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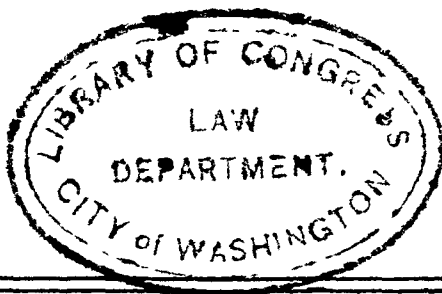
OF

✓
+ 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-

such officers' bonds, and unless such officers file with the common council, the requisite bond within ten days after such meeting, then the respective offices shall be declared vacant, and the said common council shall elect other officers to fill such vacancies. The common council shall also, at said meeting, fix the fees or compensation of the officers by this act created.

Approved Dec. 1st, 1881.

AN ACT

TO CONFER A CITY GOVERNMENT UPON NEW TACOMA.

CHAPTER I.

OF THE BOUNDARIES AND INCORPORATION OF THE CITY.

SECTION 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That the inhabitants of New Tacoma, Pierce county, Washington Territory, and their successors, within the limits hereinafter prescribed, are hereby constituted and declared to be a city corporation by the name and style of New Tacoma, and by such name shall have perpetual succession, sue and be sued, plead and be impleaded in all courts of justice, and in all actions, suits or proceedings whatever; may purchase, hold and receive property, both real and personal, within said city, for public buildings, public works and city improvements; may lease, sell or dispose of the same for the benefit of the city; may purchase, hold and receive property, both real and personal, beyond the limits of the city, to be used for city parks, for burial purposes, for the establishment and maintenance of a hospital for the reception of persons affected with contagious or other diseases, for work-houses, and for houses of correction; also, for the erection of water works to supply the city with water, and may control, lease, sell or dispose of the same for the benefit of the city; and they shall have and use a common seal, and may alter or break the same, or make a new one at pleasure.

SEC. 2. The corporate limits of New Tacoma shall be as follows: Commencing at the northwest corner of section five (5) in township twenty (20) north, of range 3 east; thence south along the west line of sections five (5) and eight (8) in said

council, and determine the order of business subject to such rules and to an appeal to the council. If the mayor should be absent at any meeting of the council, the council must appoint one of their own number president, to serve during the meeting or until the mayor attends.

SEC. 31. On the tenth day next following the annual municipal election, there must be a regular meeting of the council; and such meeting is appointed by this act, and no notice thereof or call therefor is necessary.

SEC. 32. A majority of the whole number constituting the council, as then provided by law, is a majority of the council or members thereof, within the meaning of this act. The concurrence of a majority of a quorum is a sufficient majority to determine any question or matter other than the final passage of an ordinance.

SEC. 33. The style of every ordinance shall be, "The common council of New Tacoma does ordain as follows."

CHAPTER VI.

POWERS OF THE CORPORATION.

SEC. 34.- The city government of New Tacoma, within its incorporated limits, has power and authority:

1. To assess, levy and collect taxes for general municipal purposes, not to exceed one-half of one per centum per annum, upon all property, both real and personal, within the city, which is by law taxable for Territorial and county purposes;

2. To make regulations for prevention of accidents by fire, to organize and establish a fire department; ordain rules for government of the same; to provide fire engines, and other apparatus, and a sufficient supply of water;

3. To purchase or condemn and enter upon and take any lands within or without the corporate 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 enclose, ornament and improve the same, and to erect necessary public buildings thereon. The city shall have entire control of all such buildings, and all lands purchased or condemned under the provisions of this subdivision, and of all streets, highways, squares and other public grounds within its limits, established

be kept for hire, and to fix the rates thereof; to license, tax and regulate or prohibit theatrical shows and other exhibitions and public amusements; and to license, tax and regulate auctioneers, hawkers, peddlers, brokers, pawnbrokers and all such callings, trades and employments as the public good may require to be licensed and regulated, as are not prohibited by law;

14. To establish and maintain a day and night police, or either of them, and to provide for the election or appointment of such number of police officers as may be necessary, which officers shall have full power and authority to make arrests with or without warrants within the limits of the city; to summon aid and to exercise all other powers necessary and requisite for the prevention of disorder or apprehension of offenders;

15. 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 or gambling houses, and to authorize the destruction of all instruments or devices used for purposes of gaming; to regulate the transportation, storage and sale of gunpowder, giant powder, dynamite, nitro-glycerine, or other combustibles, and to provide or license magazines for the same, and to prevent by all possible and proper means, danger or risk of injury or damages by fire arising from carelessness, negligence or otherwise; to prevent and punish fast or immoderate driving of horses through the streets; to regulate the speed of trains and locomotives on railways over the streets or through the limits of the city; to prevent any riots, noise, disturbance or disorderly assemblages, and to protect the property of the corporation and its inhabitants, and to preserve peace and order therein; to regulate and prohibit the carrying of deadly weapons in a concealed manner; to regulate and prohibit the use of guns, pistols and fire-arms, fire-crackers, bombs and detonating works of all descriptions; to restrain and punish intoxication, fighting and quarreling on the streets; to control and regulate slaughter houses, wash houses and public laundries, and to provide for their exclusion from the city limits, or from any part thereof; to regulate the driving of stock through the streets; to compel all persons erecting or maintaining privies or cesspools within one hundred feet of any street in which a sewer has been or may hereafter be constructed, to connect the same therewith; to regulate the opening of street surfaces, the laying of gas and water mains, the building and repairing of sewers and the erection of gas lights; to regulate and prevent public criers and advertising noises, steam whistles, the ringing of bells in the streets, and to control and limit traffic on the streets, avenues and public places; to regulate the use of the streets and sidewalks for the use of signs, sign posts, telegraph posts, awning posts and other

purposes; to regulate and prohibit the exhibition and hanging of banners and placards or flags in or across the streets, or from houses or other buildings; to prohibit the exhibition of deformed or crippled persons, and to prohibit professional begging upon the streets or in public places; to regulate the numbering of houses and lots on the streets and avenues, and the naming of streets and avenues; to provide for cleaning and sprinkling of the streets, and to punish those who shall refuse so to do; to prohibit persons from roaming the streets at unreasonable hours;

16. To license, tax, regulate and restrain bar-rooms, drinking shops or saloons, tippling-houses, billiard tables, pool tables, pigeon hole, jenny lind and other gaming tables kept for hire, and bowling alleys: *Provided*, That no law or part thereof authorizing any tribunal or officer of Pierce county to grant licenses for any of the privileges enumerated in this subdivision shall apply to persons within the city limits of New Tacoma; and all such licenses paid to the city shall be at the same rate and in lieu of the license required by the general law of the Territory for such houses, business or privilege: *And provided further*, That no license shall be granted, except upon the following conditions, viz: The person wishing to apply for license to sell spirituous or malt liquors, shall accompany his petition with a bond to the said city, in the sum of five hundred dollars, with two or more sureties to be approved by the common council, conditioned that he will keep an orderly house and comply with all the requirements of this act and of the ordinances of said city, and the laws of the Territory. No license shall be granted for less than six months nor more than one year; nor shall any license to sell spirituous or malt liquor be granted to any minor under the age of twenty-one years; nor to any person who shall permit women or girls, other than members of his family to frequent his place of business, either as customers, servants, waiters, waitresses, dancers, singers, actors or musicians or for purposes of attracting custom: *Provided always*, That if after license to keep any house, business or table herein before mentioned shall have been granted, the person to whom such license has been granted, or any one in his employ, or suffered by him so to do, shall give, sell, or in any manner dispose of any such liquor to any common drunkard, or to any intoxicated person, or to any minor under the age of twenty-one years, or shall permit any woman, other than a member of his family, or any minor to frequent such place of business, or play at cards, pool, billiards or any game whatever, whether for value or amusement, the common council, upon the sworn complaint of the marshal, or any person whatsoever, sustained by proof, shall revoke the license, and shall not grant another license to such person within a year from the date of such revocation; and the party whose license is so revoked shall be deemed to have for-

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