

Additional  
bond.

The Judge may require an additional bond whenever a sale of real estate belonging to a minor is ordered by him, but no such additional bond must be required when it satisfactorily appears to the court that the penalty of the bond given before receiving letters, or of any bond given in place thereof is equal to twice the value of the personal property remaining in or that may come into the possession of the guardian, including the annual rents, profits and issues of real estate and twice the probable amount to be realized on the sale of the property ordered to be sold.

Passed the Senate February 1, 1905.

Passed the House February 7, 1905.

Approved by the Governor February 14, 1905.

## CHAPTER 18.

(H. B. No. 2)

### RELATIVE TO CONTROL OF DELINQUENT CHILDREN.

AN ACT to provide for the apprehension, trial, treatment and control of delinquent children under the age of seventeen years.

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

To whom  
act applies.

SECTION 1. This act shall apply only to children under the age of seventeen years, not now or hereafter inmates of any State institution, or any Training School for boys, or Industrial School for Girls, or some institution incorporated under the laws of this State, for the care and correction of "delinquent children" shall include any child under the age of seventeen years, who violates any law of this State, or any City or Town ordinance; or who is incorrigible; or who knowingly associates or lives with thieves, vicious, immoral or disreputable persons; or who is growing up in idleness or crime; or habitually begs or receives alms; or who is found living in any house of ill fame; or who knowingly visits or enters a house of ill repute; or who knowingly patronizes or visits any policy shop or place where any gambling device is or shall be operated; or who patronizes or visits any

saloon or dram shop where intoxicating liquors are sold; or who patronizes or visits any public pool room or bucket shop; or who wanders about the streets in the night time without being on any lawful business or occupation; or who habitually wanders about any railroad yards or tracks, or jumps or hooks onto any moving train, or enters any car or engine without any lawful authority; or who habitually uses vile, obscene, vulgar, profane or indecent language; or is guilty of immoral conduct in any public place, or about any school house; and any child under the age of eight years who is found peddling or selling any articles; or singing or playing any musical instrument upon the street, or giving any public entertainment. Any child doing any of the acts herein mentioned shall be deemed a Juvenile Delinquent Person, and shall be proceeded against as such in the manner hereinafter provided. A disposition of any child under this act, or any evidence given in such cause, shall not in any civil, criminal or other cause or proceeding whatever, in any court, be lawful or proper evidence against such child for any purpose whatever, excepting in subsequent cases against the same child under this act. The word "child" or "children" may mean one or more children, or the word "parent" or "parents" may mean one or both parents when consistent with the intent of this act. The word "association" shall mean any incorporation which includes in its purpose the care and disposition of children consistent with the intent of this act.

Definition of "child."

SEC. 2. The Superior Courts in the several counties of this State shall have original jurisdiction in all cases coming within the terms of this act. In all trials under this act any person interested therein may demand a jury trial, or the Judge, of his own motion, may order a jury to try the case.

Jurisdiction of courts.

SEC. 3. In counties of the first and second class the Judges of the Superior Court shall, at such times as they may determine, designate one or more of their number whose duty it shall be to hear all cases arising under this act. A special session, to be designated as the "Juvenile Court Session," shall be provided for the hearing of such cases, and the finding of the Court shall be entered in a book, or books, to be kept for that purpose, and known as the "Juvenile Record;" and the Court may, for convenience, be called the "Juvenile Court."

Juvenile Courts in certain counties.

SEC. 4. Any reputable person, being a resident in the

**Complaints.** county, having knowledge of a child in his county who appears to be a delinquent within the meaning of this act may file with the clerk of the court a complaint, in writing, setting forth the facts, verified by affidavit. It shall be sufficient that the affidavit is upon information and belief.

**Summons.** **Notice to parents.** **Failure to appear.** **Return of summons.**

SEC. 5. Upon the filing of an information or the complaint the clerk of the court shall issue a summons requiring the person having custody or control of the child or with whom the child may be, to appear with the child at a place and time stated in the summons, which time shall not be less than twenty-four hours after service. The parents of the child, if living, and their residence is known, or its legal guardian, if one there be, or if there is neither parent [n]or guardian, or if his or her residence is not known, then some relative, if there be one, and his residence is known, shall be notified of the proceedings; and in any case the Judge shall appoint some suitable person or association to act in behalf of the child. If the person summoned, as herein provided, shall fail without reasonable cause to appear and abide the order of the court, or to bring the child, he shall be proceeded against as in contempt of court. In case the summons cannot be served, or the parties served fail to obey the same, and in any case when it shall be made to appear to the court that said summons will be ineffectual a warrant may issue on the order of the court, either against the parent or guardian or the person having custody of the child, or with whom the child may be, or against the child itself. On return of the summons or other process, or as soon thereafter as may be, the court shall proceed to hear and dispose of the case in a summary manner. Pending the final disposition of any case the child may be retained in the possession of the person having charge of the same, or may be kept in some suitable place provided by the city or county authorities, or by any association having for one of its objects the care of delinquent and neglected children.

**Probation officers.**

SEC. 6. The court or judge designated, as provided in Section 3 of this act, shall appoint or designate one or more discreet persons of good character to serve as probation officers during the pleasure of the court; said probation officers to receive no compensation from the public treasury. In case a probation officer shall be appointed by any court it shall be the duty of the clerk of the court, if practicable, to notify the said probation officer in advance when any child

is to be brought before the said court; it shall be the duty of said probation officers to make such investigation as may be required by the court, to be present in order to represent the interests of the child when the case is heard, to furnish the court such information and assistance as the judge may require, and to take such charge of the child before and after trial as may be directed by the court.

SEC. 7. When any child under the age of seventeen years shall be found to be delinquent within the meaning of this act, the court may, at any time, make an order committing Order of committal. the child to some suitable institution, or to the care of some reputable citizen of good moral character, or to the care of some Training School or Industrial School as provided by law, or to the care of some association willing to receive it, embracing in its objects the purpose of caring for or obtaining homes for dependent, neglected or delinquent children, provided such order may be temporary or permanent in the discretion of the court and may be revoked or modified as the circumstances of the case may thereafter require.

SEC. 8. In any case of a delinquent child, the court may Continuance of hearing. continue the hearing from time to time, and may commit the child to the care and guardianship of a probation officer, duly appointed by the court, and may allow said child to remain in its own home, subject to the visitation of the probation officer, such child to report to the probation officer as often as may be required, and subject to be returned to the court for further proceedings whenever such action may appear to be necessary, or the court may commit the child to the care and guardianship of the probation officer, to be placed in a suitable family home, in case provision is made by voluntary contribution, or otherwise for the payment of the board of such child, until a suitable provision may be made for the child in a home without such payment, or the court may commit the child to a suitable institution for the care of delinquent children. Limit of commitment. In no case shall a child be committed beyond his or her minority. A child committed to such institution shall be subject to the control thereof, and the said institution shall have power to parole such child on such condition as it may prescribe, and the court shall, on the recommendation of said institution, have power to discharge such child from custody, whenever, in the judgment of the court, his or her reformation shall be complete; or the court may commit the child to the care and custody

of some association that will receive such child, embracing in its objects the care of neglected and dependent children.

Children under 14 not to be placed in jail, etc.

SEC. 9. No court or magistrate shall commit a child under fourteen years of age to a jail, common lock-up or police station; but, if such child is unable to give bail, it may be committed to the care of the sheriff, police officer or probation officer, who shall keep said child in some suitable place or house or school of detention provided by the city or county, outside of the enclosure of any jail or police station, or in the care of any association willing to receive it and having as one of its objects the care of neglected and dependent children. When any child shall be sentenced to confinement in any institution to which adult convicts are sentenced, it shall be unlawful to confine such child in the same building with such adult convicts, or to confine such child in the same yard or enclosure with such adult convicts, or to bring such child into any yard or building in which such adult convicts may be present.

Separate confinement, apart from adults.

SEC. 10. When in any County where a court is held as provided in Section 3 of this act, a child under the age of seventeen years is arrested with or without warrant, such child may, instead of being taken before a Justice of the Peace or Police Magistrate, be taken directly before such court; or if the child is taken before a Justice of the Peace or Police Magistrate, it shall be the duty of such Justice of the Peace or Police Magistrate to transfer the case to such court, and the officer having the child in charge to take the child before that court, and in any case the court may proceed to hear and dispose of the case in the same manner as if the child had been brought before the court upon complaint as hereinbefore provided. In any such case the court shall require notice to be given and investigation to be made as in other cases under this act, and may adjourn the hearing from time to time for such purpose.

Trials before Juvenile Court instead of police courts.

SEC. 11. In counties of the first and second class it shall be the duty of the proper authorities to provide and maintain, at public expense, a detention room, or house of detention, separated or removed from any jail, lock-up, or police station, to be in charge of a matron, or other person of good character, wherein all children within the provisions of this act shall, when necessary, be incarcerated.

Detention room for juveniles apart from jail.

Construction of act.

SEC. 12. This act shall be liberally construed to the end that its purpose may be carried out, to-wit: That the care,

custody and discipline of a child shall approximate, as nearly as may be, that which should be provided by its parents, and that as far as practicable any delinquent child shall be treated, not as a criminal, but as misdirected and misguided, and needing aid, encouragement, help and assistance.

SEC. 13. That no fees shall be charged or collected by any officer for any proceeding under this act. <sup>No fees to be charged.</sup>

Passed the House January 31, 1905.

Passed the Senate February 8, 1905.

Approved by the Governor February 15, 1905.

---

## CHAPTER 19.

(H. B. No. 20)

### AMENDING CODE RELATIVE TO STATE REFORM SCHOOL.

AN ACT to amend Sections one (1), two (2) and seven (7) of an act entitled, "An act to provide for the committing of juvenile offenders to the State Reform School at Chehalis," approved March 7, 1891, the same being Sections 8524 and 8525 and 8530 of Pierce's Washington Code. <sup>8524, 8525 and 8530 Pierce's Code.</sup>

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

SECTION 1. That Section one (1) of an act entitled, "An act to provide for the committing of juvenile offenders to the State Reform School at Chehalis," being Section 8524 of Pierce's Washington Code, be and the same is hereby amended so as to read as follows: Section 1. When a boy of sane mind between the ages of eight and sixteen years, or a girl of sane mind between the ages of eight and eighteen (18) years shall, in any court of record in this State, be found guilty of any crime except murder or manslaughter, or who for want of proper paternal care is growing up in mendicancy or vagrancy, or is incorrigible, and complaint thereof is made and properly sustained, the court may if in its opinion the accused is a proper subject therefor, instead of entering judgment cause an order to be entered that said boy or girl be sent to the State Reform School, in pursuance of the provisions of this act, and a copy of said order under the seal of said court shall be sufficient <sup>Commitment.</sup>