities		25	602
Partial invalidity	189	33	607
Prior laws apply to pending actions	189	35	607
Public service commission, supervisory powers		2	590
Repealing clause		34	607
Reports by warehousemen		23	601
Samples of grain to be taken		27 29	602
Scales and side tracks, railwaypolice protection provided		29 30	603 605
Shipper's weight and grade, conclusiveness		31	605
Storage, duty of warehousemen		22	600
delivery of commodities stored		23	601
rates		18	599
Violations of act, penalty		32	606
Warehousemen, bonds and licenses	189	18	598
charges, enforcement of reasonable		10	592
Warehouses, regulation by commission		11	593
examination of		20	599
receipts, issuancerules, adoption and copies of		$\frac{22}{12}$	600 593
rules, adoption and copies of	105	12	090
GRANTS:			
Escheated lands in Colville county		1	151
lands in Skagit county		1	229
Rights of way for electric transmission		1	232
to United States		1	105
Shore lands on Snake river	75	1 1	$152 \\ 459$
Tide lands, Bremerton harbor		1	433 681
Shelton, to Mason county		1	88
Vancouver lake		1	137
GREAT NORTHERN RAILWAY COMPANY:			
Appropriation for judgment	199	1	686
GUIDE POSTS-(see HIGHWAYS).			
HARBOR IMPROVEMENT FUND: Appropriation	82	2	187
HARBORS: Bremerton, grant to United States	161	1	45 <b>9</b>
HAVECOST, J. H.: Grant of escheated lands	94	1	229
HAWKINS, R. A.: Grant of tide lands in Pacific county	198	1	681
HAY-(see GRAIN AND HAY; WAREHOUSES).			

## HEALTH.

HEALTH-(see STATE BOARD OF HEALTH): Bakeries, cleanliness regulations	Ch. 206	Sec.	Page 724
Quarantined premises, removal of milk containers		57	640
Regulations, chiropractics subject to		12	25
drugless healers subject to	36	7	69
osteopaths subject to	4	18	17
Venereal diseases, control by board		10	277
HEFFERNAN, J. T.: Relief appropriation	12	1	38
HEIRS-(see DESCENT AND DISTRIBUTION).			
HEISS, GUSTAFF, ET AL.: Relief appropriation	100	1	686
Relief appropriation	199	1	030
HIGHWAYS:			
Appropriations	92	1	223
Olympic highway	14	1	40
re-appropriation	10	1	35
revolving fund	56	$^{2}$	110
Bonds, county roads	73	1	149
independent highway districts	81	2	160
trunk line	99	8	238
Dangerous localities, designation of	146	2	408
signals, maintenance	146	3	408
Federal aid, disposition of	56	1	110
revolving fund created	56	2	110
rural post roads	69	1	138
Guide posts, county construction	146	1	408
destruction unlawful	146	4	409
imitation, prohibited	146	4.	409
state highway commissioner to construct	146	5	409
violation of act, penalties	146	6	409
Independent highway districts			
assessments to pay bonds	81	6	166
appeals to courts	81	8	169
conclusiveness	81	9	170
confirmation and revision	81	7	167
entry on tax rolls	81	10	171
equalization	81	7	167
lien	81	10	171
redemption	81	10	171
assessors, compensation	81	7	167
bids for construction or repair	81	ج ع	
blug for construction of repair,		{ 4 }	
board of directors, powers	81	` 1´	159
bonds, issuance and sale	81	2	160
registration	81	5	164
validation	81	11	171
construction, warrants for	81	5	164
contractor's bond	81	4	163
rights of way secured by county	81	1	159
secretary of district, reports	81	5	164
treasurer of district	81	5	164
validation of organization and acts		11	171
Local assessments, county tax levy		1	298
instalment payments		1	230
Olympic highway, force account or day labor	95 14	1 2	230
	57	1	111
Pacific highway, location	57 57	2	111
survey of route Permanent highway construction	28	1	55
fund, disposition of	73	1	149
island counties, crediting motor vehicle fees	13 54	1	145
mining countries, creating motor temeter root			

## INDUSTRIAL WELFARE COMMISSION.

.

HIGHWAYS—Continued: Road supervisors, appointment and pay Roosevelt highway established Rural post roads	79	Sec. 1 1 1	Page 103 156 138
Snohomish-Woodinville, survey for Tolls on interstate bridges Trunk line system provided bonds, issuance, sale and retirement referendum proposed	88 99 99	1 1 1 8 12	291 203 235 238 242
construction in sections bids for co-operation with citles of third and fourth class counties credited with improvements eminent domain, exercise of	99 99 99 99	4 5 6 11 3	237 237 238 242 236
expenditures, what permitted fund, state trunk line highway maintenance redemption paving, class of materials required	99 99 99	5 9 10 10 2	237 239 239 239 239 236
HOLMAN WATERWAY: Grant for road and wharf construction		2 : 1	681
HORTICULTURE:         By-products from infected fruit	195 195 195 195 195 195 195	2 <del>1/2</del> 1 2 1/2 2 1/2 2 4 1 2 1/2 3	659 662 663 662 667 659
HOSPITALS(see EASTERN STATE HOSPITAL; NORTHERN STATE HOSPITAL; TUBERCULOSIS; WESTERN STATE HOSPITAL).			
HUMANE SOCIETIES: Dog license taxes, authority to expend	6	1	27
ILWACO, TOWN OF: Grant of tide lands	198	2	682
INDEPENDENT FISHERIES COMPANY: Relief appropriation	199	1	688
INDUSTRIAL CODE COMMISSION: Appointment and compensation Appropriation Duties Powers	184 184	1 2 3 4	566 567 566 566
INDUSTRIAL INSURANCE DEPARTMENT (see MEDICAL AID; WORKMEN'S COMPENSATION):			
Appropriation, office, etc deficiency payment of accident claims medical aid division additional	82 53 82 82 199	2 1 2 2 1	177 107 187 187 687
INDUSTRIAL WELFARE COMMISSION: Appropriation	82 199	2 1	186 684

(783)

INHERITANCE TAX.

INHERITANCE TAX:	Ch.	Sec.	Page
Appraisement of estates	24	1	52
Estates, showing on application for letters	29	1	56
INITIATIVE AND REFERENDUM:	0.7		- 0
Amendment of initiative measure No. 3	25	1	53
Appropriation	82	2	176
additional	199	1	684
INSPECTION -(see APIARIES; GRAIN AND HAY; HORTI-			
CULTURE).			
INSURANCE :			
Agents, banks acting as	209	8	732
Capital stock required	47	1	96
Commissioner, appropriation		$^{2}$	177
examination and certification of companies		1	369
witness fees and mileage	133	1	369
Fraternal benefit societies—			
benefits, death, disability and funeral		1	657
contributions, deferred payment		1	657
exempt from capital stock requirements		1	96
juvenile death benefits provided		1	451
beneficiaries, change of		3	452
certificates, conditions		2	452
continuance		6	454
exchange to adult		3	452
financial statements to be separate		4	453
payments, applied to what fund		5	453
reserve fund for juveniles		3 1	$452 \\ 657$
membership, classification		1	657
		1	657
withdrawal equities		1	725
exempt from capital stock statute		1	96
Repealing clause		1	44
Repeating clause	10	1	71
INTERSTATE BRIDGES:			
Bridge commission, how constituted	105	1	256
powers	105	2	256
rules and regulations, may impose		3	257
Fund, interstate bridge, created	88	1	203
disbursement of surplus		1	203
Tolls, disposition of		4	257
expenditure for highway improvement	88	1	203
INTOXICATING LIQUORS:			
Fines go to state current school fund	30	1	57
for prohibitory law violations to special fund		1	57
Prosecutions under initiative measure No. 3, burden of proof.		1	53
IRRIGATION DISTRICTS (see COLUMBIA BASIN IRRIGA-	•		
TION PROJECT; WATERS AND WATERCOURSES	;		
WATER USERS' ASSOCIATIONS):			
. Act cumulative	180	23	554
Assessments, how made	180	7	540
annual levy	180	11	542
cancellation		12	543
delinquent, lists published	180	13	544
deputy assessors, appointment for work	100	8	541
equalization		9	541
meetings for		10 17	$542 \\ 549$
number, increase of	100	11	949

## KENNEWICK, TOWN OF.

IRRIGATION DISTRICTS-CONTINUED:	Ch.	Sec.	Page
Board, organization, meetings and powers		4	533
additional powers		5	536
co-operation with United StatesBonds, issuance of		5 5	536
serial, authority to issue		อ 1	$536 \\ 432$
act cumulative		3	432
amortization		2	432
elections to authorize		2	432
Compensation of officers		14	546
Condemnation procedure	180	6	538
Consolidation of districts permitted	180	18	549
bonds, prior issues not impaired		21	552
contracts with United States		21	552
organization		20	551
petition and election for		19	550
property of several districts, vests in		22	553
Construction, petition for		15 3	$547 \\ 531$
Directors, election of Establishment, proceedings for		э 1	531 527
Improvement district plans		16	548
enlargement		16	548
warrants for costs of		16	548
State lands, inclusion in		2	530
rights of way over		1	232
ISLAND COUNTIES (San Juan and Island): Credit granted for motor vehicle license fees	54	1	108
Credit granted for motor venicle ficense fees	94	T	108
JENKINS, PERCY:			
Relief appropriation	199	1	687
JOYCE, THOMAS:			
Relief appropriation	199	1	685
JUDGES:			
Election of	85	-	100
Salaries	85 77	1 1	$199 \\ 154$
time of taking effect	77	2	154
_		-	101
JUSTICES OF THE PEACE:		_	
Bail and recognizance, cash in lieu of bond	76	1	153
Fees, schedule of		1 4	394
certificates of damages, animals killed by dogs Jurisdiction—	6	4	28
filiation proceedings	203	2	710
investigation of damages by vicious dogs	6	4	28
milk violations	192	79	647
Small claims department created		1	579
actions, how commenced	187	2	580
filing fee	187	3	580
attorneys unnecessary	187	8	581
judgments, certification		11	582
entry		11	582
satisfaction		10	582
notice, how served		4	580
contents of		6	581
pleadings not required		9	582
records statement of claim		12 5	583 580
verification		ъ 7	580 581
witnesses		8	581
KENNEWICK, TOWN OF:		0	001
Relief appropriation	82	2	187
	01	4	101

KOCH, FRED.

KOCH, FRED: Relief appropriation	Ch. 199	Sec. 1	Page 686
LABOR — (see COAL MINES; COMMISSIONER OF LABOR; INDUSTRIAL CODE COMMISSION; MEDICAL AID; WAGES; WORKMEN'S COMPENSATION):			
Combinations of employees, prosecution prohibited	195	4	ECO
Employment contracts, remedy for breach		4	569 569
Injunctive rellef denied	185	2	568
Printing, public contracts outside state	80	3	158
Seasonal labor defined	191	1	609
contracts for, to be in writing	191	2	610
actions on, evidence		8	611
advances, fraud in procuring		3	610
disputes between employer and employee		4	610
appeals to court		7	611
findings hearings		6	611
Unions legalized		5 1	610 568
injunctive relief, restrictions on		2	568
	100	-	004
LADIES' G. A. R. HOME, PUYALLUP: Appropriation	82	2	186
	02	2	100
LANDLORD AND TENANT-(see LIENS).			
LAND SETTLEMENT:			
Act, how cited		1	583
Appropriation		8	588
Contracts of purchase		5	586
Federal government, co-operation with		3	584
Investigation of system in other states		7	587
Notice of lease or sale		6	587
Partial invalidity		9	588
Purpose of act Reclamation board, powers		2	589.
Soldiers, preference rights		4 5	585- 586-
LAWS—(see PIERCE'S CODE).	100	5	000
LAWYERS—(see ATTORNEYS-AT-LAW).			
LEBANON HOME, BALLARD:			
Appropriation	82	2	186
LEGISLATURE:	02	4	190
Appropriation, expenses	1	-	-
indexing journals	_	1 1	1 689
printing	2	1	2
LEWDNESS—(see CARNAL KNOWLEDGE AND ABUSE).	-	-	-
•			
LIBRARIES—(see STATE LAW LIBRARY; STATE LIBRARY; TRAVELING LIBRARY):			
County law, authorization	84	1	196
board of trustees	84	2	196
powers	84	3	196
reports	84	4	197
duplicate books in state law library	84	7	198
fund, law library, created	84	8	198
room, county to provide	84	5	197
state publications supplied to	84	7	198
use, who entitled to	84	6	197
Tax levy in third and fourth class cities	171	1	511
LICENSES-(see ARCHITECTS; CHIROPRACTIC, PRACTICE			
OF; DOGS; DRUGLESS HEALING; ELECTRICIANS;			
GAME FARMS; MILK; OPTOMETRY; OSTEOPATHY; PHYSICIANS AND SURGEONS).			
I III SICIANS AND SURGEONS).			

## MASON COUNTY.

LIENS:	Ch.	Sec.	Page
Farm products		1	521
Water ditches, maintenance charges	71	5	145
LIEUTENANT GOVERNOR: Appropriation	82	2	174
expenses	40	1	84
additional		2	288
Expense allowance		1	288
	102	1	460
LILLY CO., CHAS. H.: Relief appropriation	199	1	686
LIMITATION OF ACTIONS: Filiation proceedings	203	16	715
LISTER, ERNEST: Relief appropriation	199	1	687
LOCAL ASSESSMENTS:			
Highway construction Instalments, enforcement in toto	95 70	1	230
delinquency certificates	70 70	$\frac{1}{2}$	$139 \\ 139$
sale and assignment	70	2	139
Pest districts		7	429
State lands		1	479
application of act consent of land commissioner		11 4	485 480
contractual interests, liens on		6	482
assignment on delinquency sales		10	484
eminent domain		12	485
leased and contracted landsleaseholds, apportionment of cost		1 3	479 480
cancellation of		7	483
liability for special benefits		2	479
liens, foreclosure		7	483
notice of Intended improvement		4 5	480
payment to be by appropriations reversion of contracts, payments		о 8	481 483
rolls, certified to state officials		5	481
sale price of land, increase to cover assessments	164	9	484
LORD, C. J.:			
Relief appropriationLOWMAN, W. A.:	12	1	38
Relief appropriation	12	1	38
McCAIN, J. C.: Relief appropriation	82	2	188
McCLEARY TIMBER CO., HENRY: Relief appropriation	199	1	686
McGONAGLE, FRED: Relief appropriation	82	2	187
McKEE, D. C.: Relief appropriation	199	1	686
MANIER, WILLIAM W.: Relief appropriation	199	1	687
MARITIME INJURIES—(see WORKMEN'S COMPENSATION).			
MASON COUNTY:			
Grant of Shelton tide lands	44	1	88

## MEDICAL AID.

MEDICAL AID (see INDUSTRIAL INSURANCE; STATE			
MINING BOARD):	Ch.	Sec.	Baaa
Aid fund created	190	3ec. 1	Page 300
compensation from	120	2	300
warrants on	129	7	301
Application of act	130	1	309
relation to workmen's compensation act	129	7	308
Assessments, imposition of additional	130	( 62 )	334
		{ 63 }	
proportional credit for fractional year	130	64	335
Coal mines, inspection	130	49	327
Contracts for treatment, approval	129	5	305
complaints against, hearings	129	5	305
appeals from orders on	129	5	305
prior, validated	129	6	308
Cost rate defined	130	52	329
Definition of safety terms	130	3	310
Emergency treatment	129	5	305
Employers, safeguarding duties		4	310
Expenses, funds liable for		72	338
traveling		70	338
warrants for	130	71	338
First aid kits		2	301
Inspection, fees abolished		37	321
coal mines	130	49	327
industrial establishments	130	50	328
Labor commissioner, duties		34	321
deputies, appointment		35	321
		36	321
salary increase Local aid boards	130	39	322
assistants, appointment		40	322
compensation		45 48	$326 \\ 327$
branch offices		48	327
districts	130	40	324
duties		41	324
full time required		69	337
examination of applicants		44	325
members, appointment		43	324
salary		47	327
Municipal ordinances, superseding	130	73	339
Partial invalidity	130	74	339
"Place of work" defined	130	2	309
Refunds, credit instead of cash		65	336
compliance with safety standards	130	<b>∫ 60</b>	332
		<b>{</b> 61	333
Repealing clause	130	75	339
Safety devices, removal or destruction		5	311
terms, definitions	130	3	310
Standards—			
educational, failure to maintain		57	331
changes		19	316
refunds for maintenance		56	331
state mining board to provide		18	315
uniformity		20	316
orders respecting, appeals to state board		66	336
review by courts		67	336
safety, alteration		27	319
safety device, failure to install		$\frac{28}{55}$	319
refund for installations		55 54	330 330
	100		000

# MILK AND MILK PRODUCTS.

MEDICAL AID—CONTINUED:			
Standards—	Ch.	Sec.	Page
safe place, failure to provide		53	329
refund for establishing		51	328
State medical aid board, duties		3	303
appointment and compensationsecretary and clerical help		4 4	303 303
State safety board created		4 6	303 311
advisory members		7	312
duty to devote full time		68	337
salary increase		38	322
standards, promulgation by		8	312
general and special	-	22	317
new, hearings onnotice of hearings		$\begin{array}{c} 23\\ 24\end{array}$	317
defective, effect		24	$\frac{318}{318}$
mailing		25	318
statistical department authorized		58	332
organization of		59	332
Time act takes effect	130	76	340
MEDICINE AND SURGERY - (see PHYSICIANS AND SUR-			
GEONS).			
METROPOLITAN PARK DISTRICTS:			
Board of commissioners created	135	1	382
eminent domain conferred	135	1	382
powers enumerated	135	2	384
MILK AND MILK PRODUCTS:			
Act cumulative	192	\$ 88	650
		<b>{</b> 85	648
Adulterated, sale prohibited		66	643
use of		62 67	642
when deemed		67 61	644 641
Babcock licensed testers		26	630
official testers		25	630
permits, application for	192	27	630
duration of		28	631
Bottling in open air		54	640
Butter, label as "Washington Creamery" prohibited		63 55	642
Carts, etc., display of owner's address		55 57	$640 \\ 640$
Cheeses, branding		64	642
imitation, to be branded		46	637
unbranded, effect	192	65	643
City sales, bottling		73	645
sterilization		74	646
Combinations to fix prices		80 (5)	$647 \\ 623$
Containers, cleansing before return	192	$\left\{\begin{array}{c} 0\\ 6\end{array}\right\}$	
ownership marks	192	86	649
enforcement of act	192	87	649
Contamination, protection against		4	623
Cooling regulations		53	639
Creameries, unsanitary		3 2	621 619
Dairies, unsanitary, when Definition of terms		2 1	613
Emulsified cream		59	641
Enforcement of law		36	633
Factories, when unsanitary		3	621
Fines, disposition	192	82	648

# MILK AND MILK PRODUCTS.

MILK AND MILK PRODUCTSCONTINUED:	Ch.	Sec.	Page
Foreign substances, use	192	68	644
water	192	69	644
Fraud in measure, weight or test	192	22	629
unfair samples	192	23	629
Homogenized cream	192	59	641
Ice cream, conformity with standards	192	58	641
Impure products, sale	192	48	637
milk from diseased cattle	192	49	638
what constitutes	192	70	644
Inspection of dairies and plants		35	633
exercise by whom	192	39	634
Inspectors, test duties	192	17	626
Labels, removal of	192	72	645
Law officers, assistance by	192	81	648
Licenses, Babcock testers	192	26	630
		30	632
ambulatory		31	632
purchasers		33	633
venders		32	632
fees, pro-rating		. 24	629
plants and factories	192	29	631
rules and regulations Malted milk, use of		34	633
		50	638
Measuring bottles Obstruction of officers	192	17	626
Partial invalidity		76	646
Pasteurization, apparatus		84	648
duplication prohibited		14	625
processes necessary		13	625
registering thermometer		11 15	624
approval by commissioner		15 16	$625 \\ 626$
where to be made		10	625
"Pasteurized," unlawful use of term	102	12 71	644
Police power, declaration of		83	648
Quarantined premises, removal of containers		56	640
Repealing clauses		<b>§</b> 91 }	653
		{ 92 }	
Rules and regulations, prescribing	192	75	646
Separators, cleanliness		8	624
isolation from fowls and animals		9	624
Shipments, sanitary handling		7	623
Skimmed milk, labeling	192	51	638
service in eating houses		52	639
Standards, conformity with	192	47	637
Statistical reports	192	41	635
dissemination	192	42	635
failure to make, penalty	192	43	636
Sterilization of containers		60	641
Substitutes, advertising fraudulently	192	47	637
use in state institutions prohibited		46	637
Temperature for testing purposes		19	628
Tests, agricultural department to make		37	634
apparatus, inspection of		38	634
samples		21	628
thermometer records, preservation		40	634
Testers, Babcock, operation		18	627
scale sensibility		20	628
Tuberculin tests		89	650
infected cattle, indemnity for slaughter		90	651
Utensils for handling, cleanliness	192	10	624

#### NAUTICAL SCHOOL.

MILK AND MILK PRODUCTS-CONTINUED:	Ch.	Sec.	Page
Violations of act, penalty		77	647
prosecutions		78	647
jurisdiction of courts	192	79	647
MINORS(see CARNAL KNOWLEDGE AND ABUSE; CRIMES; INSURANCE; MOTOR VEHICLES; PARENTAL SCHOOLS).			
MORGAN, T. M.: Relief appropriation	199	1	689
'MOTHERS' PENSIONS: Counties to provide	103	1	254
MOTOR VEHICLES			
Definition of terms	59	1	113
Flags on overhanging loads	59	10	120
Fund, motor vehicle, created	46	3	93
Joy-riding, penalty	64	1	131
Law of the road		11	122
Licenses, application for	59	4	115
	178	1	52 <b>3</b>
continuance in effect	59	14	124
fees, schedule of	46	1	90
exemptions from	46	2	93
non-residents exempt	59	6	118
renewals	59	7	
transfers	59 59	4 5	118
Lights, rules for display		-	117.
	59	10	120
Loads, weight limitation	46	1	90
Local regulation, restrictions on	59	13	123
Minors, driving by	59	3	115
Number plates, attachment of	59	9	120
duplicates, issuance	59	8	119
illegal, what are	59	9	120
markings on	59	7	118
Partial invalidity	46	4	95
Temporary operation, permits	46	1	90
Violations of act, penalty	59	12	123
MOUNTAIN VIEW SANITARIUM:		_	-
Appropriation	82	2	184
MUNICIPAL CORPORATIONS (see CITIES AND TOWNS; TOWNSHIPS).			
MURDER:			
First degree, penalty	112	1	273
MUSSELMAN, FRANK: Relief appropriation	199	1	685
MUTUAL INSURANCE COMPANIES-(see INSURANCE).			
MUTUAL SAVINGS BANKS—(see BANKS AND TRUST COM- PANIES).			
NATIONAL GUARD:			
Appropriation	82	2	100
deficiency			186
Pay of officers and men		1	126
discharge allowance	107	1	386
discharge allowance		1	386
federal allotments	137	1	386
NAUTICAL SCHOOL-(see STATE NAUTICAL SCHOOL)			

NAUTICAL SCHOOL-(see STATE NAUTICAL SCHOOL).

# NAVAL MILITIA.

NAVAL MILITIA: Appropriation	Ch. 61	Sec. 1	Page 126
NETERER, JEREMIAH: Relief appropriation	199	1	685
NITRATES:		_	
Grading and weighing	189	12	593
NORMAL SCHOOLS—(see BELLINGHAM, CENTRALIA, CHE- NEY, and ELLENSBURG NORMAL SCHOOLS).			
NORTHERN STATE HOSPITAL:			
Appropriation deficiency	82 15	2 1	$\begin{array}{c} 184 \\ 41 \end{array}$
OCULISTS-(see OPTOMETRY).			
OFFICE AND OFFICERS—(see SPECIAL TITLES):			
County officials, terms of	175	1	520
elections, time of		2	520
repealing clause		3	520
Elective officers, eligibility		1	390
Traveling expenses, vouchers	106	1	258
OLYMPIA BREWING COMPANY:			
Relief appropriation	199	1	685
OPTOMETRY, PRACTICE OF:			
Application of act		15	405
Certificates, prior, continued		17	406
revocation, causes fees for		1 <b>1</b> 9	$403 \\ 402$
renewals		3 13	402
recording by county clerk		6	400
Charges against, notice and hearings		12	404
Designation of act		20	406
Examinations, fee for	144	9	402
Partial invalidity	144	18	406
Permits, temporary		8	402
Practice defined		1	396
permits for		2	396
qualifications		5	400
Repealing clause		19	406
State board created		3 14	396 405
moneys credited to		14	405
officers and employees		4	397
powers and duties		4	397
transacting business by mail		10	403
Time act takes effect	144	21	406
Unlawful acts		7	401
Violation of act, penalty	144	<b>22</b>	406
OSTEOPATHY, PRACTICE OF:			
Advertising matter	4	20	17
Board of examiners, appointment	4	1	4
certification of practitioners	4 4	4 6	5 8
meetings	4	3	5
oath of office		2	5
records	4	7	9
Certificate and license equivalent terms	4	21	18
Crimes—			
falsely personating licensee	4	15	16
personating member of board	4	16	16
practicing without license	4	14	15

### PERJURY.

OSTEOPATHY-CONTINUED:	<i>C</i> Ъ	Ø	73
Fees, examination and license	Ch. 4	Sec. 6	Page 8
Fines, disposition of	4	14	15
Health regulations govern practitioners	4	18	17
Licenses, application for	4	4	5
examination of applicants fee for	4 4	5 6	7 8
issuance by board	4	4	8 5
outstanding, recognized as valid	4	17	16
qualifications required of applicants	4	4	5
recordation by county clerk	4	8	9
book for, county clerk to provide entry of revocation by clerk	4	9	10
refusal, grounds for	4 4	10 10	10 10
revocation, grounds	4	10	10
appeals to courts	4	13	14
record of	4	12	13
Repealing clause	4	22	18
Scope of act Secretary-treasurer, bond and compensation	4 4	19 6	17 8
Time of taking effect of act	4 4	23	8 18
Unprofessional conduct defined	· 4	11	13
OYSTER LANDS: Propagation of other shell-fish Reserves—	166	1	488
appropriation for improvement	199	1	689
sale of isolated tracts	165	1	486
application to purchase	165	2	486
contract in lieu of deed		4	487
division among several applicants		3	487
moneys received, disposition ofnotice to adjoining owners		5 3	488 487
	105	5	401
PACIFIC COAST CASUALTY COMPANY: Relief appropriation	199	1	685
PACIFIC COAST RESCUE AND PROTECTIVE SOCIETY: Appropriation	82	2	186
		2	100
PARENT AND CHILD—(see DESCENT; FILIATION PROCEED- INGS).			
PARENTAL SCHOOLS:			
Commitment of minors to	202	1	708
PARKS-(see METROPOLITAN PARK DISTRICTS; PUBLIC LANDS).			
PART-TIME SCHOOLS-(see SCHOOLS AND SCHOOL DIS- TRICTS).			
PATTERSON, W. J.: Relief appropriation	12	1	38
PAYNE, C. M.: Relief appropriation	199	1	689
PEAS:			593
Grading and weighing PENSIONS—(see FIREMEN'S RELIEF AND PENSION FUND;		12	<b>093</b>
MOTHERS' PENSIONS; TEACHERS' RETIREMENT FUND).		•	
PERJURY:			
Falsely swearing vote in school election	90	21	221

.

### PETROLEUM.

#### PETROLEUM-(see PUBLIC LANDS).

TEIROLEOM-(see TODATC LANDS).			
PHYSICIANS AND SURGEONS-(see CHIROPRACTIC; DRUG-			
LESS HEALING; OSTEOPATHY):	Ch.	Sec.	Page
Application of act	134	12	381
Board of medical examiners	134	1	373
oath of office	134	2	373
Certificates to practice		3	373
recording with county clerk	134	5	376
revocation and refusal		7	376
Examination of applicants		4	375
Licensees of other states		11	380
Licenses, issuance without examination		10	380
prior, validation of		10	380
Offenses, failure to record certificate		5	376
false personation of examiner		9	380
unlicensed practitioners		8	379
Qualifications required		3	373
Record, county clerk to keep		6	376
Repealing clause		13	382
Special fund, how created		8	379
Unprofessional conduct, hearings	134	7	376
PIERCE'S CODE:			
Act cumulative	104	3	256
Official, declaration		2	255
Preparation, regulations for		1	255
	104	1	200
POLICE JUDGE-(see CITIES AND TOWNS).			
PORT TOWNSEND, CITY OF:			
Relief appropriation	82	2	187
POWDER AND EXPLOSIVES:			
Appropriations		8	·442
Control by state of purchase and sale		1	439
Requisitions for		4	441
Revolving fund		6	441
Sale, terms of		2	439
Settlements between counties and state		5	441
Violations of act, penalty		7	441
Warehouses for storage and distribution	157	3	440
POWELL MANUFACTURING COMPANY:			
Relief appropriation	199	1	685
		-	000
PRECINCT OFFICERS-(see OFFICE AND OFFICERS).			
PRINTING EXPERT:			
Appropriation	82	2	176
PRINTING, PUBLIC—(see PUBLIC PRINTER):	~~		
Contracts for, performance within state		1	157
claims, allowance		2	157
outside state, when		1	157
compliance with state labor conditions		3 4	158
Quality, rejection of inferior	80	4	158
PROBATE—(see EXECUTORS AND ADMINISTRATORS; IN- HERITANCE TAX).			
PROSECUTING ATTORNEYS:			
Chiropractic prosecutions	5	16	26
Disbarment proceedings		10	26
Drugless healer prosecutions		3	67
Filiation proceedings		3	711
rmation proceedings	200	0	

.

•

# PUBLIC WORKS.

PROSECUTING ATTORNEYS-CONTINUED:	Ch.	Sec.	Page
Member election canvassing board	163	21	474
interstate bridge commission	105	1	256
Milk law prosecutions	192	81	648
Salary	168	<b>2</b>	491
DOGGED SYDDDIMENT OF ATION.			
PROSSER EXPERIMENT STATION:	100	-	<b>60</b> 5
Appropriation	199	1	685
PUBLIC ARCHIVES COMMISSION:			
Appropriation	82	2	186
PUBLIC LANDS:			
Grants	~ .		
escheated land, Colville county	74	1	151
Skagit county	94	1	229
shore lands to city of Clarkston	75	1	152
tide lands, Bremerton harbor		1	459
Mason county	44	1	88
Pacific county		1	681
Vancouver lake	68	1	137
certification to governor	68	2	137
deed by governor	68	3	137
reversion	68	4	137
Leases			
gas and petroleum, terms		1	434
application of act		4	437
necessary work		2	435
renewals, application for		3	435
Local assessments, liability for		1	479
irrigation districts		4	533
pest districts		2	426
reclamation districts		8	448
Oyster reserves, sale of		1	486
Park purposes, reservations for		1	87
Rights of way for electric transmission	97	1	232
procedure to obtain	97	<b>2</b>	232
United States, grant to	51	1	105
extent	51	2	106
maps and field notes, filing		3	106
payment for land and timber		3	106
Sale, validation of erroneous	52	1	106
PUBLIC PRINTER:			
Compensation-			
binding	37	3	80
composition	37	1	• 76
miscellaneous items	37	3	80
presswork	37	1	76
reprinting from standing type	37	2	80
PUBLIC PROPERTY COMMISSION:	100	_	
Board abolished	122	1	292
PUBLIC SERVICE COMMISSION:			
Appropriation	82	2	177
grain and hay department		1	684
Grain and hay inspection—(see GRAIN AND HAY).			
Railroad track connections, ordering	153	1	431
Warehouses, determination of public necessity		4	235
PUBLIC UTILITIES — (see GRAIN AND HAY; RAILROADS; STREET RAILWAYS; WAREHOUSES).			
PUBLIC WORKS:			
Aliens not to be employed	111	1	272

#### PUBLICITY FUND.

PUBLICITY FUND: Appropriation	Сћ. 82	Sec. 2	<i>Page</i> 176
QUARANTINE—(see VENEREAL DISEASES): Agricultural crops and forest trees	126	1	295
QUIRK, J. J.: Appropriation Pension award as injured workman Warrants on accident fund	208	1 2 3	726 726 726
RAILROADS: Track connections	153	1	431
RAMSEY HARDWARE COMPANY: Relief appropriation	199	1	685
REAL PROPERTY: Record of instruments, prior filing of plats	182	1	556
RECLAMATION OF LANDS — (see LAND SETTLEMENT; STATE RECLAMATION OF LANDS).			
RECORDATION OF INSTRUMENTS: Deeds, etc., prior filing of plat essential	182	1	556
REFERENDUM: Bond issue for trunk line highways	99	12	242
RICE: Grading and weighing	189	12	593
RIGHTS OF WAY-(see PUBLIC LANDS).			
RIVER IMPROVEMENTS:			
Manner of making Townships, power to make		1 2	$\begin{array}{c} 266\\ 263 \end{array}$
ROADS—(see HIGHWAYS): Districts, county division into	140	1	390
RODENTS(see ANIMAL PESTS).			
ROOSEVELT HIGHWAY: Establishment of	79	1	156
RYDSTROM, ARVID: Relief appropriation	128	1	299
SABOTAGE:			
Act cumulative		4	$518 \\ 517$
Advocacy ofInjuring industrial properties		3 1	517
Obstructing owner's control		2	517
SAILORS-(see SOLDIERS AND SAILORS).			
SALVATION ARMY HOME, SPOKANE:	82	2	186
SAVINGS AND LOAN ASSOCIATIONS:			
Advertising, deceptive	169	15	507
Agents selling stock, licensing	169	21	509
application for license		22	509
license for		23	510
Application of act		14 24	507 510
Appropriation for inspector By-laws, approval by state auditor	169	24 1	494
Capital and shares	169	5	497
Certification and incorporation		2	494

# SCHOOLS AND SCHOOL DISTRICTS.

SAVINGS AND LOAN ASSOCIATIONS-CONTINUED:	Ch.	Sec.	Page
Directors, qualifications	169	3	495
removal	169	3	495
Dissolution	169	17	508
Dividends	169	6	499
Examination	169	12	504
Expenses, limitation of		9	501
Falsifying records, penalty		18	508
Fines by serial associations		4	496
		-	
Foreign companies, license fee		11	503
examination, when dispensed with		12	504
Interest on deposited securities		7	500
Insolvency		13	505
Inspector, appointment and salary	169	12	504
License fees	169	11	503
Losses, how charged	169	8	500
Membership fee	169	4	496
Officers and agents, oath and bond	169	3	495
Permanent associations, shares		5	497
Preferred stock	•	5	497
Repealing clause		16	508
Reports, annual		11	503
Reserve fund stock		5	497
Serial associations, shares		5	497
Shares, classification		5	497
joint	169	5	497
minors	169	5	497
withdrawal	169	10	502
Special meetings, when called	169	20	509
Suppression of evidence, penalty	169	19	509
Surrender of mortgages by auditor		7	500
SCHIMMELS, TONY:			
Relief appropriation	100	1	685
	133	. 1	000
SCHOOLS AND SCHOOL DISTRICTS-(see NORMAL SCHOOLS ;			
PARENTAL SCHOOL; STATE COLLEGE; TEACHERS'			
RETIREMENT FUND; UNIVERSITY OF WASHING-			
TON):			
Aliens, employment as teachers	38	1	82
permits to holders of first papers	38	1	82
violations of act, penalty	38	3	82
Course of study—			
American history and institutions	22	1	50
high schools, state board prescribes	22	2	50
physical education	89	$\{1\}$	205
	ου.		200
enforcement by school officials	89	$\binom{2}{5}$	206
preparation and distribution of courses	89	{ 3	205
		<b>{</b> 4	206
Districts, in general—			
bond issues	90	12	216
sale of	90	13	217
consolidation, property rights	90	1	207
principal, election of new	90	1	207
credit for attendance on teachers' institutes	90	11	215
directors, appeals from orders of	90	23	222
expenses allowed	90	6	211
pecuniary interest in contracts	90	6	211
powers	90	3	208
disorganization	90	2	208
41001 5 att14 att1011		4	200

# SCHOOLS AND SCHOOL DISTRICTS.

SCHOOLS AND SCHOOL DISTRICTS-CONTINUED:			
Districts, first class-	Ch.	Sec.	Page
directors, powers	90	9	213
elections, ballot or voting machines	90	15	218
canvass of votes	90	19	220
challenges	90	21	221
electors, qualifications	90	17	219
notice	90	14	218
officers	90	( 16	219
		3 20	220
registration books at polls	90	18	220
		22	221
supplies, board to provide	90	20	220
voting precincts	90	16	219
permit officers	151	1	420
secretary, duties	90	8	212
Districts, second class—			
clerks, compensation	156	1	437
permit officers		1	420
Districts, third class—			
building plans	90	7	212
clerks, compensation	156	1	437
permit officers		1	420
Flag display		4	210
failure to comply, penalty		5	211
Funds, apportionment on consolidation	90	1	207
apportionment when closed by health officers	45	1	88
Parental, commitments to	202	1	708
Part-time schools, application of act	151	10	424
attendance by minors compulsory	151	<b>(</b> 2	420
• • •		1 7	423
counted as hours of labor	151	` 8	423
enforcement	151	13	425
penalty for failure	151	7	423
employers, penalty for non-compliance	151	9	424
permits, employment of minors		3	420
employers to keep on file	151	4	421
officers empowered to issue	151	1	420
record		5	422
repealing clause		14	425
rules and regulations	<b>1</b> 51	11	424
vocational training to be provided	151	6	422
reimbursement for expense		12	424
Teachers, aliens, employment of		1	82
discrimination between men and women		1	55
institutes, holding of		10	215
pay not deducted for attendance		11	215
patriotism, duty to inculcate	38	2	82
Vocational education-	1	1	454
acceptance of federal act		2	454 455
federal appropriation, custodian		2 5	455 457
schools for, establishment		5 6	457
classification		3	457
state board of, powers executive officer		3 4	455
		47	458
tax levies	100		100
SEALS:			
Appropriation for destruction	199	1	688
SEATTLE, CITY OF:	•	-	
Appropriation (local assessment)	<b>8</b> 2	2	191

### SOLDIERS AND SAILORS.

SECRETARY OF STATE:	Ch.	Sec.	Page
Appropriations, general	82	<b>2</b>	175
automobile department		1	686
biennium 1917-1918	58	1	112
initiative and referendum	82	2	176
additional		1	684
printing, session laws and journals		1	684
Salary, proposed constitutional amendment	162	1	460
SEDITION:			
Displays hostile to government	181	1	555
SEEDS, AGRICULTURAL AND VEGETABLE:			
Agricultural, application of act	183	8	560
adulteration		( 9)	561
	200	10	
analyses and tests	183	14	563
basis for enforcement of law		17	565
appropriation		3	407
dirt and foreign substances		11	562
germination, percentage required		12	562
inspection regulations		2	407
labels on packages		6	559
mixtures, how labeled	183	7	559
misbranding, what constitutes	183	13	562
revolving fund, created	145	1	407
rules and regulations		15	563
violations of act, penalty	183	16	563
Definitions	183	1	557
Inspection and grading by commissioner	126	1	295
Repealing clause		18	565
Vegetable seeds, germination standard	183	4	558
labeling, packages	183	5	558
false, penalty		3	558
sales below standard, penalty	183	2	558
SHELL FISH—(see OYSTER LANDS).			
SHERIFFS:			
Dogs, duty to kill unlicensed	6	3	28
Salary	168	2	491
SHORE LAND IMPROVEMENT:			
Appropriation (warrant interest)	82	2	186
	02	2	100
SILL, IRVING D.:			- • •
Relief appropriation	177	1	522
SIGN BOARDS-(see HIGHWAYS).			
SKAGIT COUNTY:			
Appropriation (local assessment)	199	1	687
SMALL CLAIMS DEPARTMENT-(see JUSTICE OF THE			
PEACE).			
SMITH, J. L.:			
Relief appropriation	199	1	689
	100	-	000
SNAKE RIVER-(see DAMS).			
SNOHOMISH-WOODINVILLE ROAD:			
Survey and report on feasibility	121	1	291
SOLDIERS AND SAILORS:			
Discharges, recording free of charge	86	1	201
Indigent, relief by countles	83	1	191
almshouses, not to be placed in	83	5	192
burial at county expense	83	6	193
relief, administration of	83	7	194
tax levy for relief fund	83	7	194

(799)

### SOLDIERS AND SAILORS.

SOLDIERS AND SAILORS—CONTINUED: Memorial on capitol grounds Preference, highway construction work	Ch. 34 14	Sec. 1 1	Page 62 40
land settlements		5	586
public employment	26	1	54
State fair grounds, lease to	65	1	132
University of Washington, exemption from fees	63	1	128
Veterans' welfare commission	9	1	33
SPANISH-AMERICAN WAR VETERANS' GRAVES:			
Appropriation	82	2	186
SPECIAL ASSESSMENTS—(see LOCAL ASSESSMENTS).			
SPOKANE, CITY OF: Relief appropriation	82	2	187
STATE:			
Aid to county tuberculosis hospitals War emergency grant to United States	$35\\51$	1 1	$\begin{array}{c} 63 \\ 105 \end{array}$
STATE AUDITOR(see BUREAU OF INSPECTION):			
Appropriation	82	2	175
additional	199	1	685
Salary, proposed constitutional amendment	162	1	460
Savings and loan associations, supervision	169	1	494
STATE BANK COMMISSIONER—(see BANKS AND TRUST COMPANIES):			
Appropriation	82	2	178
STATE BAR EXAMINERS:			
Appropriation	82	2	177
deficiency	199	1	684
STATE BOARD OF BARBER EXAMINERS:	82	2	179
STATE BOARD OF CHIROPODY:			
Appropriation	82	2	<b>§ 180</b>
	02	2	188
STATE BOARD OF CONTROL—(see POWDER AND EX- PLOSIVES):			(
			[176
Appropriations	82	2	{ 183
		_	[ 184
Public property, powers vested		1	292
personal, sale of		2	292
mode of sale and exchange		3	292
moneys received, disposition		5 6	293 293
repealing clause reports to be made monthly		4	293
	122	1	204
STATE BOARD OF DENTAL EXAMINERS: Appropriation	82	2	179
STATE BOARD OF EQUALIZATION:			
Appropriation	82	2	175
STATE BOARD OF FINANCE:			
Appropriation	82	2	175
STATE BOARD OF HEALTH:			
Appropriation		2	179
venereal disease investigations	199	1	686

.

•

### STATE HYDRAULIC ENGINEER.

STATE BOARD OF MEDICAL EXAMINERS: Appropriation	Сћ. 82	Sec. 2	Page 180
Certificates to practice, issuance	134	3	373
holder must record		5	376
record kept by county clerk		6	376
Examination of applicants		4	375
Members of board, appointment		1	372
oath of office	134	2	373
STATE BOARD OF NURSE EXAMINERS:		_	
Appropriation	82	2	180
STATE BOARD OF OPTOMETRY: Appropriation	82	2	180
STATE BOARD OF PHARMACY: Appropriation	82	2	180
STATE BOARD OF VETERINARY EXAMINERS:			
Appropriation	82	2	180
STATE CAPITOL COMMISSION—(see CAPITOL BUILDINGS AND GROUNDS):			
Appropriation	82	2	185
STATE COLLEGE:			
Appropriations	82	2	189
	199	1	685
deficiency		1	60
Apiculture division established		1	283
Physical education required	89	2	205
STATE CUSTODIAL SCHOOL:			
Appropriations	82	2	184
	199	1	683
STATE ENTOMOLOGIST: Apiculture, powers and duties	116	1	283
reports, annual		10	285
STATE FAIR:			
Appropriation	82	2	189
Grounds and exhibitions	65	1	132
lease to organizations	65	1	132
STATE FIRE WARDEN:	82	2	186
Appropriation STATE GAME WARDEN:	82	4	100
Appropriation	199	1	688
Beaver skins, inspection	78	1	155
Game farms, inspection	72	1	146
STATE GEOLOGICAL SURVEY: Appropriation	82	2	182
STATE HIGHWAY COMMISSIONER:			
Appropriation	82	2	187
Report on Snohomish-Woodinville road	121	1	291
STATE HISTORICAL SOCIETY:		0	100
Appropriation	82	2	182
STATE HOTEL INSPECTOR:	82	2	179
Appropriation	04	4	т(Э
STATE HYDRAULIC ENGINEER: Appropriation	82	2	182
	••	-	-02

σ

.

(801)

•

•

### STATE INSURANCE COMMISSIONER.

STATE INSURANCE COMMISSIONER:	<i>a</i> 1	<b>6</b>	<b>D</b>
Appropriation	Ch. 82	Sec. 2	Page 177
Salary	124	2	294
STATE LABOR COMMISSIONER-(see COMMISSIONER OF LABOR).			
STATE LANDS—(see PUBLIC LANDS).			
STATE LAW LIBRARY:			
Appropriation	82	2	176
salary librarian 1917-1918	7	1	31
Distribution of duplicate publications	84	7	198
STATE LIBRARY:			
Appropriation deficiency	82	2	182
	39	1	83
STATE MINE INSPECTOR:	1.0.0	-	• • •
Advisory member state safety boardAppropriation	130 82	$\cdot 7$	$312 \\ 178$
additional		1	689
Deputies, appointment and tests	130	31	320
duties	130	30	320
number		29	319
salary		33	320
Enforcement of safety standards		28 32	$319 \\ 320$
	100	02	020
STATE MINING BOARD: Educational standards, recommendations	120	18	315
changes		19	315
differentiation and uniformity		20	316
Members		11	313
compensation and expenses		17	315
nominations by employers by workmen		12	313
failure to make		$\frac{13}{15}$	$\frac{314}{314}$
time for making		14	314
term of office	130	16	315
STATE NAUTICAL SCHOOL:			
Appropriation	82	2	181
STATE PENITENTIARY:			
Appropriation	82	2	183
STATE RECLAMATION OF LANDS:	150		
Act, how cited		1 2	$\begin{array}{c} 442 \\ 442 \end{array}$
Aid to local reclamation districts		5	445
Appropriations	158	13	450
Board established		3	443
co-operation with United States		6	447
powers Contracts with diking, drainage and irrigation districts		5 7	$445 \\ 447$
Land settlement, federal co-operation		3	584
duties		7	587
powers		4	585
Partial invalidity		14	451
Public lands, inclusion price to cover cost of improvement		8 11	448 449
report on feasibility of reclamation		10	448
survey of logged-off land		9	448
Revolving fund, created	158	4	444
payments from		4	444
Tax levy	198	12	450

.

(802)

.

### SURVEYS.

STATE SCHOOL FOR BLIND: Appropriation	Ch. 82	Sec. 2	Page 185
STATE SCHOOL FOR DEAF: Appropriation	82	2	185
STATE SCHOOL FOR GIRLS:			100
Appropriation Inmates, transfer to women's industrial home		2 5	$\begin{array}{c} 183 \\ 572 \end{array}$
STATE SOLDIERS' HOME AND COLONY: Appropriation	82	2	185
STATE TAX COMMISSIONER:			
Appropriation		2 1	178 684
STATE TRAINING SCHOOL: Appropriation	82	2	183
deficiency		1	41
STATE TREASURER:			
Appropriation	82	2	176
additional	199	1	689
Custodian of federal moneys	160	2	455
Salary, proposed constitutional amendment	162	1	460
STATISTICS AND IMMIGRATION, DEPARTMENT OF: Appropriation	82	2	175
STILES, R. H., UNA E., AND CHAS. H.: Relief appropriation	82	2	187
STREET RAILWAYS:			
Fares, increase and lowering	33	1	61
transfers		1	61
Municipal, extension beyond city limits	138	1	389
Grading and weighing	189	12	593
SUPERINTENDENT OF PUBLIC INSTRUCTION :	0.9	0	101
Appropriation		2	181
Vocational education, executive officer of board		1 4	460 <sub>.</sub> 456
SUPERIOR COURTS:	100	Ŧ	400
Appropriation	82	2	177
Bailiffs, salary in certain counties	141	1	391
Judges, election	85	1	199
salaries	77	1	154
Jurisdiction, milk law prosecutions	192	79	647
SUPREME COURT:			
Appropriation	82	2	176
Judges, election	85	1	199
salary	77	1	154
Appropriation	82	2	176
additional		1	684
SUPREME COURT REPORTS:			
Advance sheets, contents	117	1	287.
Binding		3	287
Prices		2	287
SURVEYS-(see STATE GEOLOGICAL SURVEY; TOPOGRAPH-			

ICAL AND HYDROGRAPHICAL SURVEY).

### SYNDICALISM.

SYNDICALISM: Acts constituting Permitting use of property to promote Repealing clause	174	Sec. 1 2 3	Page 518 519 519
TACOMA, CITY OF: Relief appropriation	82	2	187
TAXATION—(see INHERITANCE TAX; LOCAL ASSESS- MENTS):			
"Assessed value of property" defined	149	1	392
terms construed as equivalent		2	392
Assessments based on 50% valuation		4	393
Exemptions, water users' associations		1	86
cities less than 20,000 population	170	1	510
current expenses in third class		1	489
libraries in third and fourth class		1	511
special improvements, third class		2	490
validation in second class		1	222
county highway improvements		1	298
farm development		5	656
firemen's pension fund		15	678
horticulture tax		3	666
pest districts	152	7	459
reclamation of lands	158	12	450
teachers' retirement fund	150	5	418
townships, river improvement	108	1	261
vocational schools		7	458
Taxable value, what constitutes		3	392
"Taxing district" defined	142	1	392
TEACHERS' RETIREMENT FUND:			
Annuities on retirement		4	417
Credits for service and contributions		2	416
re-entry into service after leaving		3	417
transfers to other districts		3	417
Membership, certificates of		1 5	415 418
Tax levy for fund	150	Ð	418
TEMPLE OF JUSTICE—(see CAPITOL BUILDINGS AND GROUNDS).			
THACKER, REUBEN E., ADMR.:			
Relief appropriation	82	2	187
THEODORA HOME, SEATTLE:			
Appropriation	82	2	186
TOLL BRIDGES-(see INTERSTATE BRIDGES):			
Costs and maintenance accounts, filing	93	6	228
Franchises, grant of	93	1	226
joinder in grant by counties	93	3	227
notice of granting	93	4	227
terms	93	2	226
Purchase by county authorized	93	5	228
TOPOGRAPHICAL AND HYDROGRAPHICAL SURVEY: Appropriation	82	2	182
TOWNSHIPS:			
Powers of electors	108	1	261
River improvement, co-operative with counties	108	2	263
tax levies for	108	1	261
Supervisors, powers and duties	108	2	263

•

٠

TRADE UNIONS (mar I ADOD)			
TRADE UNIONS—(see LABOR).			
TRAVELING LIBRARY: Appropriation	Ch. 82	Sec. 2	Page 182
TRUST COMPANIES-(see BANKS AND TRUST COMPANIES).	•		•
TUBERCULOSIS:			
Appropriation	82 35	2 1	184 63
UNIFORM LAW COMMISSION:			
Appropriation	82	2	177
UNITED STATES:			
Aid to, and co-operation with, state highway construction	56	1	110
rural post roads	69	ī	138
irrigation projects	180	<b>§</b> 4	533
		<b>\</b> 5	536
land settlement		3	584
vocational training		1 1	454 459
Rights of way granted to	51	1	459 105
UNIVERSITY OF WASHINGTON:	01	1	100
Appropriation	82	2	189
Physical education, required course	89	<b>2</b>	205
Scholarships, provision for	63	5	130
Student fees authorized credited to building fund	63	$\frac{1}{2}$	128
to revolving fund	63 63	2	$129 \\ 129$
exemption granted soldiers	63	1	125
refunded, when	63	4	129
VANCOUVER PORT DISTRICT:			
Grant of tide lands	68	1	137
VENEREAL DISEASES:		•	0.01
Act cumulative with criminal statutes Declaration of diseases constituting		9 1	$281 \\ 277$
Health officers, powers of control		2	277
Hospitals, use of prisons for		3	278
Laboratory examination of suspects		6	280
Names of infected safeguarded		4	279
Prisoners, examination of		3	278
Quarantine, district divisions		8	280
appeals from commitment to Women infected, committed to women's industrial home and	114	7	280
clinic	114	8	280
VERNON, R. D.: Relief appropriation	199	1	685
VETERANS' WELFARE COMMISSION:			
Commission, creation and organization	9	1	33
appropriation for	9	5	34
audit of expenditures	9 9	4 2	34
powers and duties public officers to aid	9	3	33 34
VOCATIONAL EDUCATION-(see SCHOOLS AND SCHOOL DISTRICTS).			
VOTING MACHINES-(see ELECTIONS).			
WAGES: Equality for male and female teachers	27	1	55
(805)			
~ IX(05)			

#### WAREHOUSES.

.

WAREHOUSES—(see GRAIN AND HAY; POWDER AND EXPLOSIVES).			
WASHINGTON STATE REFORMATORY: Appropriation	Сћ. 82	Sec. 2	Page 184
WASHINGTON VETERANS' HOME: Appropriation	82 199	2 1	185 689
WATERS AND WATERCOURSES-(see IRRIGATION; RIVER	100	1	003
IMPROVEMENTS; WATER USERS' ASSOCIATIONS): Appeal from orders of hydraulic engineer	71	1	141
Attorney general legal adviser to hydraulic engineer	71	1	141
Diversion rights, expenses of settling	71	2	143
for use beyond state lines	41 41	1 2	85
Extra-territorial enjoyment, reciprocity Ditches, joint owners, water rights	41 71	2 4	85 143
lien for maintenance expenses	71	4 5	145
partnership, recovery of expenditures	71	3	143
		Ŭ	110
WATER USERS' ASSOCIATIONS:			
Articles of incorporation, filing fee	42	1	86
Dissolution, mode of	42	1	86
Rights of way over state lands	97	1	232
Taxes, exemption from corporation	42	1	86
WELLS, ALBERT S., AND GREEN, W. V.: Validation of land sale, Cowlitz county	52	1	106
WESTERN LIFE AND CASUALTY COMPANY:			
Relief appropriation	82	2	187
WESTERN STATE HOSPITAL:			
Appropriation	82	2	184
deficiency	15	1	41
WHATCOM COUNTY: Appropriation (local assessment)	82	2	188
WHITE SHIELD HOME, TACOMA: Appropriation	82	2	186
WILLIS, J. E.: Relief appropriation	100	1	685
WILSON, PAUL:	100	-	000
	199	1	685
WISCONSIN LOGGING AND TIMBER COMPANY: Relief appropriation	82	2	187
WITNESSES: Recognizance, money as bail	76	1	153
WOMEN'S INDUSTRIAL HOME AND CLINIC:			
Appropriation	186	16	578
Board of directors, appointment and pay	186	2	570
management of institution	186	6	572
Buildings, construction plans and contracts	186	4	571
Children of inmates		15	578
Commitments, term of confinement		9	574
women infected with venereal disease		8	280
Discharge of inmates		14	578
Escapes, arrest and discipline		12	577
Establishment of home		1 6	570 572
Officers, appointment and compensation Opening of institution		6 4	572 571

(806)

.

•

#### WORDS AND PHRASES.

WOMEN'S INDUSTRIAL HOME AND CLINIC—CONTINUED: Parole and discharge	186 186 186 186 186 186 186 186 186 186	Sec. 10 11 17 9 8 6 3 7 8 8 13 5	Page 575 576 579 574 573 572 571 573 573 573 573 575 572
WORDS AND PHRASES:			
Agricultural seed			557
Assessed valuation of taxable property			392
Assessed value of property			392
Automobile			113
Auto stage			114
Bank commissioner			727
Bank examiners			727
Beam of light			122
Beneficiary			345
Blended milk			614
Butter			617
Butter fat			617
Butter milk			616
Certificates			( 18
Certificates			} <sup>10</sup> / <sub>74</sub>
Cheese			618
			613
Cheese factory		• • •	345
Child		• • •	248
Concentrated commercial feeding stuffs		• • •	
Concentrated milk		• • •	614
Concentrated skimmed milk		•••	614
Condensed milk		• • •	614
Condensed skimmed milk		• • •	614
Continuous practice		• • •	67
Cost rate		• • •	329
Cream		• • •	617
Creamery	• • •	• • •	613
Dairy		•••	613
Dealer		• • •	115
Dependent		•••	344
Diffused		• • •	122
Dried milk		• • •	615
Dried skimmed milk		•••	615
Drugless therapeutics			74
Employer		• • •	342
Employment		• • •	421
Engineering work		• • •	342
Evaporated milk		• • •	614
Evaporated skimmed milk		• • •	614
Expense		•••	725
Factory		• • •	342
Factory of milk products			613
Foreign seeds			560
For hire		• • •	115
Fruit ice cream			616
Full cream cheese	• • •		618
Fungicide			662

(807)

#### WORDS AND PHRASES.

ORDS AND PHRASES-CONTINUED:	Ch.	Sec.	Pa
Gross value	• • •	• • •	
Half skim cheese	• • •	· · ·	(
Ice cream		• • •	(
Ice milk		• • •	(
Imitation cheese			. (
Inert matter			6
Injured			:
Injury			:
Insecticide			(
Invalid			;
Lead arsenate	• • •		(
Licenses	<b>.</b>		ſ
Toost outbouttion			1
Local authorities		• • •	1
Malted milk		• • •	(
Milk		• • •	(
Milk by-product			(
Milk fat			
Milk plant		• • •	(
Milk products	· · · ·		(
Mill			:
Mine			:
Motor cycle			:
Motor truck			
Motor vehicle			
Nut ice cream			
Oleomargarine			
Operating expenses			
Operation and maintenance		·	:
Optometry practice			;
Outlay			
Paris green			
Pasteurization			
Peace officer			
Performance of duty			
Person			
Place of work			
Privately owned			
Property assessed			
Public highway			
Public warehouse			
Quarry			
Quarter skim cheese			
Renovated butter			
Re-worked butter			
Safe, safety, safeguard, safety device			
Saleries and wages			
Seasonal labor		•••	
Separate and co-ordinate system		• • •	
		•••	
Skim cheese Skimmed milk			
		•••	
Sterilized milk		• • •	
Substitute butter		• • •	
Supplies, material and service		• • •	
Sweetened concentrated milk		• • •	
Sweetened concentrated skimmed milk		• • •	
Sweetened condensed milk		• • •	
Sweetened condensed skimmed milk		• • •	
Sweetened evaporated milk Sweetened evaporated skimmed milk		• • •	

.

#### YAKIMA COUNTY.

• •

WORDS AND PHRASES-CONTINUED:	Ch.	Sec.	Page
Taxable value of property		• • •	392
Taxing district		• • •	392
Terminal warehouse			589
Trailer			114
Unprofessional conduct			<b>§</b> 13
			1 70
Valuation of taxable property			392
Value		• • •	392
Value of taxable property		• • •	392
Vegetable seeds		• • •	558
Warehouseman		• • •	589
Whey		• • •	619
Workman		• • •	342
Workshop		• • •	342
WORKMEN'S COMPENSATION - (see INDUSTRIAL INSUR-			
ANCE COMMISSION ; MEDICAL AID; STATE MINING			
BOARD):			
Alien beneficiaries	191	c	365
Application of act		6 9	365
••		-	367 687
Appropriation		1	
Awards, exempt from legal process		6	365
Commissioners, bond		7	366
assistants and physician, appointment		8	367
record books		8	367
salary and expenses		7	366
Compensation for injuries, schedule		4	355
re-adjustment		4	363
Contribution schedule		3	345
classification, correction		3	351
penalties		3	350
Definitions		2	342
Employers as workmen		2	342
Extra-hazardous occupations		1	340
Intentional injuries		5	364
Interstate commerce, liability of employers	67	3	136
Maritime employees, compensation		2 5	$135 \\ 364$
Minors, payment for injuries Premiums under different risks		э 3	355
		3 2	355
Quirk, J. J., pension award		2	134
Railway employees, compensation		1 2	134 342
Remedies, election of		2 4	342
Reserve fund created		-	
investment	131	4	361
YAKIMA, CITY OF:			
Appropriation (local assessment)	82	2	191
YAKIMA COUNTY:			
Appropriation (local assessment)	199	1	689

.