

Signing and  
filing of  
petition.

SEC. 2. The petition containing the demand for the submission of the proposed charter amendment shall be filed with the city clerk, and each signer shall write his occupation and residence after his signature, and the genuineness of the signatures on such paper must be attested by the affidavit of a qualified voter.

City councils  
not deprived.

SEC. 3. This act shall not be construed to deprive city councils from submitting proposed charter amendments to the voters as is now provided, but shall be held to afford a concurrent and additional method for proposing and submitting amendments to the charter of any municipality having a charter.

Passed the House March 7, 1903.

Passed the Senate March 12, 1903.

Approved by the Governor March 21, 1903.

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## CHAPTER 187.

[S. SUB. B. No. 89.]

### PROVIDING FOR THE MARKING, LABELING AND INSPECTION OF BARRELS, TANKS, CANS, VESSELS OR PACKAGES CONTAINING PETROLEUM OILS.

AN ACT to provide for marking and labeling and inspecting all barrels, tanks, cans, vessels or packages containing petroleum oils offered or exposed for sale within this State and providing a penalty for the violation thereof, and making an appropriation therefor.

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

SECTION 1. All mineral or petroleum or any oil, fluid or substance which is a product of petroleum or into which petroleum or any product of petroleum enters or is found as a constituent element, whether manufactured within this State or not, before being offered or exposed for sale for consumption for illuminating purposes within this State shall have plainly impressed or otherwise plainly marked upon each barrel, tank, can, vessel or package in which the same is sold, offered or exposed for sale, the words "Illuminating

How marked  
and tested.

oil" and all oils shall be rejected for illuminating purposes which emit a combustible vapor at a temperature less than one hundred and twenty degrees Fahrenheit's thermometer: *Provided*, The quantity of oil used in the flash test shall not be less than one half a pint. The oil tester adopted shall be the Foster automatic tester cup with lighted wick inside the tube and under the thimble which shall be used by the commissioner and his deputies.

SEC. 2. All mineral and petroleum oils, such as benzoine, benzine, gasoline, naphtha and distilates shall not be sold, offered or exposed for sale within this State whether manufactured within this State or not, unless the barrel, tank, cans, vessel or package containing the same shall be conspicuously, securely and plainly marked or labeled with the name of its contents.

SEC. 3. Any person for himself or as an agent of another who sells or attempts to sell for himself or any other person in this State any such oils as mentioned in sections 1 and 2 of this act, for consumption within this State, whether manufactured within this State or not, without having the same marked and labeled as set forth in said sections 1 and 2 hereof shall be guilty of a misdemeanor and on conviction thereof shall be fined in any sum not less than one hundred dollars, and not exceeding three hundred dollars and any person who falsely brands, marks or labels any package, cask, tank, can or barrel as provided in sections 1 and 2 hereof or refills and uses any package, cask, can or barrel without the same being re-marked or labeled as required in said sections 1 and 2, or falsely marks the test on such package, cask, can or barrel higher in degree than said article will stand under the test hereinbefore specified, shall be guilty of a misdemeanor and on conviction thereof shall be fined in any sum not exceeding five hundred dollars nor less than one hundred dollars or by imprisonment in the county jail not exceeding six months or by both such fine and imprisonment at the discretion of the court.

SEC. 4. The State Dairy and Food Commissioner shall also be oil commissioner and shall be known as the State Dairy, Food and Oil Commissioner, and he shall receive in addition to his salary as dairy and food commissioner three hundred dollars per year as extra compensation for en-

forcing the provisions of this act. He shall also have power to appoint such deputies as may be necessary and pay therefor three dollars per day: But *provided, however,* That the aggregate services of all deputies employed by him shall not exceed the sum of fifteen hundred dollars per annum.

Duties of  
commis-  
sioner.

SEC. 5. It shall be the duty of the State Dairy, Food and Oil Commissioner upon complaint being made to him by any person, firm or corporation, of the violation of any of the provisions of this act, for him or his deputies to make the test in the manner provided in section 1 of this act, of any petroleum oil contained in any package, cask, tank, can or barrel above mentioned, as he may deem necessary. It is further provided that said commissioner may call upon the chemist of the State university, or the chemist of the State Agricultural College and School of Science to assist in making said test, and it shall be the duty of the said chemist to give such assistance when so requested.

Duty of State  
Chemist.

Expenses—  
how adjusted.

SEC. 6. All expenses incurred under the provisions of this act shall be paid out of the general fund and shall be audited by the State Auditor upon bills being presented appropriately certified by such commissioner and the State Auditor shall from time to time draw warrants upon the State Treasurer for the amounts thus audited. All fines collected under the provisions of this act shall be paid into the common school fund of the State.

Fines.

Appropriation.

SEC. 7. For the carrying out of the provisions of this act there is hereby appropriated the sum of eighteen hundred dollars out of the moneys in the general fund not otherwise appropriated.

Passed the Senate February 26, 1903.

Passed the House March 9, 1903.

Approved by the Governor March 21, 1903.