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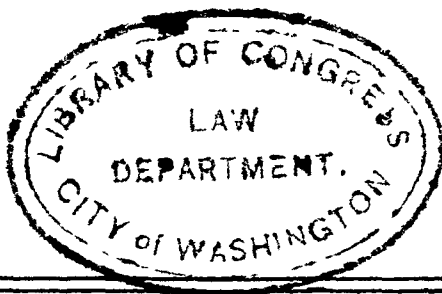
OF

✓
+ WASHINGTON TERRITORY,

ENACTED BY THE

LEGISLATIVE ASSEMBLY

IN THE YEAR 1881.



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LAW

LAWS

OF

WASHINGTON TERRITORY.

Enacted at the Eighth Biennial Session, which was begun and held at the City of Olympia, the Capital of said Territory, on Monday, October 3, 1881, and ended Thursday, December 1, and at the special session which was begun on Friday, December 2, 1881, and ended Wednesday, December 7, 1881.

WILLIAM A. NEWELL, Governor. H. F. STRATTON, President of the Council. GEORGE COMEGYS, Speaker of the House of Representatives.

AN ACT

TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE PRACTICE AND PROCEEDINGS IN CIVIL ACTIONS," APPROVED NOVEMBER 8TH, 1877.

SECTION 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That section 174, chapter XII of an act, entitled "An act to regulate the practice and proceedings in civil actions," approved November 8th, 1877, be and the same is hereby amended so as to read as follows: "The plaintiff, at the time of issuing the summons, or at any time afterward, before judgment, may have the property of the defendant attached in the manner hereinafter prescribed, as a security for the satisfaction of such judgment as he may recover.

SEC. 2. That section 175 of said act be and the same is hereby amended so as to read as follows: "The writ of attach-

ing his said term of office, notwithstanding the language used in this charter prescribing the duties of mayor. The present board of trustees shall constitute the common council of New Tacoma until said election in May, 1882. At their first regular meeting after the passage of this act, the present board of trustees shall elect another councilman, preferring a resident of a ward, as herein defined, which has the least representation in said council; said common council, consisting of six including the acting mayor shall continue to act until the qualification of the common council elected at the first annual municipal election under this charter.

Approved November 5th, 1881.

AN ACT

TO INCORPORATE THE CITY OF DAYTON.

CHAPTER I.

THE BOUNDARIES AND INCORPORATION OF THE CITY.

SECTION 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That the corporate limits of the city of Dayton and the boundaries thereof shall be as follows, to wit: Beginning at the north-east corner of section thirty in township ten north, of range thirty-nine east; thence west forty rods; thence north eighty rods; thence west one hundred and twenty rods; thence south eighty rods; thence west one hundred and sixty rods; thence south two hundred and forty rods; thence east two hundred and forty rods; thence south eighty rods; thence east one hundred and sixty rods; thence south eighty rods; thence east eighty rods; thence north one hundred and sixty rods; thence west eighty rods; thence north eighty rods; thence west eighty rods; thence north one hundred and sixty rods to the place of beginning, all in the county of Columbia, and Territory of Washington.

SEC. 2. The inhabitants of the city of Dayton, within the limits above described, shall be and they are hereby constituted a body, politic and corporate, in fact and in law, by the name and style of the "City of Dayton," and by that name and style they and their successors shall be known in law, have perpetual

succession, sue and be sued, plead and be impleaded, defend and be defended in all courts of law and equity, and in all actions, suits or proceedings whatever, contract and be contracted with, and have and use a common seal, and alter or change the same at pleasure.

CHAPTER II.

POWERS OF THE CORPORATION.

SEC. 3. The city of Dayton has power to assess, levy and collect taxes for general municipal purposes, not to exceed one-half per centum per annum, upon all property, both real and personal, within the city, which is by law taxable, for territorial and county purposes, and to levy and collect special taxes as hereinafter provided, but all taxes for general and special municipal purposes, exclusive of assessments for improvements, as in this act is hereinafter provided, shall not exceed in any year one and one-half per centum, per annum on the property assessed.

SEC. 4. The city of Dayton shall have power to make regulations for the prevention of accidents by fire. To organize and establish fire departments and make and ordain rules for the government of the same. To provide fire engines and other apparatus and to levy and collect special taxes for that purpose not to exceed in any one year, one-fifth of one per centum upon the taxable property within the corporate limits of the city.

SEC. 5. The city of Dayton has power to purchase, or condemn, and enter upon and take any lands within or without its territorial limits for public squares, streets, parks, commons, cemeteries, hospital grounds, or to be used for work houses, or houses of correction, or any other proper and legitimate municipal purpose, and to inclose, ornament and improve the same, and to erect necessary public buildings thereon, and for these purposes may levy and collect special taxes, not exceeding one-fifth of one per centum in any year. The city shall have entire control of all such buildings, and all lands purchased or condemned under the provisions of this section, and of all streets, highways, squares and other public grounds within its limits, established or appropriated to public use by authority of law, or which have been, or may hereafter be, dedicated to public use, by any person or persons, and has power in case such lands are deemed unsuitable or insufficient for the purposes intended, to dispose of and convey the same; and conveyances of such

in all cases where arrests are made for offenses against the general laws of the Territory, such police officers shall be entitled to receive the same fees as are allowed to sheriffs and constables for similar services.

SEC. 20. The city of Dayton shall have power to prevent injury or annoyance from anything dangerous, offensive, or unhealthy, and to cause any nuisance to be abated; to suppress and restrain disorderly houses, houses of ill fame and gambling houses, and to authorize the destruction of all instruments or devices used for purposes of gambling; to regulate the transportation, storing and keeping of gunpowder and other combustibles and to provide or license magazines for the same; to prevent and punish immoderate or fast riding or driving horses and other animals through the streets; to regulate the speed of trains and locomotives on railways over the streets or through the city; to prevent any riots, noise, disturbance or disorderly assemblages, and to protect the property of the corporation and the persons and property of the inhabitants thereof, and to preserve peace and order therein.

SEC. 21. The city of Dayton shall have power to provide cemeteries and to regulate the burial of the dead and to prevent any interments within the limits of the city, and to cause any body interred within the city limits to be taken up and buried without the limits of the city, and shall have power to establish cemeteries or burial grounds without the city limits and have authority and jurisdiction over the same, necessary to the safety, preservation, regulation and ornamenting the same.

SEC. 22. The city of Dayton shall have power to establish and regulate markets, and to provide for the measuring or weighing of hay, coal and other articles of sale.

SEC. 23. The city of Dayton shall have power to adopt proper ordinances for the government of the city, and to carry into effect the powers given by this act and to provide for the punishment of violation of ordinances of the city by fine, not exceeding one hundred dollars, or imprisonment for not more than thirty days, or by both fine and imprisonment, or by forfeiture or penalty not exceeding one hundred dollars, and for working any person sentenced to such imprisonment, or committed in default of payment of any such fine or costs upon the streets or public grounds of said city, during the term thereof.

SEC. 24. The city of Dayton shall have power to establish and regulate the fees and compensation of all its officers, except when otherwise provided, and shall have such other powers and privileges, not herein specially enumerated, as are incident to municipal corporations of like character and degree not

effects in their possession or under their control, belonging or pertaining to their several offices, or to the said inhabitants of the town of Dayton, and the same shall belong to and be the property of the city of Dayton.

SEC. 129. Oliver C. White is hereby appointed mayor of the city of Dayton, and the following named persons members of the common council, viz: James L. Smith, George E. Church, Lewis E. Harris, J. E. Edminson, James M. Gorman and Warren A. Belcher. They shall each qualify as required by this act on or before the second Monday in January, 1882, and shall hold their offices respectively until the second Monday in July, 1882, and until their successors are elected and qualified. They shall hold their first regular meeting on said second Monday in January, and if any of the above named appointees shall fail to qualify as above provided, the council shall appoint some suitable person or persons to fill such vacancy or vacancies. The council shall also at said meeting, or so soon thereafter as may be expedient, appoint a marshal, clerk, treasurer, attorney, health officer, street commissioner and assessor, who shall qualify and hold their respective offices during the pleasure of the council, or until their successors are elected or appointed and qualified. Said officers so appointed by the council shall qualify within five days after receiving notice of their appointment, or they shall be deemed to have declined, in which case others may be appointed in their place.

SEC. 130. All ordinances of the Inhabitants of the Town of Dayton, in force when this act goes into effect, shall be and remain in full force after this act takes effect and until the same are repealed by the common council of the city of Dayton, and all rights vested and liabilities incurred under said corporation of the Inhabitants of the Town of Dayton or any ordinance of said Inhabitants of the Town of Dayton, when this act takes effect, shall not thereby be lost, impaired or discharged.

SEC. 131. The city of Dayton is hereby authorized to have from fifty to two hundred copies of this charter printed and bound in pamphlet form for the use of the inhabitants of the city, and to pay for the same out of any funds in the city treasury, not otherwise appropriated.

SEC. 132. This act to take effect and be in force from and after the first day of January, 1882: *Provided*, That the several officers of Inhabitants of the Town of Dayton shall continue to discharge the duties of their respective offices until the first meeting of the common council on the second Monday in January, 1882.

Approved November 10, 1881.