

CHAPTER 31.

[H. B. 304.]

ANIMALS RUNNING AT LARGE TO BE PUBLIC NUISANCE.

AN ACT relating to animals; providing for impounding and sale of horses, mules and asses found running at large, declaring a public nuisance, prescribing penalties, and amending section 16.28.010, R.C.W.

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

SECTION 1. It shall be unlawful for the owner of any horse, mule or ass to permit such animal to run at large and not under the care of a herder: *Provided*, That such animals may run at large upon lands belonging to the state or to the United States when the owner thereof has in writing been granted grazing privileges, and has filed a copy of such permit or certificate with the director of agriculture.

Unlawful act.

State or federal lands.

SEC. 2. Any horse, mule or ass running at large in violation of section 1 of this chapter is declared to be a public nuisance, and shall be impounded by the sheriff of the county where found.

Public nuisance.

SEC. 3. Upon taking custody of any animal, the sheriff shall cause it to be transported to and impounded at the nearest community livestock sales yard licensed under chapter 16.64, R.C.W. The sheriff shall forthwith notify the nearest brand inspector of the department of agriculture, who shall examine the animal and by brand, tatoo [tattoo] or other identifying characteristic, shall attempt to ascertain the ownership thereof.

Sheriff to impound.

SEC. 4. The brand inspector shall cause to be published once in a newspaper published in the county where the animal was found, a notice of the impounding.

Notice of impounding.

The notice shall state:

(1) A description of the animal, including brand, tatoo [tattoo] or other identifying characteristics;

Contents of notice.

(2) When and where found;

(3) Where impounded; and

(4) That if unclaimed, the animal will be sold at a community livestock sale, and the date of such sale: *Provided*, That if no newspaper shall be published in such county, copies of the notice shall be posted at four commonly frequented places therein.

If the animal is marked with a brand or tattoo, [tattoo] which is registered with the director of agriculture, the brand inspector, on or before the date of publication or posting, shall send a copy of the notice to the owner of record by registered mail.

Owner to pay cost of impounding.

SEC. 5. Upon claiming any animal impounded under this chapter, the owner shall pay the costs of transportation and keep thereof.

Unclaimed animals to be sold.

SEC. 6. If no person shall claim the animal within ten days after the date of publication or posting of the notice, it shall be sold at the next succeeding community livestock sale to be held at the sales yard where impounded.

Conduct of sales.

SEC. 7. Sales of animals impounded under this chapter shall be governed by the provisions of title 20, R.C.W. The proceeds of sale, after deducting the costs of sale, shall be impounded in the estray fund of the department of agriculture, and if no valid claim is made within one year from the date of sale, the director of the department of agriculture shall transfer the proceeds of sale to the brand fund of the department to be used for the enforcement of this chapter.

Proceeds of sale.

Law officers cannot be purchasers.

SEC. 8. No law enforcement officer shall, directly or indirectly, purchase any animal sold under the provisions of this chapter, or any interest therein.

Violation.

SEC. 9. Any person who shall violate the provisions of sections 1 or 8 of this act shall be guilty of a misdemeanor.

SEC. 10. Section 16.28.010, R.C.W., as derived from section 1, chapter 148, Laws of 1919, is amended to read as follows: Amendment.

The term "animal" as used in this chapter means cattle and hogs. Definition.

[Am. R.R.S. 3156]

Passed the House February 13, 1951.

Passed the Senate February 21, 1951.

Approved by the Governor February 28, 1951.

CHAPTER 32.

[H. B. 87.]

BOILERS AND UNFIRED PRESSURE VESSELS.

AN ACT relating to public safety, creating a board of boiler rules to serve without salary with power to formulate rules and regulations for the safe and proper construction, installation, repair, use and operation of boilers and for the safe and proper construction, installation and repair of unfired pressure vessels; providing for the enforcement of the rules and regulations so promulgated; providing for the examination and appointment of boiler inspectors; providing for the inspection of boilers and unfired pressure vessels, the fees to be charged, and the reports to be made thereof; providing for inspection certificates; providing for appeals, and providing a penalty for the violation of the provisions of this act.

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

SECTION 1. There is hereby created within this state a board of boiler rules, which shall hereafter be referred to as the board, consisting of five members who shall be appointed to the board by the governor, one for a term of one year, one for a term of two years, one for a term of three years, and two for a term of four years. At the expiration of their respective terms of office, they, or their successors identifiable with the same interests respectively as hereinafter provided, shall be appointed for terms of four years each. The governor may at any time

Board of boiler rules created.

Five members.

Terms.

Successors.