

REVISED ORDINANCES

OF THE

CITY OF SEATTLE

TOGETHER WITH THE

FREEHOLDERS' CHARTER

ADOPTED, 1890; AMENDED, 1892;

ALSO, PROVISIONS OF THE

STATE CONSTITUTION AND STATE LAW

RELATING TO CITIES OF THE FIRST CLASS

COMPILED BY

JOHN W. PRATT

ATTORNEY AT LAW

SEATTLE
1893

FROM THE PRESS OF THE
SUNSET PUBLISHING COMPANY
214 CHERRY STREET
SEATTLE, WASHINGTON

CERTIFICATE OF CITY CLERK.

STATE OF WASHINGTON, }
COUNTY OF KING, } SS.
CITY OF SEATTLE. }

I, George J. Stoneman, City Clerk of the City of Seattle, in the State of Washington, do hereby certify that the printed ordinances contained in this book are true copies of original ordinances as recorded in the office of the City Clerk of said city, and that this book is published by authority of the said City of Seattle.

Witness my hand this 19th day of August, 1893.

GEORGE J. STONEMAN,
City Clerk of the City of Seattle.

AUTHORITY FOR PUBLICATION.

Ordinance No. 2722.

SECTION I. There shall be made during the year 1893, at the time and in the manner directed by this ordinance, an official publication in book form of the general ordinances of the City of Seattle, together with other matters and things designated in ordinance No. 2214, entitled, "An ordinance providing for an official compilation of the general ordinances of the City of Seattle, together with other matters of a public nature relating to the government of the city, for the publication thereof in book form," approved July 14, 1892, which publication shall be in book form to be known and styled as the "Revised ordinances of the City of Seattle of 1893," provided, that all ordinances establishing street grades shall be omitted from said publication, except that their titles shall be included in the list of titles. Said book shall also contain the act of the state legislature, approved March 9, 1893, providing for reassessments for local improvements and also the act of the state legislature, approved March 9, 1893, relating to the issuance of bonds for local improvements and also the act of the state legislature, approved March 9, 1893, relating to the assessment and collection of taxes in cities of the first class. The list of mayors and officers of the city and other matters not herein specifically mentioned, shall be in type suitable therefor designated by John W. Pratt, commissioner for the preparation of said publication.

Passed board of aldermen April 12, 1893, T. M. DAULTON, Acting President.
Passed house of delegates, April 10, 1893, J. S. KLOBBER, President.

Approved by me this 13th day of April, 1893.
J. P. SWEENEY, Acting Mayor.

Filed by me April 13, 1893.
GEORGE J. STONEMAN, City Clerk.
Published April 14, 1893.

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whereas, the establishment of such districts is essential to the interests of such cities; therefore, an emergency is hereby declared to exist and this law shall take effect and be in force from and after its passage and approval.

FREEHOLDERS' CHARTER

OF THE

CITY OF SEATTLE.

1890

amended 1892

foot notes for charter as adopted 1890 } See next Page

THE CHARTER

OF THE

CITY OF SEATTLE

AS AMENDED MARCH 8, 1892.

The Charter of the City of Seattle was framed by fifteen freeholders elected May 31, 1890, and ratified by the people of Seattle at a general election held October 1, 1890. It was amended at a general election held March 8, 1892.

[FOOT NOTES—*The foot-notes give the provisions of the Charter as adopted October 1, 1890.*]

ARTICLE I.

GENERAL RIGHTS AND LIABILITIES.

SECTION 1. The municipal corporation now existing and known as the City of Seattle, shall remain and continue a body politic and corporate in name and in fact, by the name of "The City of Seattle," and by that name shall have perpetual succession, may sue and defend in all courts and places, and in all matters and proceedings whatever, and may have and use a common seal, and alter the same at pleasure, and may purchase, receive, hold and enjoy real and personal property within and without the corporate limits of the City of Seattle, and may sell, convey, mortgage and dispose of the same for the common benefit, and may receive bequests, devises, gifts and donations of all kinds of property within and without the city for its own use and benefit, or in trust for charitable or other public purposes, and do all acts necessary to carry out the purposes of such gifts, bequests,

devises and donations, with power to manage, sell, lease or otherwise dispose of the same in accordance with the terms of the gift, bequest, devise or trust.

SEC. 2. The public buildings, lands and property, all rights of property and rights of action, all moneys, revenues and income belonging or appertaining to the City of Seattle, are hereby declared to be vested in the said City of Seattle.

SEC. 3. The City of Seattle shall continue to have, hold and enjoy all public buildings, lands, wharves, waters, property real and personal, streets, alleys and other public places, rights of property, rights of action, suits, actions, moneys, revenues, taxes, licenses, income, books, documents, records, archives, claims, demands, and generally all things in possession and action of every nature and description, and shall be subject to all obligations, debts, liabilities, dues and duties, of the existing municipality.

SEC. 4. Suits, actions and proceedings may be brought in the name of the City of Seattle for the recovery of any property, money or thing belonging thereto, in law or in equity, or dedicated to public use therein, or for the enforcement of any rights of or contracts with said city, whether made or arising or accruing before or after the adoption of this charter; and the adoption of this charter shall not operate to abate or discontinue any existing suit, action or proceeding in court or elsewhere, to which said city is a party.

SEC. 5. All contracts of every description heretofore duly and legally made and entered into by the City of Seattle, by virtue of any existing law, shall remain valid and be binding upon the City of Seattle, to the extent only that they are now valid and binding upon the City of Seattle.

ARTICLE II.

BOUNDARIES, WARDS AND PRECINCTS.

SECTION 1. The City of Seattle shall include within its limits the following lands and territory, to-wit: The north half of section 17, all of sections 3, 4, 5, 6, 8, 9 and 10, in township 24 north of range 4 east, and the south half of sections 19 and 20, and all of sections 27, 28, 29, 30, 31, 32, 33 and 34, in township 25 north, of range 4 east, and the south half of section 24, and all of sec-

[SECTION 1. The City of Seattle shall include within its limits the following lands and territory, to-wit: The north half of section 17, all of sections 3, 4, 5, 6, 8, 9 and 10, in town-

tions 25 and 36, in township 25 north, of range 3 east, and including also the water fronting said above described lands westward to the center of Elliott bay and the Duwamish river, and eastward to the middle of Lake Washington, and all the water of Lake Union south of a line running east and west through the center of sections 19 and 20, in township 25 north, of range 4 east, beginning at a point in the center of Lake Washington, which is the northeast corner of the limits of the city of Seattle on the 10th day of October, A. D. 1890; thence northerly along the center of Lake Washington to an intersection with the center line of section 16, in township 25 north, range 4 east, W. M., produced eastwardly; thence west in the waters of Lake Washington and Union bay along said south line produced, to an intersection with the east line of said section 16, produced southerly; thence north in the waters of Union bay along said east line produced to the shore of said Union bay, and thence north along the east line of said section 16 and of section 9 in said township and range to the quarter section corner on the east line of said section 9; thence west along the center line of said section 9 to the quarter section corner in the west line thereof; thence north along the east lines of sections 8 and 5 in said township and range to the north line of said township 25 north; thence west along said township line to the quarter section corner in the north line of section 1, in township 25 north, range 3 east, which latter point is the northeast corner of the present corporate limits of the town [now city] of Ballard; thence south along the center line of said section 1, and sections 12 and 13 in said township 25 north, range 3 east, to the southeast corner of government lot 2, in said section 13, said last named line being also the easterly boundary of said city of Ballard; thence west along the south boundary of said city of Ballard to the center of Salmon bay; thence northeasterly, following the present corporate limits of the city of Ballard, along the center line of Salmon bay to deep water in Puget sound or Admiralty inlet; thence west to the main channel of Puget sound or Admiralty inlet; thence southerly along the main channel to a junction with the main channel from

ship 24 north, of range 4 east, and the south half of sections 19 and 20, and all of sections 27, 28, 29, 30, 31, 32, 33 and 34, in township 25 north of range 4 east, and the south half of section 24, and all of sections 25 and 36, in township 25 north of range 3 east, and including also the water fronting said above described lands westward to the center of Elliott bay and the Duwamish river, and eastward to the middle of Lake Washington, and all the water of Lake Union south of a line running east and west through the center of sections 19 and 20, in township 25 north of range 4 east; together with such other territory, if any, heretofore or hereafter added to said city by virtue of the general laws of the State of Washington.]

Elliott bay; thence easterly and southeasterly along the main channel of Elliott bay, to a point in the center of Elliott bay, in a line with the westerly line of section 24, township 25 north, range 3 east, produced south; thence north along the said west line of section 24 produced to the quarter section corner, in the west line of said section 24; thence east, following the limits of the city of Seattle on October 10, A. D. 1890, along the center line of said section 24, and of sections 19 and 20, in township 25 north, range 4 east, to the east line of said section 20; thence south, following the limits of the city of Seattle on October 10, A. D. 1890, along the east line of said section 20 to the southeast corner thereof; thence east, following the limits of the city of Seattle on October 10, A. D. 1890, along the north line of sections 28 and 27 in township 25 north, range 4 east, to the shore of Lake Washington; thence easterly in the waters of Lake Washington, following the limits of the city of Seattle on October 10, A. D. 1890, to the northeast corner of the limits of the city of Seattle on October 10, A. D. 1890, and the place of beginning, including all waters embraced within the boundaries above described, together with such other territory, if any, heretofore or hereafter added to said city by virtue of the general laws of the state of Washington.

SEC. 2. The City of Seattle is hereby divided into nine wards, designated and bounded as follows:

The First Ward shall include all that part of the city within the following boundaries, to-wit: Commencing at the intersection of the center line of Yesler avenue with the center line of South Eleventh street, and running thence south along the center line of South Eleventh street to the center line of Jackson street, thence east along the center line of Jackson street to the center line of South Fourteenth street, thence south along the center line of South Fourteenth street and South Fourteenth street produced, to the center line of Landier street, thence east along the center line of Landier street to the center line of Sterrett street, thence south along the center line of Sterrett street to the center line of Hanford street, thence east along the center line of Hanford street to the east line of section 17, in township 24 north, of range 4 east, thence south on the said section line to the quarter section corner on the said east line of section 17, thence west along the south boundary of the city to the west boundary of the city, thence north along the west boundary of the city to a point in Elliott bay where the center line of Yesler avenue produced intersects said west bound-

[SEC. 2. "Eight" wards.]

ary, thence east in a straight line along the center line of Yesler avenue to the point of beginning.

The Second ward shall include all that part of the city situated south of the center line of Yesler avenue and Yesler avenue produced, and lying east of the First ward.

The Third ward shall include all that part of the city within the following boundaries, to-wit: Commencing at the intersection of the center line of Yesler avenue with the center line of Broadway, and running thence north along the center line of Broadway and the center line of Broadway produced to the center line of Madison street; thence northeasterly along the center line of Madison street and Madison street produced to the point in Lake Washington where Madison street so produced would intersect the section line between sections 16 and 21, township 25 north, range 4 east, produced eastward; thence east to the east boundary of the city; thence south along the east boundary of the city to the north boundary of the Second ward; thence west in a straight line along the center line of Yesler avenue to the point of beginning.

The Fourth ward shall include all that part of the city within the following boundaries, to-wit: Commencing at the intersection of the center line of Yesler avenue with the center line of Broadway, and running thence north along the center line of Broadway and the center line of Broadway produced, to the center line of Madison street, thence southwesterly along the center line of Madison street and Madison street produced, to the point of intersection with the center line of Yesler avenue produced, thence east in a straight line along the center line of Yesler avenue to the point of beginning.

The Fifth ward shall include all that part of the city within the following boundaries, to-wit: Commencing on the center line of Madison street at the point where the same is intersected by the center line of Twelfth street produced, and running thence northerly along the center line of Twelfth street produced and the center line of Twelfth street, to the center line of Olive street, thence westerly along the center line of Olive street to the center line of Stewart street, thence westerly along the center line of Stewart

[The Third ward shall include all that part of the city within the following boundaries, to-wit: Commencing at the intersection of the center line of Yesler avenue with the center line of Broadway, and running thence north along the center line of Broadway and the center line of Broadway produced, to the center line of Madison street, thence northeasterly along the center line of Madison street to the north boundary of the city, thence east along the north boundary of the city to the east boundary of the city, thence south along the east boundary of the city to the north boundary of the Second ward, thence west in a straight line along the center line of Yesler avenue to the point of beginning.]

street to the north boundary of the First ward, thence east along said north boundary to the point of intersection with the center line of Madison street produced, thence easterly in a straight line along the center line of Madison street to the point of beginning.

The Sixth ward shall include all that part of the city within the following boundaries, to-wit: Commencing at a point on the west boundary of the city where the same is intersected by the center line of Depot street produced, and running thence east in a straight line along the center line of Depot street to the center line of Ninth street, thence southerly along the center line of Ninth street to the center line of Olive street, thence westerly along the center line of Olive street to the center line of Stewart street, thence westerly along the center line of Stewart street to the north boundary of the First ward, thence west along said north boundary to the west boundary of the city, thence northerly along the west boundary of the city to the point of beginning.

The Seventh ward shall include all that part of the city within the following boundaries, to-wit: Commencing on the center line of Madison street at the point where the same is intersected by the center line of Twelfth street produced, and running thence northerly along the center line of Twelfth street produced and the center line of Twelfth street, to the center line of Olive street, thence westerly along the center line of Olive street to the center line of Ninth street, thence northerly along the center line of Ninth street to the center line of Depot street, thence along the center line of Depot street to the center line of Rollin street, thence north along the center line of Rollin street and Rollin street produced, to mid-channel in Lake Union, and thence northeast, east and southeast, following the mid-channel of said lake to the intersection of the section line between sections 16 and 21, township 25 north, range 4 east, at the portage between Lakes Union and Washington, thence east on said section line produced to the intersection of Madison street produced, as the city is now bounded, to-wit: Oc-

[The Seventh ward shall include all that part of the city within the following boundaries, to-wit: Commencing on the center line of Madison street at the point where the same is intersected by the center line of Twelfth street produced, and running thence northerly along the center line of Twelfth street produced and the center line of Twelfth street, to the center line of Olive street, thence westerly along the center line of Olive street to the center line of Ninth street, thence northerly along the center line of Ninth street to the center line of Depot street, thence along the center line of Depot street to the center line of Rollin street, thence north along the center line of Rollin street and Rollin street produced to the north boundary of the city, thence east, south and east along the north boundary of the city to the point of intersection with the center line of Madison street, thence southwesterly along the center line of Madison street to the point of beginning.]

tober 1, A. D. 1891, and thence southerly along the center line of Madison street to the point of beginning.

The Eighth ward shall include all that part of the city situate north of the center line of Depot street and Depot street produced, and west of the center line of Rollin street and Rollin street produced, from Depot street to the north boundary of the city, on October 10, A. D. 1890.

The Ninth ward of the City of Seattle shall include all that part of the City of Seattle within the following boundaries:

Commencing at a point in the center of Lake Union which would be intersected by the extension eastward of the center line of section 19, township 25 north, range 4 east; thence in a north-east direction in the center of Lake Union; thence east in said center; thence southeast along said center line to where the same intersects the section line produced west between sections 16 and 21, township 25 north, range 4 east; thence east on said section line produced to a point in Union bay, where said section line produced would intersect the northeast corner of section 21; thence north in the waters of Union bay along the east line of section 16 and section 9, in said township and range, to the quarter-section corner on the east line of said section 9; thence west along the center of said section 9 to the quarter-section corner in the west line thereof; thence north along the east line of sections 8 and 5, in said township and range, to the north line of said township; thence west along said township line to the quarter-section corner in the north line of section 1 in township 25 north, range 3 east, which latter point is the northeast corner of the present corporate limits of the town (now city) of Ballard; thence south along the center line of said section 1 and sections 12 and 13 in said township 25 north, range 3 east, to the southeast corner of government lot 2 in said section 13, the said last named line being also the easterly boundary of said city of Ballard; thence west along the south boundary of said city of Ballard to the center of Salmon bay; thence northwesterly following the present corporate limits of the city of Ballard along the center line of Salmon bay to deep water in Puget Sound or Admiralty inlet; thence southerly along said main channel to a junction with the main channel of Elliott bay; thence easterly and southeasterly along the main channel of Elliott bay to a point in the center of Elliott bay in a line with the

[The Eighth ward shall include all that part of the city situated north of the center line of Depot street and Depot street produced, and west of the center line of Rollin street and Rollin street produced, from Depot street to the north boundary of the city.]

westerly line of section 24, township 25 north, range 3 east, produced south; thence north along the west line of section 24 produced, to the quarter-section corner in the west line of said section 24, township 25 north, range 3 east; thence east along the center line of said sections 24 and 19 to the center of Lake Union, which said line produced eastward will intersect and which is the place of beginning.

SEC. 3. The city council shall have power in the year one thousand eight hundred and ninety-five and thereafter to redistrict the city into wards; provided, that the same shall not be redistricted oftener than once in five years. There shall never be more than twelve wards until the population reaches two hundred and forty thousand, and thereafter not more than one ward for every twenty thousand of population. The wards shall be made as nearly equal in population and as geographically compact as possible. No ordinance redistricting the city into wards shall take effect within sixty days preceding any election held in the city for municipal, county, district or state officers.

SEC. 4. Whenever any new territory is added to the city the same shall be attached to and be a part of the ward adjoining thereto; and if such territory shall adjoin more than one ward it shall be added to and be a part of the said ward adjoining thereto which shall have cast the smallest vote at the regular municipal election last preceding such annexation; provided, that if the city council shall deem the population of such territory to be sufficiently large to constitute a separate ward, it may, by ordinance, declare such territory a distinct ward and assign a number thereto; and the same shall remain a distinct ward until the city is redistricted, as provided in section 3 of this article. No new ward shall be thus created in excess of the number of wards allowed by the provisions of said section 3.

SEC. 5. The city council shall, by ordinance, as often as may be necessary, divide each ward into two or more election precincts, so that each precinct shall contain as nearly as may be 250 voters, and in such manner as will best subserve convenience in voting, and will conform to the general laws of the state; *provided*, that no alteration of such precincts shall take effect within sixty days next preceding any election held in the city for municipal, county, district or state officers after the year one thousand eight hundred and ninety.

SEC. 6. No change in the boundary of any ward shall operate to abolish any office or exclude any councilman, delegate or other

city officer from office, before the expiration of the term for which the incumbent was elected or appointed.

ARTICLE III.

DISTRIBUTION OF GOVERNMENT.

SECTION 1. The government of the City of Seattle shall be divided into thirteen departments and no more, that is to say:

1. The Legislative Department.
2. The Executive Department.
3. The Clerical Department.
4. The Department of Police.
5. The Department of Public Works.
6. The Department of Finance.
7. The Department of Sanitation.
8. The Fire Department.
9. The Harbor Department.
10. The Department of Parks.
11. The Library Department.
12. The Law Department.
13. The Judicial Department.

SEC. 2. The said departments shall be constituted as provided in Articles IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV and XVI of this charter, subject to such changes only as are in this charter expressly authorized.

SEC. 3. The Mayor shall be deemed the head of the Executive Department, the presidents of the houses of the city council shall be deemed the head of the Legislative Department, and the members of the commissions or boards created by this charter, and the principal unsubordinated officers in departments wherein there is no commission or board constituted by this charter, shall be deemed heads of their respective departments, but no head of department shall have or exercise any power or authority not provided for elsewhere in this charter. Official communications between different departments, except as in this charter otherwise provided, shall be through the heads of departments.

ARTICLE IV.

THE LEGISLATIVE DEPARTMENT.

SECTION 1. All legislative power of the City of Seattle shall be vested in a Mayor and a City Council, which shall consist of

two houses, namely, a Board of Aldermen and a House of Delegates.

SEC. 2. The Board of Aldermen and the House of Delegates shall each consist of as many members as there are wards in the city, one member of each house to be elected from each ward.

SEC. 3. At the general election in 1892 there shall be elected nine members of the board of aldermen, and there shall be elected in each ward one member of the house of delegates; provided, that in case of the adoption of this proposed amendment, the person receiving the highest number of votes for delegate at said general election in March, 1892, shall be entitled to qualify as said delegate. At the general election in 1892 the five members of the board of aldermen receiving the greatest number of votes shall hold office for four years, and the other four for two years, and in the case of a tie vote the length of the term shall at the first session, and before transacting any other business, be determined by lot. At each subsequent general municipal election one delegate shall be elected from each ward and enough aldermen shall be elected from the respective wards to succeed those whose terms are about to expire, and the aldermen so elected shall each hold office for four years.

The members elected to the house of delegates shall each hold office two years. Each member of either house shall further hold office until his successor is elected and qualified. Each member of the city council shall have an annual salary of three hundred dollars, to be paid monthly; provided, that after the population of the city shall have reached the number of 75,000, as determined by any official census, such salary shall be the sum of six hundred dollars per annum, payable monthly. A deduction of five dollars shall be made from each member's salary who shall be absent from any meeting of his respective house, unless said member shall certify on his honor that said absence was caused by illness or unavoidable absence from the city at the time of the meeting.

SEC. 4. No person shall be eligible for alderman unless he be a freeholder, a citizen of the United States, and have been a resident and elector of the city for at least two years next prior to his

[SEC. 2. The Board of Aldermen shall consist of nine members elected from the city at large, and the House of Delegates shall be composed of two members elected from each ward.]

[SEC. 3. At the first election under this charter nine members of the board of aldermen shall be elected. At the general election of eighteen hundred and ninety two nine members shall be elected, and the five then receiving the greatest number of votes shall

election; and no person shall be eligible for delegate unless he be a citizen of the United States and have been an elector of the city and a resident of the ward for which he is elected for at least one year next prior to his election. No person not a resident or not a citizen, or who holds any other place in the city government, shall be a member of either house.

SEC. 5. No member of either house shall hold any federal, state or other municipal office, or be an employe of the city or either of said houses, or be interested in any contract with the city or with or for any department, institution, board, officer, agent or employe thereof.

Each member upon taking office shall make and file in the office of the city clerk an oath that he will faithfully comply with and abide by all requirements of this section, and the violation of any of the provisions of this section shall work a forfeiture of his membership and warrant his expulsion from the house to which he belongs.

SEC. 6. No person shall be eligible to membership, or be a member of either house, who shall have been convicted of malfeasance in office, bribery or other infamous crime by judgment of any competent tribunal.

SEC. 7. The houses shall meet in separate chambers. A majority of either house shall constitute a quorum, but a less number

hold office for four years, and the other four for two years, and in case of a tie vote the length of the term shall, at the first session, and before transacting any other business, be determined by lot. At each subsequent general municipal election enough aldermen shall be elected to succeed those whose terms are about to expire, and the aldermen so elected shall each hold office for four years. At said first election, and at each general municipal election thereafter, two members of the house of delegates shall be elected in each ward, and the delegates so elected shall each hold office two years. Each member of either house shall further hold office until his successor is elected and qualified.]

[SEC. 5. No member of either house shall hold any other office, federal, state, county or municipal, except in the National Guard or as a notary public, or be an employe of the city or either of said houses, or be directly or indirectly interested in any contract with the city, or with or for any department, institution, board, officer, agent or employe thereof, or advance money or furnish materials or supplies, or become surety for the performance of any such contract, or directly or indirectly recommend, solicit, advise, request or in any manner use his influence to obtain the appointment of any person to any office, position, place or employment under the city government or under any department, board, officer, agent or employe thereof; provided, that nothing contained in this section shall impair the right of a member to nominate and recommend any person for any position or office to be filled by the city council or by the house of which he is a member. Each member, upon taking office, shall make and file in the office of the city clerk an affidavit that he will faithfully comply with and abide by all the requirements of this section, and the violation of any of the provisions of this section shall work a forfeiture of his membership and warrant his expulsion from the house to which he belongs.]

[SEC. 7. The houses shall meet in separate chambers. A majority of either house shall constitute a quorum, but a less number may adjourn from day to day or till the time of next regular meeting, and may compel the attendance of absent members in such manner and under such penalties as that house shall prescribe.]

may adjourn from day to day, or till the time of the next regular meeting, and may compel the attendance of absent members in such manner and under such penalties as each house shall prescribe for itself. A quorum of each of the two houses of the city council assembled in joint convention shall be a quorum of a joint convention of the city council.

SEC. 8. Each house shall—First—Annually, and also whenever a vacancy occurs, choose from its members its president, who shall perform the usual functions of a presiding officer, and may be removed by the affirmative vote of not less than two-thirds of all the members. Second—Establish rules for its proceedings. Third—Keep a journal of its proceedings and allow the proceedings to be published, and take the yeas and nays on any question on demand of any two members and enter the same in the journal. Fourth—Have authority to punish its members and others for disorderly or otherwise contemptuous behavior in its presence, and to expel for such behavior in its presence any member by the affirmative vote of not less than two-thirds of its members, specifying in the order of expulsion the cause thereof. Fifth—Have authority to create and use committees of its members, in order to facilitate the discharge of its legislative functions; provided, that no committee of either house and no joint committee from both houses and no part of any committee and no member of either house shall have or exercise executive or administrative power, except as otherwise expressly provided in this charter. Sixth—Have power to compel attendance of witnesses as well as production of papers and things pertinent to business, before such house or any of its committees or a joint committee from both houses.

SEC. 9. The board of aldermen and the house of delegates shall each have power to appoint from its members a committee consisting of three, to be denominated "finance committee," and to fill all vacancies in said committee. Each such committee shall have power to investigate the transactions and accounts of all officers having the collection, custody and disbursement of public money, or having the power to approve, allow or audit demands on the treasury; it shall have free access to any records, books, and papers in all public offices; and shall have power to administer oaths or affirmations, and to examine witnesses and compel attendance before them by subpoena. Said committees or either of them may visit any of the public offices, when and as often as they think proper, and make their examinations and investigations

therein without hindrance. It shall be the duty of such committees as often as once in every six months to examine the official bonds of all city officers and depositories of the city funds, and inquire into and investigate the sufficiency and solvency of the sureties thereon and report the facts to the mayor. Such report shall specify each bond with the sureties and the amount for which each surety is bound, and state whether or not they are deemed sufficient and solvent. Upon such report the mayor shall act so as to protect the city, and may require new bonds when necessary, and he may suspend the officer until a sufficient bond is filed and approved. In the exercise of its functions, a concurrence of two members of either committee shall be deemed sufficient. Each of said committees shall keep a record of its proceedings, with the names of the witnesses examined, and a substantial statement of the evidence taken. If from the examination made by either of said committees it shall appear that a misdemeanor in office or a defalcation has been committed by any officer, said committee shall immediately report to the mayor, who, if he approve such report, shall forthwith suspend or remove such officer. Any police officer shall execute the process and orders of said committees or either of them.

SEC. 10. The finance committees of the two houses shall together constitute and be a joint finance committee, which shall meet and organize as soon as possible after the finance committees of the respective houses shall have been appointed, and shall immediately and semi-annually make a thorough examination of all the books of the city clerk, city treasurer and city comptroller, and report the result of such investigations to the city council.

SEC. 11.* A committee of three members from each house shall constitute the board of equalization of said city, and shall meet at the time prescribed by this charter and organize by the election of one of their number as chairman, and shall have the powers and perform the duties concerning the equalization of taxes given to county boards of equalization by the general revenue laws of the state. The city clerk shall act as the clerk of the board of equalization, and the city council shall provide for the compensation of the members of the board of equalization for the time that they are actually engaged in the equalization of taxes.

SEC. 12. Each house shall meet upon the first Monday of each month, or if that day be a legal holiday, then upon the next day

[* NOTE: See Act of State Legislature, approved March 9, 1893. Session Laws, 1893, Chapter LXXI.]

not a holiday thereafter, and all its sessions shall be public, and neither house shall, without the consent of the other, adjourn for more than seven days, or to any other place than its regular place of meeting; but the mayor, or in his absence or disability the president of the board of aldermen, or any three aldermen, may call a special meeting of the board of aldermen or each of the two houses.

SEC. 13. Every legislative act of said city shall be by ordinance. Every ordinance shall be clearly entitled and shall contain but one object, which shall be clearly expressed in its title. The enacting clause of every ordinance shall be: "Be it ordained by the City of Seattle as follows:" Any ordinance may originate in either house, and when it shall have passed one house it may be passed, amended or rejected in the other.

SEC. 14. No bill shall become an ordinance unless, on its final passage in each house, at least a majority of all the members vote in its favor, and the vote be taken by yeas and nays, and the names of those voting for and against the same be entered in the journal.

SEC. 15. No amendment to any bill by either house shall be concurred in by the other except by the affirmative vote of at least a majority of its members taken by yeas and nays, and the names of those voting for and against the same shall be entered in the journal of such house. Reports of committees of conference shall be adopted in either house only by the affirmative vote of at least a majority of its members, taken by yeas and nays, and the names of those voting for and against the same shall be recorded in the journal.

SEC. 16. No ordinance shall be revised, re-enacted or amended by reference to its title; but the ordinance to be revised or re-enacted, or the section thereof amended, shall be re-enacted at length as revised or amended.

SEC. 17. When a bill is put upon its final passage in either house and fails to pass, and a motion is made to reconsider, the vote upon such motion shall not be acted on before the next meeting of that house. No bill for the grant of any franchise shall be finally passed within thirty days after its introduction.

SEC. 18. No ordinance shall take effect until ten days after its passage, unless otherwise expressed in said ordinance.

SEC. 19. Every bill, after it has passed the two houses, shall be signed by the president of each house in open session, in authentication of its passage; in signing such bill the president

shall call the attention of the house to the bill, and that he is about to sign it, and if any member so request the bill shall be read at length for information as to its correctness as enrolled. If any member objects that the bill is not the same as when considered and passed by the house, such objection shall be passed upon, and if sustained the president shall withhold his signature and the bill shall be corrected and signed before the house proceeds to any other business.

SEC. 20. Every bill which shall have passed the two houses, and been authenticated as provided in the last section, shall within five days thereafter be presented to the mayor. The mayor shall return such bill to the house in which it originated within ten days after receiving it, and if he do not disapprove it, it shall become an ordinance; if he disapprove it, he shall, when he so returns it, specify his objections thereto in writing. The objections of the mayor shall be entered at large on the journal of the house in which such bill originated, and published in the city official newspapers. Said house shall, not less than five days after such publication, and within thirty days after such bill shall have been so returned, reconsider and vote upon the same, and if the same shall, upon such reconsideration, be again passed by the affirmative vote of not less than two-thirds of all the members of each house, the presidents of the respective houses shall certify the fact on the bill, and when so certified the bill shall become an ordinance with like effect as if it had not been disapproved by the mayor; but if the bill so returned shall fail to receive upon the first vote thereon in either house an affirmative vote of two-thirds of the members, it shall be deemed finally lost. The vote on such reconsideration shall be taken by yeas and nays, and the names of members of each house voting for or against the same shall be entered in the journal thereof.

SEC. 21. All ordinances and joint resolutions shall be deposited with the city clerk, who shall record the same at length in a suitable book kept for that purpose. All ordinances of a general, public or permanent nature, and those imposing a fine, penalty or forfeiture, shall be published at least once in the city official newspapers within three days after the same shall have become law.

SEC. 22. The city council shall have power by ordinance and not otherwise:

First—To provide for general and special elections for questions to be voted upon, and to provide for the appointment and election of officers. Any person who, by the provisions of this charter or

any amendment thereto, may be appointed or elected to any office or employment created in pursuance thereof, shall be deemed an officer within the meaning of this section.

Second—To provide for the assessment, levying and collecting taxes on real and personal property for the corporate uses and purposes of the city, and to provide for the payment of the debts and expenses of the corporation, but no tax for general municipal purposes shall exceed four-tenths of one per centum per annum; no tax to provide fire engines and other fire apparatus and a supply of water to quench fire, or for any of said purposes, shall exceed three-tenths of one per centum per annum; no tax to provide for purchase and condemnation of land for public uses and improvement and ornamentation thereof, and erection of structures thereon, or to provide for any of said objects, shall exceed two-tenths of one per centum per annum; no tax to provide for furnishing gas, electricity and lights, and for construction of works necessary or convenient therefor, or for any of said purposes, shall exceed two-tenths of one per centum per annum; no tax for street and alley improvement and repair, exclusive of assessments mentioned in sub-divisions seventh, eighth and tenth of this section, and construction and repair of sewers and conduits, other than water pipe, or for any of said purposes, shall exceed four-tenths of one per centum per annum; no tax for construction and repair of water works and appurtenances, or of any of the same, shall exceed one per centum per annum; and no tax for the maintenance and operation of water works and for paying rent for water works or water, or for any of said purposes, shall exceed five-tenths of one per centum per annum; and all taxes, exclusive of assessments for improvements mentioned in said sub-divisions seventh, eighth and tenth, shall not in any year exceed three per centum of the property assessed; and all taxes for special purposes other than water works and water supply, and exclusive of assessments for improvements mentioned in said sub-divisions seventh, eighth and tenth, shall not in any year exceed one and one-tenth per centum of the property assessed; and to provide for the assessment and collection of a road [poll] tax not exceeding four dollars per poll on all male inhabitants between the ages of twenty-one and fifty years inclusive.

Third—To control the finances and property of the city; provided, that the city council shall have no administrative as distinguished from the legislative power.

Fourth—To acquire by purchase or by exercise of the right of

eminent domain or otherwise, and for the use and in the name of the city, such lands and other property as may be deemed necessary, proper or convenient for any of the corporate uses provided for by this charter; and to acquire for the use of the city any property by gift, bequest or devise, and to dispose of all such property as it shall have, as the interests of the city may from time to time require.

Fifth—To borrow money for corporate purposes on the credit of the city, and to authorize the issue of negotiable bonds therefor on such condition or conditions and in such manner as may be prescribed in this charter and the constitution and laws of this state; but the indebtedness of the city shall at no time exceed in the aggregate ten per centum of the value of all taxable property in said city, such value to be ascertained and determined by the last assessment for city purposes previous to the incurring of such indebtedness; and under the limitations above stated to authorize the issue of bonds in place of or to supply the means with which to meet maturing bonds or other indebtedness or for the consolidation or funding of the same; provided, that no bond or set of bonds shall be issued for a longer period than twenty years.

Sixth—To provide for the purchase or appropriation of property within or without the corporate limits of the city for its corporate uses, upon making just compensation to the owners thereof; and to provide for the institution and maintenance of such proceedings as may be authorized by the general laws of the state for the appropriation of private property for public use.

Seventh—To lay out, establish, open, alter, widen, extend, grade, pave, plank, establish grades or otherwise improve streets, alleys, avenues, sidewalks, wharves, parks and other public grounds, and to regulate and control the use thereof and to vacate the same and to authorize or prohibit the use of electricity at, in or upon any of said streets or for other purposes, and to prescribe the terms and conditions upon which the same may be so used and to regulate the use thereof.

Eighth—To change the grade of any street, highway or alley within its corporate limits and to provide for the payment of damages to any abutting owner or owners who shall have built or made other improvements upon such street, highway or alley at any point opposite to the point where such change shall be made in such grade.

Ninth—To authorize or prohibit the locating and constructing of any railroad or street railroad in any street, alley or public

place of said city and to prescribe the terms and conditions upon which any such railroad or street railroad shall be located, operated or constructed; to provide for the alteration, change of grade or removal thereof; to regulate the moving and operation of railroad and street railroad trains, cars and locomotives within the corporate limits of said city; and to provide for the protection of all persons and property against injury in the use of any such railroad or street railroad.

Tenth—To provide for making local improvements and to levy and collect special assessments on property benefited thereby, and for paying for the same or any portion thereof.

Eleventh—To acquire by purchase or by exercise of the right of eminent domain or otherwise lands for public parks, within or without the limits of said city, and to improve the same.

Twelfth—To construct and keep in repair bridges, viaducts and tunnels, and to regulate the use thereof.

Thirteenth—To determine what work shall be done or improvements made at the expense in whole or in part of the owners of the adjoining, contiguous or proximate property, or others especially benefited thereby and to provide for the manner of making and collecting assessments therefor.

Fourteenth—To provide for erecting, purchasing or otherwise acquiring waterworks within or without the corporate limits of the city, to supply said city and its inhabitants with water, and to authorize the construction of the same by others when deemed for the best interests of the city and its inhabitants, and to fix, alter, regulate and control the use and price of the water so supplied.

Fifteenth—To provide for lighting the streets and all public places, and for furnishing the inhabitants thereof with gas or other lights, and to provide for the erection or other acquisition and maintenance of the same or to authorize the erection and maintenance of such works as may be necessary and convenient therefor, and to charge and collect for the use of such light, and to regulate the use and price of the light so supplied either by the city or by others.

Sixteenth—To establish and regulate markets, and to provide for the weighing, measuring and inspection of all articles of food or drink offered for sale thereat or at any other place within the limits of the city, by proper penalties, and to enforce the keeping of proper legal weights and measures by all vendors in the city, and to provide for the inspection of such weights and measures.

Seventeenth—To erect and establish hospitals and pest-houses, and to control and regulate the same.

Eighteenth—To erect and establish workhouses and jails, and to control and regulate the same, and to provide for the working of prisoners confined therein; provided, that no prisoner shall be required to perform any labor until he shall have been duly convicted of some offense punishable by imprisonment, and duly sentenced thereto.

Nineteenth—To provide for establishing and maintaining reform or training schools for juvenile offenders.

Twentieth—To provide for the establishment and maintenance of a public library or libraries, and to appropriate annually such per centum of all moneys collected for fines, penalties and licenses as shall be prescribed by this charter for the support of a city library which shall, under such regulations as shall be prescribed by ordinance, be open for use by the public.

Twenty-first—To regulate the burial of the dead, and to establish and regulate cemeteries within or without the corporate limits, and to acquire land therefor by purchase or condemnation or otherwise; to cause cemeteries to be removed beyond the limits of the corporation, and to prohibit the establishment of any cemetery within two miles of the boundaries of the city.

Twenty-second—To direct the location and construction of all buildings in which any trade or occupation offensive to the senses or deleterious to the public health or safety shall be carried on, and to regulate the management thereof; and to prohibit the erection and maintenance of such buildings or structures, or the carrying on of such trades or occupations within the limits of said city or within the distance of two miles beyond the boundaries thereof.

Twenty-third—To make regulations for the prevention of accidents by fire, to organize and establish a fire department, to provide fire engines and other apparatus, and to provide for the prevention and extinguishment of fires and to regulate or prohibit the transportation, keeping or storage of all combustible or explosive materials within the corporate limits of the city, and to restrain and regulate and prohibit the use of fireworks.

Twenty-fourth—To establish fire limits and enlarge the same as circumstances may require, and make all such regulations for the erection and maintenance of buildings or other structures within the corporate limits as the safety of persons or property may require, and to cause all such buildings and places as may from any

cause be in a dangerous state to be put in a safe condition, and to prohibit the erection or construction within such fire limits of any building or structure or any addition to any building or structure unless such building, structure or addition be constructed of such material and in conformity to such rules, regulations and conditions as the city council shall have provided; and to provide for the removal of any building or structure or any addition to any building or structure erected contrary to such prohibition.

Twenty-fifth—To regulate the manner in which stone, brick and other buildings, party walls and partition fences shall be constructed and maintained.

Twenty-sixth—To provide for the deepening, widening, docking, covering, walling, altering or changing the channels of waterways and water-courses, and to provide for the construction and maintenance of canals, slips, public landing places, wharves, docks and levees, and all such other work as may be required for the accommodation of commerce, and to control and regulate the use thereof; and further, to provide for the condemnation of all such work or works by the city and for its use and benefit; and for the construction and maintenance and ownership of the same by the city.

Twenty-seventh—To control, regulate or prohibit the anchorage, moorage and landing of all water crafts and their cargoes within the jurisdiction of the corporation.

Twenty-eighth—To fix the rate of wharfage, storage and dockage, and to provide for the collection thereof, and to provide for the imposition and collection of such harbor fees as may be consistent with the laws of the United States.

Twenty-ninth—To license, regulate, control or restrain wharf boats, tugs and other boats used about the harbor or within the jurisdiction of the city.

Thirtieth—To require the owners of public halls or other buildings to provide suitable means of exit; to provide for the prevention and abatement of nuisances; for the cleaning and purification of water courses and canals; for the draining and filling up of ponds on private property within its limits, when the same shall be offensive to the senses or dangerous to health; to regulate and control and provide for the prevention and punishment of the defilement or pollution of all streams running into or through its corporate limits, and for the distance of five miles beyond its corporate limits, and on any stream or lake from which the water supply of said city is or may be taken, for a distance of five miles beyond

its source of supply; to provide for the cleaning of areas, vaults and other places within the corporate limits which may be so kept as to become offensive to the senses or dangerous to health; and to make all such quarantine and other regulations as may be necessary for the preservation of the public health; and to remove all persons afflicted with any infectious or contagious disease to some suitable place to be provided for that purpose.

Thirty-first—To declare what shall be a nuisance, and to provide for the abatement of the same, and for the punishment of any person or party who may create, continue or suffer a nuisance to exist.

Thirty-second—To license, tax, regulate and confine within limits to be by the city council prescribed, the selling or giving away of intoxicating, spirituous, malt, vinous, mixed or fermented liquors, and the collection of the license money arising therefrom for the use of the city; provided, that no license shall be granted to any person or persons who shall not first comply with the general laws of the state in force at the time the same is granted. And provided further, that the sum required for such license shall in no case be less than the amount required by the general laws of the state for houses or business of like character; and bonds required to be given by keepers or proprietors of saloons or drinking houses shall not in any case be fixed at less than two thousand dollars.

Thirty-third—To authorize the granting of licenses for any lawful purpose, and to fix by ordinance the amount to be paid therefor, and to provide for the revoking of the same; provided, that no license shall be granted to continue for a longer period than one year from the date thereof.

Thirty-fourth—To regulate the carrying on within the corporate limits of the city of occupations which are of such nature as to affect the public health or good order of the city, or to disturb the public peace, and which are not prohibited by law, and to provide for the punishment of all persons violating such regulations and of all persons who knowingly permit the same to be violated in any building or upon any premises owned or controlled by them.

Thirty-fifth—To restrain and provide for the punishment of vagrants, mendicants, prostitutes and other disorderly persons.

Thirty-sixth—To provide for the punishment of all disorderly conduct and of all practices dangerous to public safety or health, and to make all regulations necessary for the preservation of public morality, health, peace and good order within its limits, and to

provide for the arrest, trial and punishment of all persons violating any ordinance of the city; but such punishment shall in no case exceed the punishment provided by the laws of the state of Washington for misdemeanors.

Thirty-seventh—To project or extend or establish streets over and across any tide lands or other lands covered by water within the corporate limits of the city, and along or across the harbor areas of the city, in such manner as will best promote the interests of commerce.

Thirty-eighth—To restrain or prevent domestic and other animals from running at large; and to license, tax, regulate and restrain the keeping of dogs within the city limits, and to authorize the distraining, impounding and sale of said domestic and other animals for the penalty incurred and costs of proceeding, and to authorize the destruction of dogs impounded for want of license.

Thirty-ninth—To regulate and prohibit the location and use of any steam boiler or boilers or electric plant or steam pipes, or electric wires of any kind of power-generator or power-reservoir or plant or conduits now known or hereafter to be invented.

Fortieth—To ordain, establish, modify and abrogate from time to time, as the needs of the city shall require, all proper offices and bureaus, subordinate and auxiliary to the departments and heads thereof constituted by this charter, and to provide for the conduct and government of such offices and bureaus, and the appointment, removal, duties and compensation of officers to fill the same.

Forty-first—To alter, amend and repeal any ordinance or ordinances or parts thereof of the city.

Forty-second—To make all rules and regulations necessary or proper to carry into execution all powers vested by this charter, or by law, in said city, or in any department or officer thereof.

SEC. 23. The city council shall, in addition to the powers enumerated in the last foregoing section, have all other powers usually exercised by the legislative bodies of municipal corporations of like character and degree with the city of Seattle, and all powers which now are or may hereafter be conferred upon incorporated towns and cities by the laws of this state.

SEC. 24. Every grant of a franchise, right or privilege shall be subject to the right of the city council at any time thereafter to repeal, change or modify the said grant, and every ordinance making such grant shall contain a reservation of the right of the city council to repeal, amend or modify said ordinance, with due regard to the rights of the parties and the interests of the public.

SEC. 25. The city council shall not grant any franchise for the construction of any wharf into any bay, lake or other body of water, except in the manner following, that is to say: In addition to the requirements under the general laws, each and every ordinance granting such franchise must receive the vote of at least two-thirds of all the members of each house, and shall provide that work shall commence within six months and be prosecuted continuously, and shall be completed within one year thereafter. Said time shall not be extended for any cause, and unless so completed the franchise shall be forfeited.

SEC. 26. No exclusive franchise or privilege shall be granted for the use of any street, alley, highway or other public place or any part thereof.

SEC. 27. The city council shall not grant authority to construct a street railway or lay down street railroad tracks upon or over any of the streets of said city, except in manner and on the terms following, that is to say: Upon the application being made to the city council for authority to construct and operate a street railway along and upon any of said streets, the city council shall, by concurrent resolution, determine whether such franchise, or any part thereof, shall be granted, and after such determination they shall cause notice of such application and resolution to be published for ten days in the city official newspapers, at the expense of the applicant, and shall in such notice specify the route over and along which they propose to grant such franchise, and shall offer to grant the same to the person, company or corporation who will pay the highest sum for the franchise. Bidding for such franchise must be in accordance with the provisions of this charter in relation to bids made to the board of public works, so far as such provisions may be applicable, and the city council may reject any and all bids, and may refuse to grant a franchise for any part of the route for which the application was made. Each bid must be accompanied by a certified check, payable to the order of the city comptroller, for an amount equal to at least ten per centum of the amount bid, and the amount of the check shall be forfeited and paid to the city in case the successful bidder shall fail to pay the amount of his bid within thirty days after the acceptance of the same.

SEC. 28. The city council shall make no appropriation in aid of any corporation, person or society, unless expressly authorized by this charter or the laws of the state.

SEC. 29. The city council, after the taxes have been levied in

any year, shall have power to make temporary loans in anticipation of the collection of such taxes, such loans to be applied to the purposes for which such taxes have been levied and to no other purpose, and such taxes shall be inviolably applied to pay such loans.

SEC. 30. When loans shall be created exceeding one and a half per centum of the taxable property in the city, and bonds therefor issued by the city under this charter, the city council in authorizing and providing for the same shall direct the times and manner of payment and rates of interest, but no such bonds shall be issued except as provided by law, nor unless the proposition for creating such indebtedness shall have been previously submitted to the electors of the city at a regular, general or special election, of which thirty days' notice shall have been published in the city official newspapers, and such proposition shall have then received the assent of three-fifths of the voters voting at such election. The mode and manner of submitting such proposition to the voters shall be prescribed by ordinance. And in case such three-fifths of the voters are in favor of such loan the city council may, after such election, by ordinance confirm the loan; but no bonds shall be issued therefor until after such confirmation, nor until the city council shall have made specific provision for payment annually of interest on such bonds and for a fund to pay the interest on such bonds and a sinking fund to be raised by annual tax at least five years before the bonds are due, sufficient to pay and discharge such bonds at maturity, and the faith and property of the city shall be and is hereby pledged for the final payment of any and all such loans. The city council may refund any funded indebtedness at such times and upon such terms as they may see fit; provided, that the rate of interest upon such refunded bonds shall never exceed that of the bonds to pay which they were issued.

SEC. 31. No debt or obligation of any kind against the city shall be created by the city council except by ordinance specifying the amount and object of such expenditure.

SEC. 32. Neither the city council nor any officer, board, department or authority shall allow, make valid or in any manner recognize any demand against the city which was not at the time of its creation a valid claim against the same, nor shall they or any of them ever allow or authorize to be paid any demand which, without such action, would be invalid, or which shall then be barred by any statute of limitation, or for which the city was never liable.

SEC. 33. All claims for damages against the city must be pre-

sented to the city council and filed with the clerk within six months after the time when such claim for damages accrued, and no ordinance shall be passed allowing any such claim or any part thereof, or appropriating money or other property to pay or satisfy the same or any part thereof until such claim has first been referred to the proper department, nor until such department has made its report to the city council thereon pursuant to such reference. No action shall be maintained against the city for any claim for damages until the same has been presented to the city council and sixty days have elapsed after such presentation.

SEC. 34. The city council shall in every ordinance prohibiting or requiring any act or omission, impose a penalty for the violation thereof or non-compliance therewith.

SEC. 35. Two daily newspapers of general circulation, and published in the city, to be styled "city official newspapers," shall be designated in the following manner: The city clerk shall, within thirty days next after this charter becomes operative, and on each first Monday of November after eighteen hundred and ninety, cause to be published for ten consecutive days (excluding Sundays) in some newspaper of general circulation in the city, a call to the owners and managers of newspapers for sealed proposals to do the city printing until the close of the then next ensuing fiscal year, each of which proposals shall be accompanied by a bond, with not less than two sureties, in the sum of five thousand dollars, approved by the comptroller and corporation counsel, conditioned that if the proposal be accepted the party proposing will, during the period mentioned in its proposal, well, seasonably and faithfully cause to be accurately printed and published, according to law, in a certain daily newspaper (naming it) of general circulation in the city, all and singular the matters and things required by law to be published in the city official newspapers of the City of Seattle, or either of them, and shall with such bond be delivered into the city clerk's office, sealed up in an envelope indorsed "Sealed proposals and bond for city printing," on or before the twentieth day next after the first publication of such call, and shall be endorsed by the city clerk at the time of such delivery with the date of his reception thereof, and shall be first opened by the board of aldermen as early as may be in its next monthly session thereafter, and thereupon said board shall by resolution announce the names of all parties whose proposals have been offered, and the terms of their proposals respectively, and designate as "city official newspaper" that newspaper whose

manager or owners have offered the lowest and best proposals, with duly approved bond, and such newspaper shall forthwith, or if not designated until after 1890, then at the end of the then current fiscal year, be such city official newspaper, and the other city official newspaper shall be whatever other newspaper having general circulation and published in the city and giving like bond and agreeing to do the city printing at rates which in the judgment of the board are substantially equivalent, shall be designated by resolution of the board; provided, that preference in designating the second newspaper shall be given to a newspaper of different political proclivity from the first; and provided further, that whenever from any cause whatever either city official newspaper shall be lacking, the mayor shall designate and employ a like newspaper to serve as such until designation and qualification is made and had as above directed under like bond and for reasonable compensation to be audited by the comptroller. Bonds accompanying unsuccessful proposals shall be returned to the proposers, and all other bonds shall be filed by the city clerk and securely kept by him. All ordinances, resolutions, notices, tax and assessment sales, and all other proceedings, statements, matters and things of the mayor, city council or any department or board or other officer or functionary of the city, which by this charter are or shall be required to be published, except the statement prescribed in the thirty-sixth section of this article, shall be published in the city official newspapers.

SEC. 36. The city council shall at least once in each year and not less than twenty nor more than sixty days before the biennial election, cause to be printed in pamphlet form a full and intelligible statement of all the receipts and expenditures of every description for the fiscal year ending on the thirty-first day of December next preceding such statement, including all the moneys which have passed through the hands of the treasurer for any purpose whatever, together with the different sources of city revenue, the amount received from each, the several appropriations made by the city council, the objects for which the same were made and the sums expended for each, and any money borrowed upon the credit of the city, whether by temporary loans or by the issue of bonds, the terms upon which it was obtained, the authority under which it was borrowed, and the purpose to which it was applied, and how much of the same or other city indebtedness has been paid and by what means; a copy of which statement shall be supplied to every citizen of the age of twenty-one years or

upwards making application therefor. The statement shall also include a detailed account of city property, personal and real, its value, and if rented to whom and on what terms, and of existing debts of every description, and of the condition of the sinking funds, with all other information necessary for a full understanding of the financial concerns of the city.

SEC. 37. All ordinances in force in the city at date of the adoption of this charter, and not inconsistent therewith, shall remain in force until repealed or until they expire by limitation.

ARTICLE V.

THE EXECUTIVE DEPARTMENT.

SECTION 1. The chief executive officer of the city shall be a mayor, who shall hold his office for the term of two years, and until his successor shall have been elected and qualified. He shall be at least thirty years of age, a citizen of the United States and of the State of Washington, and a qualified voter of the City of Seattle at the time of his election, and an inhabitant and tax payer of the city for at least two years before the day of his election. He shall not be eligible to the office of mayor or any other office in said city until after the lapse of two years from the time of the expiration of his term of office as mayor.

SEC. 2. The mayor shall see that all the laws and ordinances in force in the city are faithfully executed, and shall direct and control all subordinate officers of the city, except in so far as such direction and control is by the provisions of this charter reposed in some other officer or board, and shall maintain peace and good order in the city. He shall have power at all times, in any emergency, of which he shall be the judge, to assume command of the whole or any part of the police force of the city. In case of riot, tumult, or violent disturbance of the public order, the mayor shall have, as the exigency in his judgment may require, the right to assume control, for the time being, of the police force, but before assuming such control he shall issue his proclamation to that effect, and it shall be the duty of the police commission and chief of police to execute orders promulgated by him for the suppression of such tumult and the restoration of order.

SEC. 3. The mayor is empowered to call on every male inhabitant of the city over the age of eighteen years to aid in enforcing the laws and ordinances in force in said city, in preventing and

extinguishing fires, and in preserving the peace and safety of the city. The city council shall have power to enact an ordinance or ordinances providing for the punishment of any such person as the mayor has a right to call upon as aforesaid, for wilfully refusing or neglecting to obey any such order or call.

SEC. 4. In the absence of any express provision in this charter as to the manner of electing or appointing any officer, the mayor shall nominate, and with the consent of the board of aldermen, appoint such officer as is provided for herein and any ordinance enacted in pursuance thereof.

SEC. 5. If the board of aldermen shall refuse to confirm any nomination of the mayor, then he shall within ten days thereafter nominate another person to fill the office, and he may continue to nominate until his nominee is confirmed. If the mayor fails to make another nomination within ten days from the rejection of a nomination for the same office, then the board of aldermen shall elect a suitable person to fill the office during the term.

SEC. 6. Whenever the mayor shall remove an appointive officer, the vacancy for the unexpired term shall be filled by appointment in the same manner as if at the beginning of the term.

SEC. 7. It shall be the duty of the mayor annually at the first meeting after the commencement of the fiscal year to communicate by message to the city council a statement of the condition and affairs of the city, and to recommend the adoption of such measures as he may deem expedient and proper; and he shall, further, have the right to make special communications to the city council from time to time as he may deem useful and proper.

SEC. 8. The mayor shall see that all contracts and agreements made with the city or for its use or benefit are faithfully kept and performed, and to this end he shall cause any legal or equitable proceedings to be instituted and prosecuted against all persons or corporations failing to fulfill their agreements with the city. And it is the duty of every officer of the city, when it shall come to his knowledge that any contract with the city relating to the business of any office has been violated by the other contracting party, to forthwith report the fact to the mayor.

SEC. 9. The mayor shall, unless in this charter otherwise provided, take and approve all official undertakings or bonds which may be required of any officer, employe or agent of the city as security for the faithful performance of his duty; and he shall also take and approve any such bond or undertaking as may be

required of any contractor for the faithful performance of his contract; and when he approves any bond or undertaking he must immediately file the same with the city clerk.

SEC. 10. The mayor shall perform such other duties and exercise such other authority as may be prescribed by any law of the United States or of the State of Washington, or by this charter or any ordinance of the city.

SEC. 11. In case of the absence of the mayor from the city, or if he from any cause be incapacitated from acting, the president of the board of aldermen, or if he be absent or incapacitated, the president of the house of delegates shall act as mayor, and for the time being enjoy all his powers.

SEC. 12. The mayor may be removed from his office for any wilful violation of his duty during his term of office, or for the commission of a crime or misdemeanor involving moral turpitude, but only upon notice thereof, together with a copy of the charges against him, given to him at least five days before the hearing, and an opportunity to be present in person and with his counsel and offer evidence in his own behalf, and to be heard by himself and counsel, and then only upon the affirmative vote of two-thirds of the members of the city council when assembled as a court of impeachment, and for that purpose the city council shall have the same power that it would have in trying any other officer.

SEC. 13. There is hereby constituted a body to consist of the mayor, president of the board of aldermen, president of the house of delegates, the chairman of the board of public works, city comptroller and city treasurer, to be called the advisory board. The mayor shall, once in each quarter, and as much oftener as the interests of the city appear to him to require, call a meeting of such advisory board. Such meetings shall be for the purpose of comparing views and consulting together with regard to the affairs of the city, and shall have the power to make recommendations and suggestions to the city council and to the various other departments of the city government. The mayor shall preside at all meetings of the advisory board, and the city clerk or his deputy shall act as

[SEC. 13. There is hereby constituted a body to consist of the mayor and the heads of all departments of the city government, and to be called the advisory board. The mayor shall once in each quarter, and as much oftener as the interests of the city appear to him to require, call a meeting of such advisory board. The advisory board shall be for the purpose of comparing views and consulting together with regard to the affairs of the city, and shall have power to make recommendations and suggestions to the city council and to the various other departments of the city government. The mayor shall preside at meetings of the advisory board, and the city clerk or his deputy shall act as clerk thereof. All proceedings of the advisory board shall be kept on record in the city clerk's office.]

clerk thereof. All proceedings of the advisory board shall be kept on record in the city clerk's office.

ARTICLE VI.

THE CLERICAL DEPARTMENT.

SECTION 1. There shall be a city clerk, who shall hold his office for the term of two years and until his successor shall be elected and qualified. He shall be a citizen of the United States and of the State of Washington and a qualified voter of the City of Seattle at the time of his election, and shall have been an inhabitant and taxpayer of the city for at least two years next before the day of his election.

SEC. 2. The city clerk, subject to the control of the city council, may appoint a deputy or deputies, for whose official acts the said city clerk shall be held responsible, and whom he may at any time remove. Every such deputy shall have the power to perform any of the duties of the city clerk in the name of such clerk.

SEC. 3. The city clerk or a deputy clerk shall attend all meetings of the board of aldermen and the house of delegates, and the joint conventions thereof, and keep a full and complete record of the proceedings of such meetings. He shall have the custody of the city seal, the public records, except such as are entrusted by the provisions of this charter to other officers, the original rolls of ordinances of the city council, the original contracts, deeds and certificates relative to the title of any property of the city, all official indemnity or security bonds except his own bond and such other records, papers and documents of value as are not required to be deposited with any other officer. He shall attest all public instruments and official acts of the mayor by his signature and city seal, and shall also certify under his hand and the seal of the city all copies of such original documents, records and papers in his office as may be required by any officer or person, and charge therefor such fees for the use of the city as may be provided by ordinance. The city clerk shall perform such other duties as may hereinafter be prescribed, and also such as the city council may direct, consistent with this charter.

SEC. 4. The city clerk shall receive such compensation as is provided in the article relating to salaries and compensation of officers in this charter.

ARTICLE VII.

THE DEPARTMENT OF POLICE.

SECTION. 1. The police department shall be under the management of a police commission, to consist of the mayor, who shall be the chairman of the commission, and four (4) police commissioners, each of which commissioners shall be appointed by the mayor, by and with the advice and consent of the house of delegates, and shall hold office for four (4) years, and until his successor is appointed and qualified. In making the first appointment the mayor shall appoint not more than two from the same political party, nor more than one from any ward, and shall appoint one for one, one for two, one for three, and the other for four years, and so that no two of the same political party shall go out of office in consecutive years. The mayor shall never make any appointment the result of which would cause more than two of said commissioners to be of the same political party, nor more than one from any ward. The police commissioners shall receive no compensation directly or indirectly for any service rendered by them as commissioners. No police commissioner shall hold or be eligible to any other municipal office during his incumbency of office, or for one year thereafter, nor shall he, during his term of office, be a member of, or take any part in, any political convention the purpose of which is to nominate candidates for political office, or take any part in any election except to deposit his vote, nor shall he directly or indirectly influence or attempt to influence or control the action of any member or employe of said department, or knowingly suffer to be received or collected from any member of the police force an assessment or contribution for city or political purposes. A violation of any of the provisions of this section shall be cause for immediate removal from office of the person guilty of such violation. The chairman of the commission shall have power to convene said commission at such times and places within the city and upon such reasonable notice as he may deem proper. The concurrence of three members shall be necessary to any decision or order of the commission. The city clerk shall have the custody of all the records and official documents of the police commission, and shall keep the same in such place as the city council shall provide.

SEC. 2. The police force shall consist of a chief of police and as many subordinate officers and regular and special policemen and detective officers as the city council shall from time to time by

ordinance prescribe; provided, that the mayor may, when the public safety requires it, in cases of emergency, to be by him determined, appoint any number of special policemen, who shall discharge their duties and hold their positions at the pleasure of the mayor until the conclusion of the meeting of the city council held next after such appointment and not longer.

SEC. 3. *First*—The police commission may prescribe rules and regulations, not inconsistent with ordinances of the city or this charter, for the government and control of the police force, and fix and enforce penalties for their violation.

Second—The police commission shall appoint the chief of police and all subordinate police officers and regular and special policemen, except as in this article otherwise provided, and detective officers, and may from time to time remove the chief of police or any of such police officers or any regular or special policemen, or any detective officer, for such cause as to them shall seem just and proper. Every appointee to the police force must be a citizen of the United States, of good character for honesty and sobriety, able to read the English language, and must have been a resident of this city for at least one year preceding his appointment; every appointee hereafter appointed, except the chief of police, shall not be less than twenty-five nor more than fifty years of age, and must possess such physical qualifications as will enable him to pass a satisfactory medical examination under such rules and regulations as may be prescribed by the police commission.

Third—The police commission shall annually, or oftener if they deem best, or if required by the city council, make a report to the mayor and city council of any municipal legislation by them deemed necessary to improve the condition of the police force and the administration of the police department, and shall report in like manner fully to the mayor and city council the business and condition of the police force, showing the number of arrests made during the year, the cause thereof, together with such other general and special information as they can respecting the peace and good order of the city, and also an estimate of the amount of money that will be required to pay salaries and expenses of the police department for the ensuing fiscal year, specifying in detail the items for which the same will be required.

Fourth—The police commission shall have such further powers and be subject to such further duties as may be granted or imposed by the city council by ordinance.

SEC. 4. *First*—The chief of police shall be the chief peace officer of the city, and all process issued by the police judge of the city, or by any justice of the peace in the city, under authority of this charter or any ordinance of the city, and to which the city is a party, shall be directed to him for service, and may be served and returned by the chief of police or any police officer or regular or special policeman. The chief of police or some member of the police force, whom he shall from time to time designate, shall attend upon each of the courts of the police judge or justices of the peace in the city, and at each meeting of the board of aldermen and house of delegates. The chief of police shall exercise vigilant control over the police force and maintain the peace and quiet of the city. He shall be the keeper of the city prison. He shall have in the discharge of his duties like powers and be subject to like responsibilities as the sheriff of King county in similar cases, and shall perform such other duties and have such other powers as may be imposed on or granted to him by this charter or by ordinance of the city.

Second—The chief of police or any police officer or any regular or special policeman shall make arrests with warrant for any crime or violation of the laws of the state or any ordinance of the city, committed within the city, and shall make arrests without warrant in such cases as shall be prescribed by ordinance, but not otherwise; provided, that until the city council prescribe such cases all arrests may be made without warrant. The chief of police shall keep a correct record of all arrests made by him or other members of the police force, showing the time and cause of complaint upon which each arrest was made, with a list and description of all property and money taken from each person, with a statement of the disposition made of the same, and make a full report thereof in writing each month to the police commission.

Third—The chief of police shall be held responsible for all property and money taken from any person, and shall be liable therefor on his official bond, and any person may recover for loss of any such property or money in an action brought for that purpose, as shall be prescribed by ordinance.

Fourth—The duties of the other police officers and regular and special policemen and detective officers shall be such as may be prescribed from time to time by ordinance or by resolution of the police commission, in addition to the duties hereinbefore prescribed.

Fifth—No member of the police force shall engage in any other profession or calling, or become bail for any person charged with any offence whatever, or recommend to persons charged with crime the employment of any particular attorney. No member of the police force shall be allowed pay for any period during which he may have been absent from duty unless such absence resulted from sickness, or from disability occasioned by injury received in the discharge of his duty.

SEC. 5. Each member of the police force shall receive a salary to be fixed by ordinance, which shall not be increased or diminished within one year after his appointment. No member of the police force shall receive any fees nor any compensation whatever, directly or indirectly, from the city, county or state, for any services rendered or act done, while a member of such police force, other than the salary above provided for.

SEC. 6. The police commission shall meet at least once a month at such times and places as they shall by resolution determine, and in such special meeting as may be by them from time to time found expedient. The city council shall provide a suitable place for the meetings of the police commission.

SEC. 7. The city clerk, in person or by deputy, shall attend the meetings and perform the clerical work of the police commission.

ARTICLE VIII.

THE DEPARTMENT OF PUBLIC WORKS.

SECTION 1. There shall be, and is hereby created, a board of public works, which shall consist of three members, who shall be appointed by the mayor by and with the advice and consent of the board of aldermen, for the term of three years and until their successors are appointed and qualified. Such members shall be electors and freeholders of the city, and shall have resided in the city three years next before such appointment, and not more than two members of such board shall be members of the same political party. At the first meeting of the city council held after the adoption of this charter the mayor shall nominate three members of such board, one for the term of one year, one for the term of two years and one for the term of three years from and after the first Monday in January, eighteen hundred and ninety-one, and thereafter shall on the first Monday of January of each year appoint one member of such board to fill the vacancy of the member whose term is then about to expire. In case the board of aldermen shall

refuse to confirm any nomination made by the mayor, he shall send to them another name, and so continue to do until a party nominated is confirmed. The members first appointed shall hold such office from the date of their qualification.

SEC. 2. Within three days after the confirmation of the members of the first board, they shall meet at the office of the city clerk and proceed to qualify. The board shall then proceed to organize. The member having the shortest term to serve shall be chairman, who shall hold such office until his term expires, and on the expiration of his term the member having the shortest term to serve shall act as chairman, and so on from time to time. The board shall elect a secretary, who shall not be a member, who shall hold his office during the pleasure of the board. He shall keep his office at the place where the meetings of the board are held, which shall be kept open during business hours. He shall keep a complete record of all the proceedings of the board in a book kept for such purpose, and shall file and preserve all papers committed to his charge, and shall perform such other duties as the board may direct.

SEC. 3. The board shall hold regular meetings twice each month, and special meetings at such times as it may appoint, or the president may call. All meetings shall be public and shall be held at a place to be provided by the city council. Two members shall constitute a quorum and an affirmative vote of two members shall be necessary to adopt any motion, order or resolution, or to make any appointment.

SEC. 4. The board is hereby authorized and empowered, and it is hereby made its duty, subject to the provisions of the city charter, and saving to the city council such powers as are given it in this charter:

First—To make such rules and regulations as shall be deemed necessary for its government and the government and control of all officers by it appointed and persons in its employ.

Second—To certify all bills and allowances and claims due to contractors of public works, and officers and persons in the employ of the board.

Third—To take charge of, superintend, manage and control the water system, waterworks, mains, pumps, pipes, reservoirs and all matters and things connected therewith, and to manage, direct and control the building, operating and repair thereof by the city, and to cause the rates charged consumers of water by the city to be collected and paid into the treasury of the city.

Fourth—To have the management, control, building and repairing of the sewers of the city and all connections therewith.

Fifth—To have the control, management, building, repairs and direction of all wharves, docks, bridges, viaducts, landings, slips, boats and other structures which shall be building or owned by the city.

Sixth—To have the management, control and construction of all public buildings or other structures owned or constructed by the city, except as otherwise provided by this charter.

Seventh—To have the superintendence and management of all public grounds of the city and the ornamentation and improvement of the same, except as otherwise provided in this charter.

Eighth—To have the management and control of all the public streets and alleys in the city, and the superintendence of grading, paving, planking the same, and the building of sidewalks therein, and making other improvements therein.

Ninth—To have the superintendence of all public places, structures and works within the city not above enumerated, except as otherwise provided in this charter.

Tenth—To command, regulate, control and direct the erection and removal of poles in the streets for telephone and electric wires, for electric lights and motors; to fix the place of location and to control and direct the laying down of street railway tracks and turntables, and require all companies building and operating such roads to conform to the street grades in all streets wherein the same are operated; to fix and regulate the places and manner of laying down and taking up all motor, gas, steam, sewer and other pipes in the streets, and other public places in the city.

Eleventh—To appoint the following subordinate officers, who shall have such powers as the board may provide, or are in this charter prescribed, to-wit: A superintendent of water works, who shall, under the direction of the board, have the management of the water works and the water system of the city, and whose duty it shall also be to keep an account with all water consumers, and to collect monthly all water rates and rents and to pay the amounts so collected at least once each day into the city treasury, taking receipts therefor in duplicate, one of which shall be filed with the city comptroller and one retained in his office; he shall give bond to the city with sureties, to the satisfaction of the board of public works, in such sum as the board may determine, which bond shall be filed with the secretary of the board and approved by the board; a superintendent of sewers, who shall have such powers as

in this charter provided or the board may direct; a superintendent of buildings, bridges and wharves of the city, who shall be a skillful and practical builder, who shall have the management and control of the bridges, wharves and public buildings of the city under the direction of the board. A street commissioner shall also be appointed by the board, who shall have, under the direction of the board, the superintendence of the repairing, cleaning and reconstruction of the streets and gutters and sidewalks in the city, and the employment of all laborers thereon, and in the employment of such laborers he shall make no discrimination in favor of or against the members of any association or party. Each of the above subordinate officers shall hold his office during the pleasure of the board, and shall receive such compensation as the city council may by ordinance provide.

Twelfth—The board of public works shall have such other and further powers and perform such other duties not inconsistent with this charter as may be prescribed by ordinance.

SEC. 5. The board shall also appoint a city engineer, who shall be skilled in the profession of civil engineering, and who shall hold his office during the pleasure of the board. It shall be the duty of such engineer to make all surveys, plans, specifications, maps, plats and estimates for any and all public work and improvement in the city, or on property belonging to the city, and to perform such other duties as may be required of him by the board or ordinances of the city. He shall receive such compensation as the city council may provide. All plans, specifications, maps and estimates made by the engineer for public improvements shall be filed with the secretary of the board, and be open to public inspection.

SEC. 6. All local improvements, the funds for the making of which are directly or indirectly to be derived in whole or in part from assessment upon the property benefited thereby, and such other improvements as the city council shall by ordinance prescribe, shall be made by contract, to be let to the lowest bidder therefor, under the management of the board of public works.

SEC. 7. Subdivision 1. Whenever the public interest or convenience may require the city council is hereby authorized and empowered to order the whole or any part of the streets, lanes, alleys, squares, or places of the city graded or regraded to the official

[SEC. 7. The city council shall, before ordering the grading or paving or other improvement of any street or alley, the cost of which is to be levied and assessed upon the property benefited, first pass a joint resolution declaring its intention to make such improvements, and stating in such resolution the name of the street to be improved, the points

grade, planked or replanked, paved or repaved, macadamized or remacadamized, graveled or regraveled, piled or repiled, capped or recapped, and to order sidewalks, sewers, manholes, culverts, curbing and crosswalks to be constructed or repaired therein, and to order any or all work to be done which shall be necessary to complete the whole or any portion of the streets, sidewalks, lanes, squares, alleys or places, and the city council may levy and collect an assessment upon all lots or parcels of land benefited by such improvements to defray the cost and expense thereof, which assessment shall become a lien upon all property liable therefor.

Subdivision 2. The city council shall by general ordinance provide the manner in which the aforesaid improvements may be made, and prescribe all needful regulations for the exercise by the city of the power granted and contained in the foregoing subdivision of this section; provided, that in all cases in which the cost of such improvement is to be defrayed by the collection of a special assessment upon the property benefited the following proceedings shall be taken, viz: There must be presented to the board of public works a written petition setting forth the street or streets, alley or alleys, squares or places, or parts thereof, to be improved, the nature of the improvement, the mode of payment and the fact that the signers are owners of property to be benefited to the aggregate amount of a majority of the assessment to be levied for such improvement, according to the transfer books in the office of the

between which the said improvement is to be made, the general character of the proposed improvement, and the estimate of the cost of the same, and that the cost of the same is to be assessed against the property abutting on such street proposed to be improved, and shall fix a time not less than fifteen days in which protests against such proposed improvement may be filed in the office of the city clerk. It shall be the duty of such clerk to cause such resolutions to be published in the official newspapers of the city at least ten days consecutively before the time fixed in such resolution for filing such protests, and affidavit of such publication shall be filed on or before the time fixed for such filing. If protests against the proposed improvement by the owners of more than two-thirds of the front feet of lots and lands abutting on such proposed improvement, be filed on or before the date fixed for such filing, the council shall not proceed further with the work. If no such protest is filed, the council shall at its next meeting proceed to consider the same, and shall then, or at a subsequent time to which such consideration is adjourned, proceed to enact an ordinance for such improvement. By the provisions of such ordinance a local improvement district shall be established, to be called Local Improvement District No. —, which shall include all the property fronting on the street to be improved between the points named in such joint resolution, to the distance back from such street, if platted into blocks, to the center of the blocks, if platted into lots only, to the center of each lot, and if not platted, to the distance of one hundred and twenty feet. Such ordinance shall provide that such improvements shall be made and that the cost and expense thereof shall be taxed and assessed upon all the property in such local improvement district, which cost shall be assessed in proportion to the number of feet of such lands and lots fronting thereon, and shall order the board of public works to proceed with the work. All assessments levied upon the lands of the United States, State of Washington, State University, County of King, the City of Seattle, or any school district, shall be paid by the City of Seattle out of its general road fund.]

county auditor. If the board of public works find the facts set forth in said petition to be true they shall cause an estimate of the cost of such improvement to be made and transmit the petition, together with all papers and information in their possession touching such improvement, with the estimated cost thereof, and their recommendation thereof, to the city council; provided, that no grade shall be changed when any abutting owner or owners have built or made improvements on any street, highway or alley, unless such petition shall be signed by the owners of a majority of the frontage on the street, highway or alley within the district to be affected.

The city council shall have full authority to consider all matters in relation to such proposed improvement, and may authorize or refuse the same in their discretion; providing that the said city council or board of public works shall not have authority to further proceed in the matter of such improvement whenever the estimated or actual cost of any work or improvement contemplated or ordered to be done by the city council and chargeable as a lien under the provisions of this article against any lot or lots, parcel or parcels of land, shall exceed one-half of the total assessed valuation of the lots or parcels of land contained in such assessment district as the same appears upon the last annual assessment roll made for the levying of taxes for municipal purposes, in which case such improvement shall not be granted unless the same be so modified that the cost thereof will not exceed such one-half of the aforesaid valuation.

The action and decisions of the city council as to all matters passed upon by them in relation to the rejection or the granting of such petition shall be final and conclusive.

Subdivision 3. Said general ordinance shall also provide for the establishment of a local improvement district, to be called local improvement district No. —, which shall include all the property between the termini of said improvement abutting upon, adjacent or proximate to the street, alley, place or square proposed to be improved to a distance back from the marginal line thereof of one hundred and twenty feet, and all property included within said limits of such local improvement district shall be considered and held to have a frontage upon such improvement, and shall be the property benefited by such local improvement, and shall be the property to be assessed to pay the cost thereof, which cost shall be assessed upon all of said property so benefited in proportion to the frontage thereof upon such improvement, one foot of frontage or

the equivalent thereof, viz: One hundred and twenty square feet of superficial area to be taken as the unit by which to determine the amount of frontage for which each of said lots, parcels or parts thereof benefited as aforesaid shall be assessed as aforesaid; provided, that in case of rectangular blocks abutting upon said street proposed to be improved and having a depth back from said street of less than two hundred and forty (240) feet, the line of the assessment district shall extend only to the center of said block or blocks.

Said assessment district shall, for the purpose of said assessment, be divided into four subdivisions parallel to the center line of the street or alley proposed to be improved, each thirty feet in width and beginning with the one nearest to the marginal line of said street to be numbered respectively first, second, third and fourth. Each front foot or its equivalent area in the first subdivision thirty feet wide nearest to the street to be improved shall be assessed 40 per cent. of the total amount to be assessed against each front foot or its equivalent; the second subdivision thirty feet wide between thirty and sixty feet back from the street shall be assessed 25 per cent. of the total amount to be assessed against each front foot or its equivalent; the third subdivision thirty feet wide between sixty and ninety feet back from the street shall be assessed 20 per cent. of the total amount to be assessed against each front foot or its equivalent; and the fourth subdivision between ninety and one hundred and twenty feet back from the street shall be assessed 15 per cent. of the total amount to be assessed against each front foot or its equivalent.

All assessments levied upon lands of the United States, state of Washington, state university, county of King, the city of Seattle or any school district shall be paid by the city of Seattle out of its general road fund.

Subdivision 4. In all cases of special assessment for local improvement of any kind against any property, persons or corporations whatsoever, and said assessments have failed to be valid, in whole or in part, because for want of form, insufficiency, informality or irregularity or non-compliance with the charter provisions governing such assessment, the city council shall be and hereby are authorized to reassess such special taxes or assessments, and to enforce their collection in accordance with the provisions of laws or ordinances existing at the time the reassessment is made.

And it is further provided, that whenever for any cause, mis-

take or inadvertence the amount assessed shall not be sufficient to pay the cost of the improvement made and enjoyed by the owners of property in the local assessment district where the same is made, that it shall be lawful, and the city council is hereby directed and authorized to make re-assessments on all the property in said local assessment district sufficient to pay for such improvement, such re-assessment to be made and collected in accordance with the provisions of the law or ordinances existing at the time of its levy.

SEC. 8. There shall be two modes of making payment for such local improvement, to-wit: "Immediate payment" and "payment by bonds." The mode to be adopted shall be the mode petitioned for. The mode of "immediate payment" shall be as follows: After the city council has by ordinance or joint resolution ordered or authorized the making of any local improvement, and not more than twenty days after the contract therefor has been let, as hereinafter provided, the board of public works shall report to the council an assessment roll prepared by the city engineer, which shall contain the description of each lot parcel of land or part thereof to be assessed with the number of feet frontage charged to each, the total frontage in the district (frontage to be determined as provided in section 7 of this article) the total cost of the improvement including all necessary incidental expenses, the rate per front foot, the amount of each assessment and the name of the owner of each lot, parcel of land or part thereof if known, but in no case shall a mistake in the name of the owner be fatal where a description of the property is given, together with the amount charged to street crossings.

The council on receipt of such roll and assessment shall cause a notice thereof to be published in the official newspapers of the

[SEC. 8. There shall be two modes of making payment for such local improvements, to-wit: "Immediate Payment" and "Payment by Bonds," and the council shall in the ordinance providing for such improvement declare in which mode such payment shall be made. The mode to be adopted shall be by payment by bonds, except in case the owners of more than three-fifths of the number of the front feet of the property fronting on such street in the district shall petition for the other mode at or before the passage of such ordinance, in which case the council shall adopt the mode petitioned for. The mode of immediate payment shall be as follows: The board of public works shall report to the council the estimated cost of the work as furnished them by the city engineer before letting the contract for such work, with an assessment roll showing the names of the owners, if known, of each lot and parcel of land in such district fronting on such street to be improved, the number of feet owned by each and the number of front feet of street crossings; if the name of any owner is not known as to any parcel the same shall be listed as unknown, and each lot and parcel shall be described, and the amount charged to each with the amount charged to street crossings shall be charged against each lot and parcel and crossing in proportion to the number of feet of the same fronting on such improvement. The council on receipt of such roll and assessment shall cause a notice thereof to be pub-

city for ten consecutive issues, notifying all persons interested that such roll has been filed and requiring them to appear at a time fixed, not less than fifteen days from the date of such notice, and make objection thereto. The council shall at the time fixed consider any and all objections made, and shall make such corrections of such roll as it deems just, and shall then deduct the amount of such cost assessed against street crossings, which shall be paid from the general road fund of the city, and shall then by ordinance approve such roll and shall levy and assess the amounts thereof against each parcel and lot and declare the same a lien thereon and shall direct the city clerk to deliver the roll to the city comptroller, who shall forthwith deliver to the city treasurer a certified copy thereof, upon receipt of which the treasurer shall proceed to collect the same as other city taxes are collected; provided, that such treasurer shall give ten days' notice in the official newspaper (and shall mail a copy of such notice to the owner of the property assessed when the postoffice address of such owner is known, but the failure to mail the same shall not be fatal when publication thereof is made) that such roll has been certified to him for collection, and that unless payment is made within thirty days from the date of such notice such assessment shall become delinquent and shall bear interest at the rate of 10 per cent. per annum until paid, and if not paid before such assessment shall have become delinquent a penalty of 5 per cent. shall be added, and the sums delinquent shall be entered on the annual tax roll for the current year against each lot and parcel so delinquent, and with the interest, collected as other taxes, separate account being kept thereof, and if not paid within the time fixed for the payment of

lished in the official newspapers of the city ten consecutive issues, notifying all persons interested that such roll has been filed and requiring them to appear at a time fixed, not less than fifteen days from the date of such notice, and make objection thereto. The council shall at the time fixed consider any and all objections made, and shall make such corrections of such roll as it deems just, and shall then deduct the amount of such cost assessed against street crossings, which shall be paid from the general road fund of the city, and shall then by ordinance approve such roll, and shall levy and assess the amounts thereof against each parcel and lot and declare the same a lien thereon, and shall direct the city clerk to deliver the roll to the city comptroller, who shall forthwith deliver to the city treasurer a certified copy thereof, upon receipt of which the treasurer shall proceed to collect the same as other city taxes are collected; provided, that such treasurer shall give ten days' notice in the official newspapers that such roll has been certified to him for collection, and that unless payment be made within thirty days from the date of such notice such assessments shall become delinquent and shall bear interest at the rate of ten per cent per annum until paid, and the sums delinquent shall be entered on the annual tax roll for the current year against each lot and parcel so delinquent, and with the interest collected as other taxes, and if not paid within the time fixed for the payment of city taxes, shall be collected as such taxes are collected and each lot or parcel so delinquent shall be sold for the amount of such assessment with interest and costs, at the time and in the manner and by the same authority as lands and lots are sold for city taxes.]

city taxes, shall be collected as such taxes are collected, together with such additional charges or penalties as are authorized to be charged and collected on other delinquent taxes, and each lot or parcel so delinquent shall be sold for the amount of such assessment with interest and costs, at the time and in the manner and by the same authority as lands and lots are sold for city taxes.

SEC. 9. If "payment by bonds" is to be made for such improvement, then and in such case each estimate and roll shall be made and returned and corrections made, and the notice given, as in the eighth section hereinabove provided, and the cost and expense of the improvement shall be assessed against the lots and parcels of land as in said section declared, payment for the crossings to be made as therein stated, and a copy of such roll filed with the city treasurer. But the ordinance shall further declare on making such levy that the sum charged against each lot and parcel of land shall be paid in not more than ten equal annual payments, with interest upon the whole sum so charged at a rate to be fixed by the city council in said ordinance, which annual rate of interest shall be in each case one per cent. per annum higher than the annual rate of interest which the bonds, to be issued in part payment of the cost of the improvement, are to bear, as hereinafter provided. Said interest shall be paid annually, and the city treasurer shall proceed to collect the amount due each year in the same manner as provided for collection in section 8 hereof.

In all cases of such payment by bonds the city council, as the agent of the local improvement district, shall cause to be issued, in the name of the City of Seattle, the bonds of such local improvement district for the whole estimated cost of such improvement, less the cost of such crossings and the amount assessed against lands of the United States, the State of Washington, State University, County of King, City of Seattle, or any school district. Such bonds shall be called "Local Improvement Bonds, District No. —, of the City of Seattle;" shall be payable not more

[SEC. 9. If "payment by bonds" is to be made for such improvement, then and in such case each estimate and roll shall be made and returned, and corrections made, and the notice given, as in the eighth section hereinabove provided, and the cost and expense of the improvement shall be assessed against the lots and parcels of land as in said section declared, payment for the crossing to be made as therein stated, and a copy of such roll filed with the city treasurer. But the ordinance shall further declare on making such levy, that the sum charged against each lot and parcel of land may be paid in not more than ten equal annual payments, with interest upon the whole sum so charged at the rate of seven per cent. per annum, the interest to be paid annually, and the city treasurer shall proceed to collect the amount due each year in the same manner as provided for collections in section 8 hereof, and in all cases of such payment by bonds, the city council shall

than ten years after date, and shall be subject to annual call by the city treasurer, in such manner and amounts as he may have cash on hand to pay the same in the respective local improvement fund from which such bonds are payable, and shall bear interest at such a rate per annum as the city council shall by ordinance determine; provided, that in no case shall such bonds bear a higher rate of interest than nine per cent. per annum; said interest shall be payable semi-annually at the office of the city treasurer. Such bonds shall be sold after thirty days' public notice thereof given, to the highest bidder therefor, but in no case shall such bonds be sold for less than par, and the proceeds shall be applied in payment of such improvement; provided, that when the mode of payment by bonds has been determined upon the improvement shall not be begun until the bonds shall have been negotiated, and all funds raised in each improvement district, as well as funds borrowed therefor, shall be paid into a fund for such district, to be called "Local Improvement Fund, District No. —, of Seattle," and the holder or holders of such bonds shall look only to such fund for the payment of either the principal or the interest of said bonds.

SEC. 10. All public improvements to be made by contract shall be let to the lowest and best bidder therefor. Before awarding any such contract the board shall cause to be published in the official newspapers of the city a notice, for at least ten days before the letting of such contract, inviting sealed proposals for such work, the plans and specifications whereof must, at the time of the publication of such notice, be on file in the office of the secretary of the board, subject to public inspection. Such notice shall state generally the work to be done, and shall call for proposals for doing the same, sealed and filed with the secretary on or before the day and hour named therein. All bids shall be accompanied by a certified check payable to the order of the city comptroller

issue the bonds of the city for the whole estimated cost of such improvement, less the cost of such crossings, and the amount assessed against lands of the United States, the State of Washington, State University, County of King, City of Seattle, or any school district. Such bonds shall be called "Local Improvement Bonds, District No. —, of the City of Seattle," shall be payable not more than ten years after date, with interest at a rate not exceeding six per cent. per annum, payable semi-annually at the office of the city treasurer. Such bonds shall be sold after thirty days' public notice thereof given, to the highest bidder therefor, but in no case shall such bonds be sold for less than par, and the proceeds shall be applied in payment of such improvement, the principal and interest of which bonds shall be paid by the city from proceeds of such local assessment, but the city shall be liable for the payment of both principal and interest, and all funds raised in each improvement district, as well as funds borrowed therefor, shall be paid into a fund for such district, to be called Local Improvement Fund, District No. —, of Seattle.]

for a sum not less than five per cent. of the amount of the bid, and no bid shall be considered unless accompanied by such check.

SEC. 11. At the time and place named, such bids shall be publicly opened and read; no bid shall be rejected for informality, but shall be received if it can be understood what is meant thereby. The board shall proceed to determine the lowest bidder, and may let such contract to such bidder, or if in their opinion all bids are too high, they may reject all of them and re-advertise, and in such case all checks shall be returned to the bidders, but if such contract be let, then and in such case all checks shall be returned to the bidders except that of the successful bidder, which shall be retained until a contract be entered into for making such improvement between the bidder and the city in accordance with such bid. If the said bidder fails to enter into such contract in accordance with his bid within ten days from the date at which he is notified that he is the successful bidder, the said check and the amount thereof shall be forfeited to the city, and the secretary shall deliver said check to the city comptroller, who shall draw said amount and pay the same into the city treasury, to the credit of the "local improvement fund," and the board shall re-advertise for proposals for such work. Neither the board nor city council shall have power to remit such forfeiture.

SEC. 12. In letting all contracts for public improvements the board shall provide therein that at least thirty per cent. of the amount due the contractor on estimates shall be retained to secure the payment of laborers who have performed work thereon, and material men who have furnished materials therefor, and such laborers and material men shall for thirty days after the work has been completed have a lien on such thirty per cent. so reserved for labor done and materials furnished, which lien shall be senior to all other liens, whether by judgment, attachment or contract, and no improvement shall be deemed completed until the board shall have filed with the city clerk a statement signed by a majority of them declaring the same has been completed. The city council shall by ordinance prescribe suitable means and remedies for the preservation and enforcement of the liens provided for in this section.

SEC. 13. Any funds remaining in the treasury belonging to the fund of any local improvement district, after the payment of the

[SEC. 13. Any funds remaining in the treasury belonging to any local improvement district, after the payment of the whole cost and expense of such improvement, shall be transferred to the fund of the earliest formed district the cost for the work of which has

whole cost and expense of such improvement in excess of the total sum required to defray all the expenditures by the city on account thereof, shall be refunded, on demand, to the person or persons who have overpaid the same, to the amount of such overpayment; and if there shall be such an excess in the assessment of any person who shall not have paid his assessment a rebate shall, on demand, be allowed to such person to the amount of such over assessment; provided, such demand hereinabove provided for be made within two years from the date upon which the assessment for such local improvement became due. Any such funds remaining in the treasury after the expiration of two years from the date aforesaid, for which no demand has been made as herein provided, belonging to any local improvement district, after the payment of the whole cost and expense of such improvement, shall be transferred to the fund of the earliest formed district the cost for the work of which has not been paid.

SEC. 14. No contracts for lights or lighting shall be let for a longer term than one year. The lights shall be of such kind and placed at such places as the city council may by ordinance prescribe.

SEC. 15. The members of the board of public works shall receive such compensation as the city council may by ordinance provide, and in case of any vacancy in the board, the mayor, by and with the advice of the board of aldermen, shall appoint a competent person to fill such vacancy for the unexpired term so vacant.

SEC. 16. No work shall be done by the city or any department, officer or employe thereof, on any legal holiday or Sunday by way of construction or extension of any public work, nor shall any work be done on any such day, or between seven o'clock p. m. of any day and six o'clock a. m. of the following day, by any corporation or other person, by way of construction, extension or removal of any structure upon, over, under or along any street, alley, or other public place within the city or under control of the city, except in case of extraordinary emergency, and then only upon the written permit of the mayor, wherein the fact of such emergency and the nature thereof shall be specified, and in case of violation of any provision of this section by any person or corporation owning, holding or claiming any franchise in, over, under or along

not been paid, and if at any time there shall be moneys remaining in any local improvement fund which are not required for payment of the bonds of such district within one year, the city council shall transfer the same to any other local improvement fund for immediate use, or may purchase local improvement bonds therewith, but in all cases of such transfer the city shall be liable for such moneys.]

such street, alley or other public place, all his or its right, title and interest in such franchise shall thereby be forfeited and instantly revert to the city. The mayor shall be free in his discretion to grant or withhold such permit. And in no case shall any corporation or person be permitted to commence the building or construction of any street or other railroad, telegraph, telephone or electric light line in the city without first obtaining a permit therefor from the board of public works.

SEC. 17. In all public work preference shall be given at all times to citizens of the United States and to those who have declared their intention to become citizens.

SEC. 18. The board of public works shall from time to time make such recommendations to the city council relating to the extension or improvement of the sewerage system as said board may deem proper.

SEC. 19. Said board, subject to such control as the city council shall by ordinance exercise, shall prescribe the location, form and materials to be used in the construction and repairs of all public sewers, man-holes, sinks, cesspools and other appurtenances belonging to the sewerage system, and of every private sewer emptying into a public sewer, and determine the place and manner of location thereof.

SEC. 20. Before any public sewer shall be contracted for or built, its construction shall be ordered by the city council, and the city engineer or any other person the council may designate, shall cause to be prepared the necessary estimates and plans for the work, and a profile showing the grades of the street and sewer, and the depth of such sewer below the surface of the street and the height above the level established and used as the city datum, and when such sewer is completed he shall cause a map to be prepared, showing the size and location of the man-holes, basins and branches.

SEC. 21. No person shall connect with or open or penetrate any public sewer or drain without first obtaining a permit in writing from said board, and complying with the rules and regulations of said board in reference thereto.

SEC. 22. Air, gas, steam or water above one hundred and forty degrees Fahrenheit in temperature shall not be discharged into any public sewer or into any private sewer or drain connecting with such public sewer, and the city council shall by ordinance prohibit the same.

SEC. 23. Said board shall recommend to the city council such

other rules and regulations concerning the public and private sewers and drains in said city as said board shall deem best.

SEC. 24. The board of public works shall appoint a superintendent of sewers, whose duty it shall be to see that all ordinances passed by the city council, and all rules and regulations established by the board of public works, relating to sewers are enforced.

SEC. 25. The city council may upon the recommendation of said board, by ordinance passed by the affirmative vote of the majority of all the members of each house, authorize the purchase of any personal property, or the acquisition by purchase or condemnation of any real estate, which may be necessary for the construction of any sewers or the making of any improvement provided for in this article. The title to all real estate purchased shall be taken in the name of the city.

SEC. 26. Said board may, with like authorization by the city council, agree with the owner of any real estate over or through which it is deemed desirable to construct any sewer or other improvement related to sewerage or drainage, upon the amount of damage to be paid to such owner for the perpetual use of said real estate for such purpose.

SEC. 27. Said board shall, when authorized by ordinance of the city council, construct such sewers, reservoirs and pumping works, whether within or without the city, as may be necessary to carry out the general system of sewerage of the city.

SEC. 28. The city council shall by ordinance provide that the owners and occupants of lands, buildings or premises within the city, at their own expense, properly drain the same, or drain or clean any vault, cesspool, ditch, pipe or drain therein used as a receptacle or conductor of filth or refuse matter, and that all expenditures of the city in draining or cleaning private premises be assessed against such premises. Every assessment shall be a lien upon the premises so drained or cleaned, and such assessment may be collected and the lien enforced by a suit in the name of the city.

SEC. 29. *Subdivision 1. Before any contract for the doing of any work or labor, or furnishing any skill, labor or material to or for the city of Seattle shall be valid or binding against said city, the contractor shall enter into a joint and several bond with the city of Seattle, for the use of said city and also for the use of all persons who may perform or cause to be performed any work or labor, or furnish or cause to be furnished any skill, labor or mater-

[*Note: The article originally ended with section 28.]

ial in the execution of such contract, conditioned to perform the contract according to its terms, conditions and stipulations and to pay as they become due all just claims for all work and labor so performed, and all skill or labor and material so furnished in the execution of such contract, and to comply with all the requirements of the charter and ordinances of said city and the amendments thereto, which bond shall be in an amount fixed by the board of public works, but not less than fifty per cent. more than the contract price agreed to be paid for the performance of such contract, and shall be duly signed by such contractor and two or more good and sufficient sureties, and after being approved as herein provided, shall be filed in the office of the city comptroller of Seattle.

Subdivision 2. The sureties on such bond shall each justify as bail upon arrest.

More than two sureties may be accepted on such bond, and they may justify in separate and different sums less than the sum specified in such bond; provided, that the aggregate of their justification shall be equal to two sureties justifying in double the amount of the bond in the manner herein provided.

Subdivision 3. It shall be the duty of the corporation counsel of said city to see that such bond is fully and properly executed and conforms in all respects to the provisions of this section; and thereupon shall indorse on said bond his approval of the form thereof. Such bond and the sureties thereon shall be subject to approval by the mayor and comptroller, but they shall not approve any such bond unless the said corporation counsel's approval of the form thereof be indorsed thereon, nor unless the sureties on such bond appear personally before the mayor and comptroller if required, and are by them examined touching their fitness and ability to become sureties on such bond; and it shall be the duty of such mayor and comptroller to reject any person, notwithstanding his justification subscribed to the bond, if they shall deem such person of insufficient ability or otherwise unfit to become a surety on such bond.

Subdivision 4. No contract with said city for the doing of any public work shall hereafter be assigned or transferred in any manner without first having endorsed thereon the consent of the board of public works and of the sureties on the contractor's bond, and no transfer or assignment thereof shall in any wise affect such bond or the liability of the sureties thereon, and any assignment or transfer without such consent and waiver indorsed thereon, except

by operation of law, of any such contract shall make the same null and void, as to any further performance thereof by the contractor or his assigns without any act on the part of said city; and the board of public works of said city shall at once proceed to re-let such contract, or said board may, in its discretion, proceed to complete the same as the agent and at the expense of such contractor and his bondsmen. No assignment, transfer, abandonment or surrender, either voluntary or otherwise, of any contract with said city for the doing of any work or labor or the furnishing of any work or labor, skill or material, nor any change in any such contract, nor any extension of time in which to complete any such contract shall ever operate to release the sureties on the bond in this act provided for; and no such assignment, transfer, abandonment, surrender, change or extension of time shall ever be pleaded as a defense to any action upon such bond in any court in this state.

Subdivision 5. The board of public works of the City of Seattle may, whenever in their judgment one or more of the sureties on such bonds have become insolvent, or for any cause are no longer fit and sufficient sureties, require any such contractor to file a new or additional bond within ten days after notice to that effect; and thereupon all work on such contract shall cease until such additional bond shall be filed with the city comptroller of said city, and if any such contractor shall fail for ten days after notice to that effect to file a new or additional bond as aforesaid, his contract shall by that fact alone become fully ended and void as to future performance thereof by such contractor. And thereupon said board of public works shall proceed to relet such contract, or said board may, in its discretion, proceed to complete the same as the agent and at the expense of such contractor and his bondsmen.

Subdivision 6. If any such contract shall for any reason become ended or void and the board of public works shall complete the same, as in this section provided, and the costs of so completing such contract shall exceed the amount unpaid by said city upon such contract at the time the same shall become ended or void, in such case it shall be the duty of the corporation counsel of the City of Seattle to at once commence an action in the name of said city against such contractor and his bondsmen for the recovery of the difference in amount between the cost of so completing such contract and the amount unpaid by said city upon such contract at the time the same became ended or void. The board of public works of the City of Seattle are hereby prohibited from entering

into any contract for the doing of any work or labor or the furnishing of any skill or material with any person who, within two years prior thereto, shall have made default in the payment of any just claim for any work or labor performed or for any skill or material furnished pursuant to any such contract with such party, or with any person who, within two years prior thereto, shall have made default in the payment of any just claim for any work or labor performed or for any skill or material furnished pursuant to any such contract with such party, or with any person who within two years prior thereto shall have assigned, abandoned, surrendered or failed to complete any such contract, except as herein authorized, or who shall have failed to comply with any of the provisions of this section.

ARTICLE IX.

THE DEPARTMENT OF FINANCE.

SECTION 1. A city comptroller shall be appointed by the mayor, subject to confirmation by the board of aldermen. He shall be ex-officio assessor. As assessor he shall perform all the duties prescribed by this charter or by law, for assessing property in the city for the purposes of taxation and in relation to street improvements.

SEC. 2. The city comptroller shall exercise general supervision over the financial affairs of the city. He shall number and keep a record of all demands allowed by him, showing the date of approval, amount and name of original holder, the number, on what account, and out of what fund payable. He shall be required to be constantly acquainted with the exact condition of the treasury. He shall, on the first Monday of each month, or oftener if required, report to the mayor the condition of each fund in the treasury. He shall make annual reports to the city council, and to the mayor on his request, of the financial condition and requirements of the city, with a careful statement and estimates of the receipts and expenditures. He shall keep a complete set of books by double entry system for the city, in which shall be set forth in plain and businesslike manner every money transaction of the city, so that he can at any time tell the exact condition of the city's finances. He shall make an annual report showing the source from which the city's revenues were derived, and how expended. He shall require all claims, returns, settlements and reports to be verified by affidavit. He shall issue all licenses in accordance with

law on presentation to him of a receipt from the city treasurer showing that the license fee has been paid, and shall countersign all warrants upon the treasurer.

SEC. 3. The city comptroller shall have authority to take affidavits and administer the necessary oaths in the transaction of all city business; he shall have a seat in each branch of the city council, with the right to debate on any question pertaining to his department, but shall have no vote.

SEC. 4. He shall keep publicly posted in his office a list of all persons receiving salaries from the city, with the amount of monthly salary received by each opposite his name, which list shall be revised and corrected by him monthly, and be at all times open to public examination.

SEC. 5. He shall perform such other duties as this charter or the city council may direct; and may appoint such regular and temporary deputies, both as comptroller and as assessor, as the city council may authorize, whose compensation shall be fixed by ordinance.

SEC. 6. The term of office of the comptroller shall be two (2) years, and until his successor shall be appointed and qualified.

SEC. 7. Whenever in the judgment of the city council it shall be for the best interest of the city, the offices of comptroller and assessor may be made separate and the salary of each of said officers shall be fixed by the city council, and when separated, the assessor shall be appointed by the mayor subject to confirmation by the board of aldermen, and hold his office for the term of two years from the time of such appointment, and until his successor shall be appointed and qualified; provided, should such appointment be made within any unexpired term, his term of office shall terminate as soon after the next general election as his successor shall be appointed and qualified.

SEC. 8. There shall be a city treasurer, who shall be ex-officio tax collector, and who shall be elected at the same time and in the same manner as the mayor, and shall hold office for two years, and until his successor is elected and qualified, and shall not hold office for two successive terms.

SEC. 9. As tax collector the city treasurer shall perform the duties provided in this charter and by the general laws of the state. As treasurer he shall receive, keep and pay out all moneys belonging to the city, and shall keep an account of all receipts and expenditures, under such rules and regulations as may be prescribed by ordinance, and shall do all things required of him

by this charter or any ordinances of the city. He shall not pay out any moneys belonging to the city except upon legal demands allowed and audited in the manner prescribed by this charter or by law.

SEC. 10. It shall be the duty of the city treasurer to receipt for the moneys of the city and pay out the same only on warrants drawn in pursuance of the order of the city council, signed by the mayor, countersigned and registered by the city comptroller. He shall each day, except Sundays and legal holidays, render to the city comptroller a statement of the balance in each fund of the treasury of the city. He shall require good and sufficient bonds to be given by all assistants and clerks in his office who shall receive or have care, custody or handling of any moneys or other valuable thing belonging to the city, which said bonds shall be approved by the mayor. He shall issue a call for outstanding warrants of any fund upon which warrants have been previously presented and payment refused for want of funds, whenever there may be one thousand dollars of that fund in the treasury, or whenever there are sufficient funds in the treasury to pay all outstanding warrants; interest to cease fifteen days after the publication of the first notice. Warrants shall be paid in the order of their number and date of issue, and shall be charged to their respective funds. Such call shall be made by publication in the city official newspapers for the period of one week, and shall be made within fifteen days after the required amount of money is in said fund. He shall account for and pay over all moneys on hand as such treasurer to his successor in office, and deliver all books, vouchers and effects of office to him, and such successor shall receipt therefor.

SEC. 11. Every officer or agent of the city, or other person who shall receive or have in his hands any money belonging to the city, shall immediately pay over the same to the city treasurer and take his receipt therefor in triplicate, one of which receipts shall be delivered to the city clerk and another to the city comptroller by the party paying over the money. If any such officer, agent or other person shall fail to pay over to the city treasurer any money so received, or to deliver to the city clerk or city comptroller such receipt of the city treasurer, for more than forty-eight hours after the money or receipt shall have been received by him, such officer, agent or other person shall forfeit to the city double the amount of money so received or for which such receipt was given, to be

recovered by civil action brought by the city against such officer in a court of competent jurisdiction.

SEC. 12. The treasurer's books shall, at all times in business hours, be open to public inspection, subject to such reasonable rules and regulations as the city council shall by ordinance prescribe.

SEC. 13. On or before the first Monday in July in each year the comptroller shall prepare and transmit to the city council, accompanied with estimates and reports of each department, which he shall require to be delivered to him from the heads of each department on or before the twentieth of June of each year, an estimate of the probable necessities of the city for the current* fiscal year, giving the amount required to meet the interest and sinking funds for any and all outstanding bonded debts, together with the amount needed for salaries and probable wants of all departments of the municipal government in detail, and showing the necessities of each of the several funds to be provided for in the treasury. The estimate shall also show as nearly as may be what amount of income and revenue is likely to accrue to the treasury, and be collected from fines, licenses and all other sources of revenue, exclusive of tax on property, and shall give an estimate of what amount will be required to be levied and raised by tax from all property in the city in order to meet the necessities of such fiscal year, said estimates to be based upon, where practicable, the resources and expenditures of the fiscal year preceding; and at the same time the comptroller shall also report to the city council the balance on hand in each fund.

SEC. 14. The city council shall on or before the first Monday in September in each year by ordinance fix the rate of taxes to be levied, and levy the taxes upon all taxable property, both real and personal, in the city needed to raise sufficient revenue to carry on the different departments of the municipal government for the ensuing fiscal year; provided, that at the making of such levy in September in 1892, and in each subsequent year, the council shall increase such annual levy as is needed for such ensuing year's expenses by the addition thereto of not less than one-tenth or more than one-fifth of such rate of levy, such additional levy to be

[SEC. 14. The city council shall on or before the first Monday in September in each year by ordinance fix the rate of taxes to be levied, and levy the taxes upon all taxable property, both real and personal, in the city, needed to raise sufficient revenue to carry on the different departments of the municipal government for the current fiscal year.]

[*NOTE: Section 14 was amended so as to read "ensuing fiscal year," but the word "current" was apparently overlooked in section 13.]

continued until the current receipts from all sources are sufficient to meet the current expenditure.

SEC. 15. Except as in this charter otherwise provided, the assessment of property taxable in the city for municipal purposes, the equalization of assessments and collection of taxes, and the sale of property for unpaid taxes, and the redemption of property sold for taxes, shall be made in the same manner and with like effect as now, or as may be provided hereafter by law for the assessment of property, equalization of assessment, levy, collection of taxes, and sale of property for unpaid taxes for state or county purposes, and redemption thereof; and all provisions of law applicable to such assessments, equalization, levy, collection and sale for state and county purposes are hereby applied to and shall be the law governing such assessments, equalization, levy, collection and sale for municipal purposes; and the respective officers of the city shall have, possess and perform the same powers and duties, in all matters concerning revenue and taxation for municipal purposes, as are or may be by law conferred or imposed upon county officers in matters concerning revenue and taxation for state and county purposes, and to that end—

First—All powers and duties so by law conferred or imposed upon county assessors are hereby imposed or conferred upon the city assessor.

Second—All powers and duties so by law conferred or imposed upon the board of county commissioners are hereby conferred upon and imposed upon the city council and its constituted committees.

Third—All powers and duties so by law conferred or imposed upon the county attorney are hereby conferred and imposed upon the corporation counsel.

Fourth—All powers and duties so by law conferred or imposed upon the county treasurer as tax collector are hereby imposed and conferred upon the city treasurer as city tax collector.

Fifth—All powers and duties so by law conferred and imposed upon the county treasurer are hereby conferred and imposed upon the county clerk and county auditor respectively, are hereby conferred and imposed upon the city clerk and city comptroller respectively.

SEC. 16. *It shall be the duty of the city assessor to prepare between the first day of April and the first day of July in each year, and present to the city clerk, with his certificate of its correctness, a roll of the real and personal property within the city taxable for

[*NOTE: See State Laws, 1893.]

state or county purposes, with a true valuation thereof, which said assessment roll shall conform as near as practicable, when not inconsistent with the provisions of this charter, to the assessment roll required by law to be made by the county assessor for state and county purposes; provided, that he must exact from each person a statement under oath setting forth specifically all the real and personal property owned by such person, or in his possession, or under his control, at 12 o'clock M. on the first day of April in each year; such statement shall be in writing and conform, as near as practicable, to the provisions governing county assessments. The assessor, in person or by deputy, must be present at all the sessions of the board of equalization mentioned in this charter, and furnish said board such information as may be required, and perform such other services as may be required in reference to the assessment of property in the city and otherwise appertaining to his office, as the city council by ordinance or resolution may require. During the session of the board of equalization the assessor shall enter upon the assessment roll any property not previously assessed. In the assessment and listing of property for taxation he shall have and may exercise the same powers as are conferred by law upon the county assessor.

SEC. 17. The terms "real" and "personal" property as used in this charter shall have the same meaning as the same terms in the revenue laws of this state, and all property subject to taxation aforesaid shall be assessed at its full cash value, which, in the judgment of the assessor, it has at twelve o'clock on the first day of April, and the lien of the annual city tax levy shall attach at said hour. For taxation and assessment, the fiscal year shall begin on the first day of April.

SEC. 18. A committee of the city council selected as in this charter provided, shall constitute a board of equalization, and shall on the first Monday in August, after the assessor shall have completed and handed in his assessment roll to the city clerk, and after five days' notice published in the city official newspapers, meet to hear and determine all complaints respecting the valuation of property as fixed by the assessor in such roll; provided, however, that before raising an assessment the board shall notify the person interested, by letter or express, post prepaid, and addressed to such place at least three days before action is taken, of the day fixed for the matter to be investigated. Any member of the said board shall have the power to administer oaths and affirmations in

matters before said board, and the sessions of said board shall be held from time to time as in its notice specified, for a period of two weeks and no longer.

SEC. 19. Within three days after the board of equalization shall have completed their duties, the city clerk must deliver to the comptroller the assessment roll so equalized, with all changes and corrections made by the board of equalization entered thereon, and accompany the same with his affidavit, and said comptroller shall add up the columns of valuation and enter the total valuation of each description of property in the roll, and the total value of all property assessed and listed thereon; and thus equalized and added up the comptroller shall deliver it to the city council. As soon as the city council have declared and levied the taxes in each year, as in section 14 of this article provided, the city comptroller shall carry out in a separate money column in the list the amount of the taxes assessed against each individual, firm, company, corporation, or unknown owner, and add and put down the aggregate of all taxes as shown by the list; and as thus carried out the comptroller shall certify to its correctness, and on or before the first Monday in October thereafter deliver it to the city treasurer, and shall charge him with the amount of taxes so footed up, and take his receipt therefor.

SEC. 20. The annual tax levied as hereinbefore provided shall become due and payable on the first Monday of November in each year. And on the first day of March following, at six o'clock p. m., all unpaid taxes are declared delinquent, and the treasurer must then collect for the use of the city an additional five per centum.

SEC. 21. The treasurer, on receiving the assessment roll, certified by the comptroller, shall give notice by publication in the city official newspapers that city taxes are payable, when and where the same can be paid, and also state when such taxes become delinquent. Said notice shall be published within three days after receipt of said roll, and shall be published in each issue of said newspapers for a period of thirty days; and said treasurer shall proceed at once to collect taxes specified in said roll. On the first Monday in April of each year, the city treasurer must deliver to the city comptroller a complete delinquent list of all persons and property then owing taxes, and in the list so delivered must be set down in numerical or alphabetical order all matters and things contained in the assessment roll, and relative to the delinquent

persons or property, and the city treasurer shall at the same time make a statement to said comptroller under oath, showing all moneys collected by him on account of property tax.

SEC. 22. The city comptroller must carefully compare such delinquent list with the assessment roll, and if satisfied that it contains a true and full statement of all taxes due and unpaid, he must foot up the total amount of taxes so remaining unpaid, credit the city treasurer therewith, and make a full settlement with him for all taxes charged against him on the assessment roll.

SEC. 23. After settlement with the city treasurer as prescribed in the preceding section, the city comptroller must charge the city treasurer with the amount of taxes due on the delinquent tax list, with the five per centum added thereto, and within three days thereafter deliver the list, duly certified, to the city treasurer.

SEC. 24. On receipt of such delinquent list the city treasurer shall proceed to collect such tax on all personal property by distress and sale in the same manner as provided by law for the collection of state and county taxes, and upon the first Monday of May in each year shall return such list to the city comptroller, showing the amount of such taxes which have been paid and the amount unpaid, and thereupon the city comptroller shall prepare a list showing the amount delinquent and unpaid on each parcel of real estate as the same is charged upon the roll, with the name of the person to whom the same is taxed, and shall affix his warrant to such delinquent list directing the treasurer to proceed to advertise and sell the said real estate for the taxes delinquent therein, with interest and costs, including fifty cents for the cost of advertising each parcel taxed to each person.

SEC. 25. Said list must be published once a week for three consecutive weeks in the city official newspapers or supplement thereto, and when such publication is completed and before commencing the sale, the city treasurer must file with the city clerk a copy of the publication with his affidavit attached thereto, that it is a true copy of the same, that the publication was made in said newspapers or supplement thereto, stating the name and place of such publication, and the date of each appearance; and such affidavit shall be prima facie evidence of all the facts therein stated.

SEC. 26. On the day fixed for the sale, or on some subsequent day to which he may have postponed it, the city treasurer, between the hours of ten a. m. and three p. m., must commence the sale of the property advertised, commencing at the head of the list

and continuing alphabetically or in numerical order of lots and blocks until completed.

SEC. 27. He may postpone the day of commencing the sale or the sale from day to day, but the sale must be completed within three weeks from the day first fixed.

SEC. 28. The owner or person in possession of any real estate offered for sale for taxes due thereon may designate in writing to the city treasurer, prior to the sale, which portion of the property he wishes sold, if less than the whole; but if the owner or possessor does not, then the city treasurer may designate it, and the person who will take the least quantity of the land, or in case an undivided interest is assessed, then the smallest portion of the interest, and pay the taxes and costs due, including fifty cents for the duplicate certificate of sale, is the purchaser. But in case there is no purchaser in good faith for the same, as provided, on the first day that the property is offered for sale, then when the property is offered thereafter for sale and there is no purchaser in good faith for the same, the whole amount of the property assessed shall be struck off to the City of Seattle as the purchaser, and a duplicate certificate delivered to the city comptroller and filed by him in his office, and a like certificate filed by him in the office of the city clerk. No charge shall be made for the duplicate certificate when the city is the purchaser, and in such case the city treasurer shall make an entry, "Sold to the city," on the delinquent list opposite the tax, giving number of certificate of sale, and he shall be credited with the amount of such tax in his final settlement with the comptroller. A redemption from the sale to the city, above provided, may be made by any person in interest in the same manner as provided by law for redemption of land sold to the state for state and county taxes; provided, that the estimate for such redemption must be made by the city comptroller instead of the county auditor, and the receipt for money paid for such redemption must be given by the city treasurer instead of the county treasurer, and upon the production of such list and estimate, the city clerk shall write upon the proper certificate, as filed in his office, the word "redeemed," giving date and by whom redeemed. The city comptroller's fee for such estimate shall be fifty cents. The clerk shall receive no fee for marking certificate "redeemed." The comptroller's fee as herein provided, as well as the amount required to redeem, shall be paid to the treasurer by the person redeeming, and said fee shall be apportioned to the salary fund of the city.

SEC. 29. After receiving the amount of the taxes and costs, the city treasurer must make out in duplicate a certificate dated on the day of sale, stating (when known) the name of the person assessed, a description of the land sold, the amount paid therefor, the name of the purchaser, that it was sold for taxes, giving the amount and year of the assessment, and specifying the time when the purchaser will be entitled to a deed.

SEC. 30. The certificates must be signed by the city treasurer and one delivered to the purchaser and the other filed in the office of the county auditor of King county.

SEC. 31. The city treasurer, before delivering any certificate, must in a book enter the description of the land sold corresponding with the description in the certificate, the date of sale, purchaser's name and amount paid, regularly number the descriptions on the margin of the book, and put a corresponding number on each certificate. Such book must be open to public inspection without fee during office hours when not in actual use.

SEC. 32. On filing the certificate with the county auditor the lien of the city vests in the purchaser, and is only divested by the payment to him or to the city treasurer, for his use, of the purchase money, and interest at the rate of twenty per cent. per annum thereon.

SEC. 33. A redemption of the property sold may be made by the owner, or any party in interest, in the manner prescribed for a like redemption of property sold for state or county taxes.

SEC. 34. If the property is not redeemed within the time allowed for its redemption, the city treasurer, or his successor in office, must make to the purchaser or assignee a deed of the property, reciting therein substantially the matters contained in the certificate, and that no person has redeemed the property within the time allowed for its redemption. The city treasurer shall collect from the purchaser two dollars for making such deed; provided, however, that no such deed shall be made until the notice is given that a tax deed will be applied for, and such notice duly served, as prescribed in the laws of the State of Washington relating to property sold for state or county taxes. Whenever any property is sold to the city it shall not be necessary to post or serve any notice as required under the provisions of this section, but the city shall be entitled to a deed at any time after the term of redemption has expired whenever called for by resolution of the city council; provided, that in all cases where the city has received a

deed the right to redeem shall be continued as provided in the said laws.

SEC. 35. The matters required by section 29 of this article to be recited in the certificate of sale must be substantially recited in the deed, and such deed duly acknowledged shall be prima facie evidence that: First, the property was assessed as required by law; second, the property was equalized as required by law; third, the taxes were levied in accordance with law; fourth, the taxes were not paid; fifth, at a proper time and place the property was sold as prescribed by law and by the proper officer; sixth, the property was not redeemed; seventh, the person who executed the deed was the proper officer; eighth, where the real estate was sold to pay taxes on personal property, the real estate belonged to the person liable to pay the tax.

SEC. 36. Such deed duly acknowledged (except as against actual fraud) is conclusive evidence of the regularity of all other proceedings, from the assessment by the assessor, inclusive, up to the execution of the deed, and conveys to the grantee the absolute title to the lands described therein, free from all incumbrances.

SEC. 37. The assessment roll, or delinquent list, or a copy thereof, certified by the city comptroller, showing unpaid taxes against any person or property, is prima facie evidence of the assessment, the property assessed, the delinquency, the amount due and unpaid, and that all the forms of law in relation to the assessment and levy of such taxes have been complied with.

SEC. 38. On the second Monday after sales for delinquent taxes are completed in each year, the city treasurer shall attend at the office of the city comptroller with the delinquent tax list, and the comptroller must then carefully compare the list with the assessments of persons and property not marked "paid" on the assessment roll, and when taxes have been paid must note the fact in the appropriate column in the assessment roll. The city comptroller must then administer to the city treasurer an oath, to be written and subscribed on the delinquent list, that every person and all property assessed in the delinquent list on which taxes have been paid, either by sale for taxes or otherwise, have been credited in the list with such payment. The city comptroller must then foot up the amount of taxes remaining unpaid and credit the city treasurer with the amount, together with the five per cent. thereon, and have final settlement with him; and the delinquent list must remain on file in the city comptroller's office.

SEC. 39. Whenever the time of assessment or collection of

county taxes shall be changed pursuant to law, the city council shall by ordinance change the times or any of them specified in this article so far as shall be necessary to make the times of assessment and collection conform to those in case of county taxation, and to make all the times and periods of the system provided in this article harmonious. And the city council shall have power from time to time to make such other changes in said system as shall be necessary to preserve harmony between the city and county systems.

SEC. 40. There is hereby created an auditing committee, which shall consist of the mayor, president of the board of aldermen, president of the house of delegates and comptroller. The mayor shall be the chairman of the committee and the comptroller shall be secretary, but in the absence of either from any meeting of the committee a temporary chairman or secretary may be chosen by the committee to act for the time being.

Said committee shall hold stated meetings once in each month and may adjourn from time to time. It shall be the duty of said committee to examine all claims and demands against the city of whatsoever nature and to recommend to the city council the allowance or disallowance of the same or any part thereof, except salaries of city officers as fixed by this charter.

Three members of the committee shall constitute a quorum for the transaction of business, but a less number can meet and adjourn from time to time.

SEC. 41. All demands, bills and claims which may arise against the city, including the payment of all employes of the city, whether under regular monthly salary or not, except salaries of

[SEC. 40. There is hereby created an auditing committee, which shall consist of the mayor, president of the board of aldermen, president of the board of delegates and comptroller. The mayor shall be chairman of this committee, the comptroller shall be secretary of the same, but in the absence of either from meetings of the committee, a temporary chairman and secretary can be chosen by the committee to act. The auditing committee shall hold stated meetings once in each month, and can adjourn from time to time. It shall be the duty of this committee to examine and allow or reject and disallow all claims and demands of whatever nature (except salaries of city officers as fixed by this charter and dues for labor done under the direction of the board of public works or the park commission, duly certified by the chairman of such board or commission), which may be presented against the city, and the city comptroller shall not draw a warrant for any claim or demand, except such salaries and dues, unless the same has been approved by a majority of the whole auditing committee. Three members of this committee shall constitute a quorum for the transaction of business, but a less number can meet and adjourn from time to time.]

[SEC. 41. All demands, bills and claims which may arise against the city, including the payment of all employes of the city, whether under regular monthly salary or not (except salaries of city officers as fixed by this charter, and dues for labor done under the direction of the board of public works or the park commission, duly certified by the chairman of

city officers as fixed by this charter, shall be duly verified as hereinafter provided and be filed with the secretary of the auditing committee, who shall file and number the same in the order of presentation and refer the same to the auditing committee for action, whose duty it shall be to recommend the allowance or rejection of the same in whole or in part, and if allowance be recommended, to designate the particular fund from which they are to be paid and indorse upon the back of each claim or demand the date of the recommendation of its allowance or rejection, the amount to be allowed, and also the section of the charter, number of ordinance, number of contract, resolution or order under which the said claim or demand was authorized or contracted for. These indorsements shall be verified by the signature of the chairman and secretary of the auditing committee. All claims or demands after being audited by said committee shall be forthwith reported to the city council for final action.

SEC. 42. All demands and claims against the city hereinbefore required to be verified shall be subscribed and sworn to before the city comptroller or some officer authorized to administer oaths. Each claim or demand must be accompanied by a detailed statement of the items, which shall be attached thereto and made a part thereof.

SEC. 43. The secretary of the auditing committee shall attend all meetings of said committee and keep a correct record or journal of the proceedings of the committee.

SEC. 44. The following funds are hereby established:

First—Fire department fund, upon which all warrants shall be drawn for fire department supplies and expenses except salaries of firemen.

Second—Salary fund, from which all salaries of city officers and their deputies, and wages of all employes, including regular policemen and firemen, must be paid. To supply such fund fifty per cent. of the gross receipts of the city from all licenses shall be paid therein, thirty per cent. of the street fund, and from the gen-

such board or commission), shall be duly verified as hereinafter provided, and be filed with the secretary of the auditing committee, who shall file and number the same in the order of presentation, and refer same to the auditing committee for action, whose duty it shall be to allow or reject same in whole or in part, and if allowed designate the particular fund from which they are to be paid, and indorse upon the back of each claim or demand the date of its allowance or rejection, the amount allowed, and also the section of the charter, number of ordinance, number of contract, resolution or order under which the said claim or demand was authorized or contracted for. These indorsements shall be verified by the signatures of the chairman and secretary of the auditing committee. All claims or demands, after being allowed or disallowed, shall be forthwith reported to the city council for final action.]

eral fund such sums as may be needed, and in case there be no funds in the general fund to meet the requirements, the city council shall provide the same by temporary loans for such purpose.

Third—Police department fund, from which must be paid all expenses of the police department, except salaries of regular policemen.

Fourth—Street fund, from which must be paid all expenses for street repairs, street sprinkling and cleaning, highway and bridge repairs, and all other street improvements not otherwise provided for in this charter.

Fifth—Harbor and wharf fund, from which must be paid all expenses for wharf building and repairs and for all harbor improvements.

Sixth—Sewer and drainage fund, from which all expenses for sewer and drainage construction and repairs must be paid.

Seventh—Street light fund, from which must be paid all sums for lighting the city by electric light or gas.

Eighth—City park fund, from which shall be paid the expenditures for purchase of land for parks, the construction and repair of buildings therein, the construction and building of drives and boulevards, the planting of trees, ornamentation and all other improvements pertaining to the public parks of the city.

Ninth—Public health fund, from which must be paid all the expenses of the health department, including scavengers, and all expenses in disposing of garbage.

Tenth—Library fund, from which must be paid all expenditures made and ordered by the library commission of the Seattle public library.

Eleventh—Public building fund, from which all expenditures for public buildings of the city other than buildings for school, park or library purposes must be paid.

Twelfth—General fund, from which must be paid all appropriations, claims, demands and other expenses not payable from other funds. The city council may from time to time establish such other funds as they may deem necessary, and shall establish and continue in force all interest funds, bond funds, bond redemption funds, and other funds now or hereafter established for the payment of all interest upon and the payment of all bonded indebtedness of said city; and the percentage of each annual tax levy shall be named for each fund, and the whole amount of taxes and revenue of the city appropriated to said several funds accordingly; and no transfer shall be made from one fund to another except as

otherwise provided in this charter, unless by an affirmative vote of a majority of all members of each house of the city council by ayes and noes, recorded in the journals of proceedings, and in no case shall any moneys be transferred from any fund provided for the payment of any interest or principal of any bonded indebtedness then existing, nor the library fund to any other fund.

SEC. 45. The city council, except as otherwise provided in this charter, may by ordinance determine and designate to what funds shall be apportioned all moneys arising from the levy of all license taxes in the city.

ARTICLE X.

THE DEPARTMENT OF SANITATION.

SECTION. 1. There shall be a Board of Health, which shall consist of three physicians, graduates from some accredited medical college, two of whom must be physicians in active practice, to be appointed by the mayor and confirmed by the board of aldermen, who shall have supervision of all matters appertaining to the sanitary condition of the city and its public institutions.

SEC. 2. The members of said board shall hold office for three years without compensation. The members first appointed shall so classify themselves that one shall go out of office at the end of the first year, one at the end of two years, one in three years. The member having the shortest term to serve shall be president of the board and the health officer, his clerk or assistant shall act as secretary of the board.

SEC. 3. The city council shall provide an office for the board of health, in which the meetings of the board shall be held. Such meetings shall be held at least once a month, or whenever requested by the president or two of its members.

SEC. 4. Said board shall appoint and remove at pleasure a health officer, who shall be a physician, and such other subordinate officers as may from time to time be deemed necessary by the city council. The health officer shall act as city physician. He shall be the executive officer of the board and see that all ordinances relating to the sanitary affairs of the city and the rules and regulations of the board are enforced.

SEC. 5. The city council shall fix the salary and compensation to be paid the health officer and other employees of the board.

SEC. 6. The health officer shall visit the public buildings and institutions of the city and the public and other schools within the

city once in each quarter and as frequently as may be required by the board of health, and investigate the sanitary condition of the same, and make quarterly reports of such examination to the board of health. He shall also make to the board for publication a monthly report of the affairs of his office, including natal, mortuary and other sanitary statistics. He shall also furnish for publication a monthly report of the natal, mortuary and other sanitary statistics of the city.

SEC. 7. Whenever the health officer shall certify to the board of health that any building or any part thereof is for any cause unfit for human habitation, said board may issue an order, to be affixed conspicuously on the building, and where practicable, to be served on the owner, agent or lessee, requiring all persons to vacate such building or apartment at and until such time as the board may determine.

SEC. 8. Whenever a case of smallpox, yellow fever, Asiatic cholera or other infectious disease is reported to the health officer, he shall immediately visit the premises where the person is, and if he shall find such reported disease or any infectious disease on such premises, he shall forthwith cause to be displayed a quarantine flag in a conspicuous place on said premises, and post upon the doorway a placard setting forth the fact that infectious disease exists therein.

SEC. 9. The health officer shall immediately report to the chief of police, city school superintendent, the principals of private schools within the city and the superintendent of the Seattle public library, the names and residences of every person sick of the diseases in section 8 of this article enumerated or any other contagious or infectious disease he may deem dangerous to the public health.

SEC. 10. It shall be the duty of the city school superintendent, the principals of private schools within the city, and the superintendent of the Seattle public library, when so notified, to refuse admittance to the public schools or library to any member of a household in which any of the aforesaid diseases are found until advised by the health officer that there is no longer any danger from contagion.

SEC. 11. Every physician in the city shall immediately report to the health officer in writing every patient he shall have sick of typhus, typhoid, ship or yellow fever, Asiatic cholera, smallpox, diphtheria or scarlatina, and shall report every death occurring from such diseases immediately; also, every householder in said city shall report forthwith to the health officer the name of every

inmate of his or her house whom he or she shall have reason to believe to be sick of typhus, typhoid, ship or yellow fever, cholera, smallpox, diphtheria or scarlatina, and any death from such diseases occurring at his or her house.

SEC. 12. The health officer shall keep a record of all births, deaths, interments and cremations occurring in the city.

SEC. 13. All physicians and midwives in the city shall report in writing to the health officer within twenty-four hours all births and deaths occurring in his or her practice.

SEC. 14. The board of health through and with the co-operation of the board of public works, may locate, establish and maintain pesthouses, and discontinue and remove the same, whenever necessary for the preservation of the public health. They may appoint and remove at pleasure such physicians and nurses (whose compensation shall be fixed by the city council by ordinance) for said pesthouses as may be necessary to maintain the efficiency of the same; and may cause to be removed thereto and kept thereat any person affected with any contagious or infectious disease.

SEC. 15. No person shall remove a person affected with any contagious or infectious disease from any house or place within the city limits to any other house or place without the written permission of the health officer.

SEC. 16. The board may, whenever they deem it necessary, appoint and remove at pleasure a market inspector and such other inspectors as may be necessary for the preservation of the public health, whose compensation shall be fixed by the city council.

SEC. 17. The board of health shall, with the consent of the city council, appoint an inspector of interior plumbing of water, steam and gas of all buildings within the city, with the powers of a policeman, or may devolve the duties of such inspector on a member of the police force. The city council shall by ordinance define the duties of such inspector, and regulate all interior plumbing of all buildings with due regard for the health of the city.

SEC. 18. The board of health may proclaim such quarantines and establish and declare such quarantine districts and stations as may in their judgment be necessary for the preservation of public health, and may appoint and remove at pleasure a quarantine officer.

[SEC. 17. The board of health shall with the consent of the city council, appoint an inspector of interior plumbing of water, steam, gas and electricity of all buildings within the city, with the powers of a policeman, or may devolve the duties of such inspector on a member of the police force. The city council shall by ordinance define the duties of such inspector and regulate all interior plumbing of all buildings with due regard for the health of the city.]

SEC. 19. All vessels arriving at the port of Seattle from ports which have been legally declared infected ports, and all vessels arriving from any place where there is prevailing at the time of departure any contagious, infectious or pestilential disease, are subject to quarantine, and must be by the master, owner, pilot or consignee, reported to the quarantine officer without delay. Such a vessel must not cross a line drawn as prescribed by the board of health until the quarantine officer has boarded the same and given the order required by law.

SEC. 20. The board of health shall make rules and regulations relating to the disposition of the sick and deceased arriving on any ship or vessel, and the city council shall provide by ordinance for the recovery of all expenses and charges incurred in their treatment or burial.

SEC. 21. The board of health may, when they deem necessary, require all railroad cars or other public conveyances, before the same shall stop at any depot or station in the city, to stop at any locality selected and established for quarantine purposes, and to leave there all such persons, with their stores and baggage, as the health officer shall deem necessary so to leave for the health of the city.

SEC. 22. The board of health shall make such rules and regulations for the government of the quarantine or the health of the city as from time to time the public health may require, and the physicians or health officers in charge of any quarantine station or place shall have power to enforce such regulations as may be necessary for the proper management thereof, and it shall be the duty of all persons in quarantine, and all agents, officers, policemen or others employed by the city in or about said quarantine stations or places to carry out and obey the same.

SEC. 23. It shall be unlawful to disinter or exhume from a grave, vault, cemetery or other burial place within the city, or owned by the city, or to deposit therein, the body of any deceased person, without first causing to be filed at the health office a certificate signed by a legally qualified physician or coroner, setting forth as nearly as possible the name, age, sex, color, place of birth, occupation, date, locality and cause of death of such decedent, and obtain from the health officer a written permit for burial or other purposes.

SEC. 24. The health officer shall prepare a book of blank permits in proper form containing stubs, on which, as well as in the permits, shall be entered by the health officer or his clerk a record

giving the name, age, sex, nativity, cause of death and place of burial of each person to be buried, and when a permit is issued for disinterment, or removal of remains, the record shall also show the destination of the remains.

SEC. 25. The city council shall by ordinance provide for the enforcement of such orders and regulations as the board of health may adopt and the council approve, providing also for all expenses incurred in carrying out the same. And in addition to the powers in this article enumerated, the health officer and the members of the board of health may administer oaths on matters connected with the department, and shall have such other powers and authority as may be prescribed by ordinance of the city council or by general law.

SEC. 26. The city council shall pass all such ordinances, and provide therein such penalties, as will carry out the intent and enforce the provisions of this article.

ARTICLE XI.

THE FIRE DEPARTMENT.

SECTION 1. There shall be a Fire Commission, which shall consist of the mayor, who shall be chairman thereof, and four fire commissioners, who shall be electors and freeholders of the city, no two of whom shall be residents of the same ward, and who shall be elected at the same time and in the same manner as the mayor, and shall hold office for four years; provided, that at the election held for the adoption of this charter four commissioners shall be elected, and of the commissioners so elected the two receiving the lowest number of votes shall only hold office for the term of two years. The fire commissioners shall serve without compensation, and shall receive no compensation directly or indirectly for any services rendered as fire commissioners.

SEC. 2. There shall be a fire department, which shall consist of a chief of the fire department, and as many subordinate officers and firemen as the city council shall from time to time by ordinance prescribe.

SEC. 3. *First*—The fire commission shall prescribe rules and regulations for the government and control of the fire department, and fix and enforce penalties for their violation.

Second—The fire commission shall appoint the chief of the fire department, with the approval of the city council in joint conven-

[Second]—The fire commission shall appoint the chief of the fire department, and all subordinate officers and firemen, and may from time to time remove said chief of the fire

tion assembled, and he shall appoint all subordinate officers and firemen, subject to the approval of the commission. The fire commission may from time to time remove or suspend said chief of the fire department or any of said subordinate officers or firemen, as they may see fit, for such causes as to them seem just or proper; but the ground and the cause of such removal shall be entered in the record of proceedings, together with the names of the commissioners voting therefor. Every appointee of the fire department must be a citizen of the United States, of good character for honesty and sobriety, able to read the English language, and must have been a resident of the city for at least one year next preceding his appointment; every appointee hereafter appointed, except the chief of the fire department, shall be not less than twenty-one nor more than forty-five years of age; provided, that the foregoing restriction as to age shall not apply to engineers and officers otherwise qualified and efficient, and every appointee, except the chief, must possess such physical qualifications as will enable him to pass a satisfactory medical examination under such rules and regulations as may be prescribed by the fire commissioners and the city council.

Third—The fire commission shall annually, or oftener if required by the council, or if they deem best, make a report to the city council of any municipal legislation by them deemed necessary to improve the condition and administration of the fire department, and shall report in like manner fully to the city council the business and condition of the fire department, showing the number of alarms responded to, the estimated loss by each fire with the cause thereof during the year, with such other general and special information as they can furnish tending to throw light upon the advancement or improvement of the department and the necessities thereof; also an estimate of the amount of money that

department, or any of said subordinate officers or firemen, as they may see fit, for such cause as to them seems just or proper. Every appointee of the fire department must be a citizen of the United States, of good character for honesty and sobriety, able to read the English language, and must have been a resident of the city for at least one year next preceding his appointment; every appointee hereafter appointed, except the chief of the fire department, shall be not less than twenty-one nor more than forty years of age, and must possess such physical qualifications as will enable him to pass a satisfactory medical examination, under such rules and regulations as may be prescribed by the fire commission.]

[*Third*—The fire commission shall annually, or oftener if required by the city council, or if they deem best, make a report to the mayor and city council of any municipal legislation by them deemed necessary to improve the condition and administration of the fire department, and shall report in like manner fully to the mayor and city council the business and condition of the fire department, showing the number of alarms responded to, the estimated loss by each fire, with the cause thereof, during the year, with such other general and special information as they can furnish tending to throw light upon the ad-

will be required to pay salaries and expenses of the fire department for the ensuing fiscal year, specifying in detail the items for which the same will be required.

Fourth—The fire commission shall have such further powers and be subject to such further duties as may be granted or imposed by the city council by ordinance.

SEC. 4. *First*—The chief of the fire department shall exercise vigilant control over the department at all times, subject to the rules, regulations and orders of the fire commission, and shall perform such duties as may be by them or the city council prescribed.

Second—The duties of the subordinate officers of the fire department and of the firemen shall be prescribed by the fire commission, subject to the control and direction of the city council.

SEC. 5. The fire commissioners shall meet at least once a month at such time as they shall by resolution determine, and in such special meetings as may be by them found to be expedient. A quorum to do business shall consist of three members, one of whom may be the mayor, and the concurrence of a majority of those present, and entitled to vote, shall be necessary to any decision or order of the commission.

SEC. 6. The city clerk, in person or by deputy, shall attend the meetings and perform the clerical work of the fire commission.

ARTICLE XII.

THE HARBOR DEPARTMENT.

SECTION 1. The city council shall, unless otherwise prescribed by the laws of the state, exercise control and management of the harbor and water front of the City of Seattle, and shall, by ordinance, establish such rules and regulations as shall prevent any encroachment upon the tidal area of the same.

SEC. 2. The construction of all wharves which may be built by the city, and all repairs on the same, or other work done on the water front by the city, shall be performed by the board of public

vancement or improvement of the department and the necessities thereof; also an estimate of the amount of money that will be required to pay salaries and expenses of the fire department for the ensuing fiscal year, specifying in detail the items for which the same will be required.]

[SEC. 5. The fire commission shall meet at least once a month at such times as they shall by resolution determine, and in such special meetings as may be by them from time to time found expedient, and at a place to be provided by the city council. The city council shall provide a suitable place for the meetings of the fire commission.]

works, after proceedings had in the manner and form prescribed for the construction, improvement and repair of public buildings.

SEC. 3. The city council shall, by ordinance, regulate the tolls for wharfage, dockage and other charges at all wharves, slips, docks and landing places within the city, and provide for the regulation of berths and landing of all steamers, sail vessels, barges or other water craft, and shall exercise in regard to all such wharves, slips, docks and landing places such other control not herein specified as shall not be inconsistent with the laws of the United States and of the State of Washington.

SEC. 4. The city council may by ordinance order the construction of wharves, slips, docks or landing places upon any streets abutting upon or leading into any navigable waters within the city, which wharves, slips, docks and landing places, when so constructed, shall remain under the exclusive control of the city.

SEC. 5. The mayor, by and with the advice and consent of the board of aldermen, shall appoint a port warden, who shall perform such duties not inconsistent with this charter, in relation to harbors and wharves, as may be prescribed by ordinance, and who shall be deemed the head of the harbor department.

ARTICLE XIII.

THE DEPARTMENT OF PARKS.

SECTION 1. The city park fund shall consist of—

First—The proceeds from the sale of the bonds hereinafter provided for.

Second—Such gifts, bequests and devises as may be given, bequeathed or devised to the City of Seattle, for the purpose of a park or parks.

Third—Ten per cent. of the gross receipts from all fines, penalties and licenses.

Fourth—Any appropriations that the city council may make for said fund from time to time.

SEC. 2. The city council may, subject to the provisions of the constitution and laws of this state, and section 30 of article IV. of this charter, from time to time, but at no one time to exceed in par value one hundred thousand dollars, issue bonds for and in the name of the City of Seattle, pledging the faith and prop-

[SEC. 2. The city council may, subject to the provisions of the constitution and laws of this state and section 30 of article four of this charter, from time to time, but at no one time to exceed in par value one hundred thousand dollars, issue bonds for and in the name of the City of Seattle, pledging the faith and property of the city for the payment thereof,

erty of the city for the payment thereof, of the par value of one thousand dollars each, payable at such period as shall be fixed by the city council, not exceeding twenty years after the date thereof, with interest not to exceed five per cent. per annum, with such further terms and conditions as the city council shall by ordinance prescribe, to be denominated public park bonds of the City of Seattle, and shall sell the same to the highest bidder, but at not less than their par value, and the proceeds thereof shall be paid to the city treasurer and be a portion of the city park fund, created in section 1 of this article. The proceeds of the sale of said bonds shall be used in the purchase of land for a park or parks, or the improvement of such parks, or the construction of buildings therein, or the construction, improvement and ornamentation of park ways, drives and boulevards in the city, or the planting of trees, shrubs and flowers and other ornamentation and improvements in the parks, park ways, drives and boulevards of the city.

SEC. 3. The management and control of said fund, and all the public parks of the city, shall be and hereby is vested in a Park Commission, to consist of five commissioners, who shall each receive an annual salary of three hundred dollars, payable out of the city park fund, and shall each hold office for the term of five years and until his successor is appointed and qualified. They shall be appointed by the mayor, with the advice and consent of the board of aldermen, and the first mayor under this charter shall appoint five commissioners, one each for the term of one, two, three, four and five years and until their successors are appointed and qualified, and thereafter, on the first Monday in January of each year, after the year eighteen hundred and ninety-one, the mayor shall appoint a commissioner, who shall succeed the commissioner whose term then expires. Each commissioner shall give a bond in the sum of five thousand dollars, with two or more sureties, conditioned for the faithful discharge of his duties under this act. The member of the commission having the shortest term to serve shall be chairman of the commission.

of the par value of one thousand dollars each, payable at such period as shall be fixed by the city council, not exceeding twenty years after the date thereof, with interest not to exceed five per cent. per annum, with such further terms and conditions as the city council shall by ordinance prescribe, to be denominated public park bonds of the City of Seattle, and shall sell the same to the highest bidder, but at not less than their par value, and the proceeds thereof shall be paid to the city treasurer and be a portion of the city park fund created in section one of this article. Not to exceed fifty per cent. of such proceeds may be used in the purchase of land for a park or parks, and the remainder thereof shall be used for the improvement of parks, the construction of buildings therein, the construction and building of drives and boulevards, the planting of trees, shrubs and flowers, and for other ornamentation and improvements in the parks of the city.]

SEC. 4. The city clerk, in person or by deputy, shall perform the clerical work of the park commission, shall attend their meetings, and perform such other duties as they shall require.

SEC. 5. The park commission shall have power, and it shall be its duty, to devise, adopt and maintain parks, parkways and boulevards in and adjacent to the city of Seattle, and from time to time to add thereto; to designate lands and grounds to be used or appropriated for such purposes; to cause the same to be platted, surveyed, and the plats thereof filed in the office of the secretary of said commission and the office of the city engineer of said city, and the right to take possession, upon obtaining title to the same, or any part thereof; to hold, improve, govern and administer the same for such purposes. The park commission shall have power and is hereby authorized to obtain title for and in the name of the city of Seattle to any lands so designated by it for the purpose of this act by gift, devise, purchase or lease. Said commission may enter into any contract, in the name of said city, for the purchase of any lands, to be paid for in such time or times and in such manner as the commission may agree upon; and said commission may accept title to lands and give back a mortgage or mortgages in the name of said city to secure the unpaid purchase price, provided no personal or general liability on the part of said city shall be created by any such contract beyond the means at the time available therefor. And provided further, that there shall be no express agreement contained in any such mortgage, nor any separate instrument given for the payment of the sums secured thereby, but the remedy of the mortgage shall be confined to the property mortgaged; provided, that the powers above conferred be subject to ratification or rejection by the city council.

SEC. 6. After any land for park purposes has become or is the property of the city, the park commission shall proceed to the surveying, improvement and ornamentation of the same, the erection thereon of such building or buildings as they may deem proper and best, and for these purposes may call to their assistance the city engineer and such experts as they may require; provided, that at no time shall any debt be made or incurred by said park commission for such purposes until there is a sufficient sum of

[SEC. 5. The park commission, as soon as the proceeds of the sale of the bonds above mentioned, or any part thereof, shall be in the city treasury, shall proceed in the name of the City of Seattle to purchase such land as they may deem best for purposes of parks, at such price and on such terms and conditions as may be agreed upon, but such purchase must be confirmed by both houses of the city council.]

money of the city park fund in the city treasury which may be available to pay the same.

SEC. 7. No greater annual tax than one mill on the dollar of the assessed valuation of property in this city shall ever be assessed, levied or collected for the city park fund, either to redeem the bonds hereinbefore provided for or otherwise.

SEC. 8. The park commission shall have the full and exclusive power to control, manage and supervise the public parks of the city, to lay out and regulate the same, and shall alone have authority to spend the public park fund, except as otherwise provided in this charter, and the commission shall certify every such expenditure to the city comptroller, who shall issue his warrant to the city treasurer therefor, and the same shall be paid by the city treasurer out of any money in the city park fund not otherwise appropriated.

SEC. 9. There shall be appointed by the park commission a superintendent of parks, and such other officers and employes as may be necessary, to hold their position during the pleasure of the commission. The commission shall define and prescribe the respective duties and authority of said officers, whose compensation shall be fixed by the city council.

SEC. 10. The park commission shall annually, on or before the first day of December in each year, transmit to the mayor an itemized estimate in writing of the amount of money that will be required for the improvement, maintenance and government of the parks of the city during the next coming year, and an itemized account of all receipts and expenditures received or made by them, and a detailed report of all work and improvements made during the year expiring.

ARTICLE XIV.

THE LIBRARY DEPARTMENT.

SECTION 1. There is hereby created and instituted a public library, which shall be known as the "Seattle Public Library."

SEC. 2. The government of said library, subject to the provisions hereinafter made in this article, shall be and is hereby vested in a library commission, to consist of five commissioners, at least two of whom shall be women, and who shall serve without compensation, directly or indirectly, and shall hold their office for the term of five years, and until their successors are appointed and qualified. They shall be appointed by the mayor, with the advice

and consent of the board of aldermen, and the first mayor under this charter shall appoint five commissioners, one each for the term of one, two, three, four and five years, and until their successors are appointed and qualified, and thereafter on the first Monday in January of each year the mayor shall appoint a commissioner who shall succeed the commissioner whose term then expires.

SEC. 3. There is hereby created and established a library fund which shall consist of—

First—The proceeds from the sale of the bonds hereinafter provided for.

Second—Such gifts, bequests and devises as may be given, bequeathed or devised to the City of Seattle or any trustee, for the uses or purposes of the Seattle public library.

Third—Ten per centum of the gross receipts of the city from all fines, penalties and licenses.

Fourth—The rents, issues and profits derived from any property which may be owned by said library or the city in trust therefor.

Fifth—Any appropriation that the city council may make for said fund from time to time.

SEC. 4. The title to all property belonging to said library shall be in the name of the city and shall be held inviolable in trust for the use and benefit of said library.

SEC. 5. The city council may in its discretion, on or before the first Tuesday in March, in eighteen hundred and ninety-five, and if not before such time, shall at a special election to be held on the first Tuesday in March, eighteen hundred and ninety-five, submit to the electors of the city a proposition to issue the bonds of the city for \$300,000, payable not more than twenty years from date, for the purpose of procuring funds with which to purchase the grounds for and erect a public library building; such bonds to bear interest at a rate not exceeding five per cent. per annum, the interest to be paid semi-annually. If three-fifths of the voters voting at such election vote in favor of such proposition, the city council shall by ordinance provide for the issuing and sale of such bonds, and shall cause the proceeds thereof to be paid into the city treasury to the credit of the library fund, and the whole or such part thereof as may be deemed necessary for such purpose shall be by the library commission expended for the purchase of grounds and erecting a suitable building thereon, and furnishing such building for the use of the Seattle public library; and any balance remaining may be expended by the commission for library and museum purposes; provided, that such building shall be located

at some point south of Pine street, north of Yesler avenue, east of Second street and west of Broadway.

SEC. 6. The library commission, as soon as the proceeds of the sale of said bonds or any portion thereof shall be in the city treasury, shall proceed to erect such buildings as they may deem best, either wholly for the use of said library and its branches, hereinafter provided, or a portion of said building may be leased for commercial purposes as said commission may determine.

SEC. 7. As soon after their appointment as there is in the library fund the sum of ten thousand dollars available for that purpose, the library commission, with the assistance of such experts as they may require, shall prepare and furnish rooms for a library, museum and reading rooms, and shall at once procure by purchase and otherwise a library and museum of useful and standard, philosophical, historical, literary, scientific and art works, articles and objects as they deem best, and shall from time to time add to and enlarge the same; provided, that at no time shall any purchase be made or debt incurred by such commission until there is sufficient money in the library fund in the city treasury which may be applicable to the payment thereof.

SEC. 8. No greater annual tax than one mill on the dollar of the assessed valuation of property in the city shall ever be assessed, levied or collected for the library fund, either to redeem the bonds hereinbefore provided for or otherwise.

SEC. 9. Whenever there is, in the judgment of the library commission, sufficient funds which are not needed for current expenses of the library, or to add to or enlarge the same, the library commission may establish an industrial school in connection with and as part of said library, in such branches and with such professors, teachers, apparatus and appliances as they may deem best, and they shall conduct and manage said school and defray out of said fund the necessary expenses thereof.

SEC. 10. The library commission shall have absolute and complete direction, control and charge of the public library and the school connected therewith, except as in this charter otherwise provided, and shall alone have authority to expend the library fund, except as otherwise provided in this charter, and the commission shall certify every such expenditure to the city comptroller, who shall issue his warrant to the city treasurer therefor, and the same shall be paid by the treasurer out of any money in the library fund not otherwise appropriated; provided, that no sale or

disposal of any work, article or object shall be made, except by the unanimous vote of the entire commission.

SEC. 11. There shall be a librarian, who shall be appointed by the library commission, and hold his office at their pleasure. He shall be clerk of said commission. His duties shall be prescribed by the said commission, and he shall receive a salary to be fixed by the library commission, and to be paid out of the library fund.

SEC. 12. The library commission shall appoint such other subordinate officers and assistants as they may deem requisite from time to time, who shall be removable at the pleasure of the library commission, and shall receive such compensation, to be paid out of the library fund, as the library commission shall prescribe.

SEC. 13. The Seattle public library, museum and reading rooms shall be open for use to the public under such regulations as the city council shall by ordinance prescribe.

ARTICLE XV.

THE LAW DEPARTMENT.

SECTION 1. The law department of the City of Seattle shall consist of a corporation counsel and a city attorney.

SEC. 2. The corporation counsel shall be elected by the qualified electors of the city at the general municipal election provided for in this charter, and shall hold office for the term of two years and until his successor is duly elected and qualified. The corporation counsel must be an attorney of the supreme court of this state, and must have been in active practice of his profession for at least four years, two of which next preceding his election, must have been in the City of Seattle.

SEC. 3. It shall be the duty of the corporation counsel to bring and prosecute all actions at law and in equity, and all special proceedings which may be directed by the mayor, the city council, the comptroller, or any municipal department or board, except criminal actions and actions on bail bonds, and shall defend all actions and proceedings to which the city, or any officer, board or department of the city is a party, and all other actions and proceedings in which the rights or interests of the city are involved. He shall give legal advice in writing to the mayor, city council,

[SEC. 2. The corporation counsel shall be elected by the qualified electors of the city, at the general municipal election provided for in this charter, and shall hold office for the term of two years, and until his successor is duly elected and qualified. The corporation counsel must be an attorney of the supreme court of this state, and must have been in active practice of his profession for at least seven years, two of which next preceding his election, except in case of the first incumbent, must have been in the city of Seattle.]

comptroller, and to all boards and departments when requested by them, in writing, and also to any other officer of the city when directed by the mayor or city council so to do. He shall keep his office in such place as the city may provide, and shall devote himself exclusively to the duties of his office. He shall keep a docket of all the cases to which the city may be a party in any court of record, except criminal actions and actions on bail bonds, in which shall be briefly entered all steps taken in each case, and which shall at all times be open to the inspection of the mayor, comptroller, or any committee of the city council, or of any other officer of the city, upon the direction of the mayor. It shall also be the duty of said corporation counsel to draft all ordinances, bonds, contracts, leases, conveyances, and such other writings as may be required by the business of the city. He shall also inspect and examine all city tax and assessment rolls, and all proceedings in reference to the levy and collection of city taxes and local assessments. He shall also keep bound books of record and registry, of briefs and transcripts used in causes wherein he appears, and of all official written communications sent by him to any officer, board or department of the city, and all opinions given by him, and he shall perform such other duties as may be prescribed by ordinance, and he shall keep on file all written communications received by him officially.

SEC. 4. The corporation counsel may be authorized by ordinance to employ one or more assistants whenever the interests of the city demand such appointment.

SEC. 5. The corporation counsel shall have full supervisory control of all the litigation of the city, and shall appoint some competent and suitable attorney as an assistant, for whose acts he shall be responsible, who shall serve during the pleasure of the corporation counsel and be known as the city attorney; provided, that the city attorney elected at the general election of 1892 shall serve as such assistant and be subject to the provisions of this amendment during the term for which he shall have been elected. Said city attorney, subject to the supervision of the corporation counsel, shall perform the duties set forth in section six (6) of this article, and such other duties as may be required of him by the

[SEC. 5. The city attorney is the public prosecutor of the city. He must be an attorney of the supreme court of this state and have been in the active practice of his profession for at least five years, two of which next preceding his election, except in case of the first incumbent, must have been in the City of Seattle. He shall be elected by the qualified electors of said city at the general municipal election provided for in this charter, and shall hold his office for the term of two years and until his successor is duly elected and qualified.]

corporation counsel. The corporation counsel shall also appoint a clerk or stenographer, whose duty it shall be to attend the corporation counsel at his office and elsewhere, and under his direction do such clerical or stenographic work appertaining to the business of the city as may be required of him or her. Said clerk shall be removable at the pleasure of the corporation counsel and shall receive such compensation as the city council by ordinance may determine.

SEC. 6. It shall be the duty of the city attorney to conduct all prosecutions for public offenses committed against any of the ordinances of the city, and appear for that purpose in any court wherein the same may be pending. It shall be his duty to commence actions on all forfeited bail bonds within thirty days after they are declared forfeited, and shall diligently prosecute the same. No action on a bail bond shall be compromised except by the authority of the city council. When judgment has been rendered in an action on a bail bond and any property is exposed for sale on execution in such action, the city attorney may bid, and, if necessary, purchase said property for and in the name of the city, at a price not exceeding the amount of judgment recovered on such bond.

SEC. 7. The corporation counsel and the city attorney shall receive such compensation as is provided for in the article of this charter relating to the salaries and compensation of officers.

ARTICLE XVI.

THE JUDICIAL DEPARTMENT.

[NOTE—The article establishing a police court of the City of Seattle was repealed at the general election of March 8, 1892, the state legislature having in 1891 (act of March 27, 1891) created a municipal court.]

[SEC. 6. It shall be the duty of the city attorney to conduct all prosecutions for public offenses committed against any of the ordinances of the city, and appear for that purpose in any court wherein the same may be pending. It shall also be his duty to commence actions on all forfeited bail bonds within thirty days after they are declared forfeited, and shall diligently prosecute the same. No action on a bail bond shall be compromised except by the authority of the city council. When judgment has been rendered in an action on a bail bond and any property is exposed for sale on execution in such action, the city attorney may bid, and, if necessary, purchase said property for and in the name of the city, at a price not exceeding the amount of judgment recovered on such bond. The city attorney shall not perform any other official functions except those that relate to the prosecution of public offenses.]

[SEC. 8. (Repealed March 8, 1892.) No action shall be brought or maintained in anyway to test or question the validity of any assessment, proceeding, certificate or tax deed unless the plaintiff shall first tender and pay into court the amount of the assessed tax, together with all interest, penalties, costs and damages thereon.]

ARTICLE XVII.

SALARIES AND BONDS.

SECTION 1. The mayor shall receive annually a salary of \$3,000 to be paid monthly. The annual salaries of the other elective officers of this city shall be payable monthly, and shall be as follows: Treasurer and tax collector, \$3,000; corporation counsel, \$3,000; assistant corporation counsel and city attorney, \$2,000; city clerk, \$2,000.

SEC. 2. No officer of the city shall receive any compensation for his services as such officer except by salary payable monthly, which, when not prescribed by this charter, shall be fixed by the city council by ordinance. No salary of any officer so fixed by the city council shall be increased after his appointment or during the term for which he shall have been elected or appointed.

SEC. 3. All salaried officers of the city other than policemen, detective officers and firemen shall, before they enter upon the discharge of their official duties, give approved bonds conditioned on the faithful performance of such official duties, which sureties shall be freeholders within this state and residents thereof, and worth double the sum for which they become liable on such bonds over and above all just debts and liabilities, in unencumbered property situated within this state, which is not exempt from execution and forced sale. All official bonds must be approved by a majority of the auditing committee in open session. The amounts of all such bonds, except as otherwise provided in this charter, shall be fixed by the city council by ordinance; provided, that the following officers, taking office for the first time under this charter, shall give bonds in the following sums: Mayor, twenty-five thousand dollars; city clerk, five thousand dollars; comptroller and assessor, ten thousand dollars; treasurer, one hundred thousand dollars; police judge, five thousand dollars.

[SECTION 1. The mayor shall receive annually a salary of three thousand dollars, to be paid monthly by the city treasurer; provided, that when the population of the city, as ascertained by any city, state or United States census, shall exceed sixty thousand, said salary shall be increased by adding to said sum of three thousand dollars the sum of two hundred dollars for every ten thousand of population in excess of sixty thousand; but his salary in no case shall exceed six thousand dollars per annum. The annual salaries of the other elective officers of this city shall be payable monthly, and shall be as follows: Treasurer and tax collector, three thousand dollars; corporation counsel, three thousand dollars; city attorney, one thousand five hundred dollars; city clerk, two thousand dollars; police judge, two thousand four hundred dollars.]

[SEC. 2. No officer of the city shall receive any compensation for his services as such officer, except by salary payable monthly, which shall be fixed by the city council by ordinance, except as in this charter otherwise provided. No salary of any officer shall be increased or diminished after his appointment or during the term for which he shall have been elected or appointed.]

ARTICLE XVIII.

ELECTIONS.

SECTION. 1. There shall be held in this city, on the Tuesday following the first Monday in March, eighteen hundred and ninety-two, and biennially thereafter, a general election, for the election of a mayor, members of the city council and all other elective officers for the terms provided for in this charter, and special elections shall be held at such time and for such purpose as the city council may by ordinance prescribe; provided, that at least thirty days' notice shall be given of the time, place and purpose of any special election, by posting notices thereof for at least thirty days immediately preceding the day of election.

SEC. 2. The qualifications of voters at all elections shall be as provided in article six of the constitution of the state of Washington, and not otherwise.

SEC. 3. At least twenty days prior to any election, the city council shall designate one place of voting in each precinct, and shall appoint such judges and inspectors for each place of voting as may be required by the general laws of the state for state and county elections.

SEC. 4. At all the elections, the vote shall be by ballot, and the polls shall be opened at nine o'clock a. m., and close at seven o'clock p. m.

SEC. 5. The city clerk, under the direction of the city council, shall give thirty days' notice by posting at each voting place, in the city, a notice of the time and place of holding each election, and the officers to be elected, and in all cases notices shall be published in the city official newspapers, for at least ten days next preceding such election, of the time, place and purpose of such election.

SEC. 6. It shall be the duty of the city clerk to cause to be made out, and delivered at each voting place, by the time fixed by law for the opening of the polls, on the day of each election, all necessary books and lists required by the general laws of the state, for holding such election.

SEC. 7. Immediately after the close of the polls, the judges and inspectors of election shall then and there, without removing the ballot box from the place where the ballots were cast, proceed to canvass the votes, and as soon as such canvass is completed a return thereof shall be signed by the said judges and inspectors, securely enveloped and sealed, and delivered to the city clerk by

one of their number not more than twelve hours after the same are so sealed.

SEC. 8. On the first Friday evening after the election the city council shall at seven o'clock p. m. meet in joint convention and proceed to canvass the returns of such election, and shall thereupon declare the result, and what persons are elected, and in case of a tie vote for any office, such convention shall decide by lot which person having the highest and equal number of votes shall be elected to such office. A statement of such canvass shall be made out and signed by the chairman of the joint convention and filed with the city clerk, who, within three days thereafter, shall make out and cause to be delivered to each person elected a certificate of election.

SEC. 9. A certificate of election shall be *prima facie* evidence of the facts therein stated, but the board of aldermen and house of delegates shall each decide all questions as to the qualification and election of its own members, and in all cases of contested election for any office the contest shall be decided by the city council in joint convention according, as nearly as may be, to the laws of the state regulating proceedings in cases of contested elections for county officers.

SEC. 10. Every person elected shall qualify on or before the second Saturday after his election, and his term of office shall, unless otherwise provided in this charter, commence at twelve o'clock noon, on the second Monday after the canvass by the joint convention of the council.

SEC. 11. Members of the first house of delegates shall be elected in the several wards of the city as the same are fixed and bounded in this charter, and prior to the election to be held for the adoption of this charter, the city council shall divide the several wards into as many voting precincts as they may deem best.

[SEC. 12. (Repealed March 8, 1892). Should any vacancy occur in any elective office three months or more prior to any general municipal election, a special election shall be held to fill the vacancy until the next regular election and until a successor is elected and qualified. But if such vacancy should happen within three months of such general election, then such office shall be filled for the remainder of the term by nomination of the mayor and appointment with consent of the board of aldermen; provided, that when a vacancy occurs in the office of mayor within three months from such general election, the city council jointly assembled, and by a majority vote of all the members thereof, shall elect a mayor for the unexpired term.]

ARTICLE XIX.

OFFICERS, TERMS AND VACANCIES.

SECTION 1. The elective officers of the City of Seattle shall be a mayor, a treasurer, a city clerk, a city attorney*, a corporation counsel, and such other officers and the members of such boards as shall be created by this charter, and whose election shall be provided for herein.

SEC. 2. All elective and appointive officers of the city shall possess the following qualifications: They shall be citizens of the United States and of the City of Seattle and electors therein, and have such other qualifications as are prescribed in this charter. Every such officer, unless otherwise provided in this charter, shall have been a resident of the City of Seattle for at least two years next previous to his election or appointment, and shall be able to read and write the English language. No one shall be eligible to any office who shall be in arrears to the city for taxes or indebted to the city in any way, or who shall be interested, directly or indirectly, in any contract with the city, either for work to be performed or material to be furnished.

SEC. 3. Unless otherwise expressly provided in this charter, the term of every appointive officer shall expire on December 31 of each year.

SEC. 4. Every officer of the city, and each of his assistants, before entering upon the duties of his office, shall take and subscribe an oath or affirmation before some person authorized to administer oaths, that he possesses all the qualifications prescribed for his office by this charter; that he will support the constitution of the United States, and of the State of Washington, and the charter and ordinances of the City of Seattle, and that he will faithfully demean himself in office. Every officer of the corporation when so required by law or ordinance shall, before entering upon the duties of his office, and within ten days after his election or appointment, give bond to the city, in such sum as shall be designated by ordinance or otherwise, conditioned for the faithful performance of his duties, and that he will pay over all moneys belonging to the city, as provided by law. And if any person elected or appointed to any office shall fail to take or subscribe

[SEC. 3. Unless otherwise expressly provided in this charter, the term of every officer shall be for two years and until his successor is duly qualified.]

[* Amended March 8, 1892: Thereafter the city attorney becomes a subordinate officer appointed by the corporation counsel.]

such oath or affirmation, or to give bond, as herein required, his office shall be deemed vacant.

SEC. 5. An office becomes vacant on failure to qualify within the time limited by the charter, upon the death or removal from office or resignation of the incumbent, or his removal from or absence from the city for sixty days without leave of the city council, or upon an adjudication of insanity by a court of competent jurisdiction; by a conviction of habitual drunkenness, or by any other permanent disability, preventing the proper discharge of his duty.

SEC. 6. If any appointive office become vacant, the same shall be filled in the same manner as if at the beginning of the term, and the person appointed to fill the vacancy shall hold for the unexpired term. If any elective office other than that of a member of the city council become vacant, the city council shall, within twenty days thereafter, proceed in joint convention to elect by ballot a person to fill such vacancy. If the office of a member of the city council shall become vacant, that house or branch of the city council to which such member belonged shall, within twenty days thereafter, proceed to elect by ballot a person to fill such vacancy from the same ward in which the vacancy may have occurred; provided, that if any such office shall not be filled within the time above limited, such body or bodies, whose duty it may be to fill such vacancy, shall meet and ballot at least once each day until such vacancy shall have been filled. Persons elected to fill vacancies in elective offices shall hold the office until the next regular city election, and at such election a person shall be elected to hold the office for the remainder of the term. Persons elected to fill vacancies shall qualify within the same time after their election and in the same manner as prescribed for persons elected for full terms.

SEC. 7. Any elective officer may be suspended by the mayor and removed for cause by the council in joint convention as hereinafter provided, and any appointed officer may be removed by the mayor for cause. In either case the mayor shall temporarily fill the vacancy except as hereinafter provided.

SEC. 8. Whenever the mayor shall suspend any elective officer he shall immediately notify the city council of such suspension and

[SEC. 6. If any appointive office become vacant, the same shall be filled in the same manner as if at the beginning of a term, and the person appointed to fill the vacancy shall hold for the unexpired term.]

[SEC. 8. Whenever the mayor shall suspend any elective officer he shall immediately notify the city council of such suspension and the cause thereof, and shall forthwith call a

the cause thereof, and shall forthwith call a joint convention of the members of said council, at which he shall present charges against such suspended officer. He shall furnish a copy of the charges to said officer, who shall have a right to appear with counsel and make his defense. The city council, in joint convention as aforesaid, shall speedily try such officer on such charge, and for that purpose shall have power to adjourn from time to time until the trial shall be completed, to summon and compel the attendance of witnesses, to hear their testimony, to receive other evidence, and to hear the arguments of counsel. At such trial the president of the board of aldermen shall preside, and in his absence or disability the president of the house of delegates. If two-thirds of all the members of the city council shall by resolution sanctify [sanction] the action of the mayor, then the suspended officer shall thereby be removed from office.

SEC. 9. No head of department or member of any board, commission or bureau, created by or under this charter, shall hold any other office, federal, state, county or municipal, except in the National Guard or as a notary public, or be an employe of the city or any other department, commission, board, bureau, institution or office of the city government, or be directly or indirectly interested in any contract with the city, or with or for any department, institution, board, bureau, officer, agent or employe thereof, for the use of the city, or become surety for the performance of any such contract; and the violation of any of the provisions of this section shall work a forfeiture of his office and warrant his removal therefrom.

ARTICLE XX.

AMENDMENTS.

SECTION 1. Any amendment or amendments to this charter may be proposed in either house of the city council, and if the

joint convention of the members of said council, at which he shall present charges against such suspended officer. He shall furnish a copy of the charges to said officer, who shall have a right to appear with counsel and make his defense. The city council, in joint convention as aforesaid, shall speedily try such officer on such charge, and for that purpose shall have power to adjourn from time to time until the trial shall be completed, to summon and compel the attendance of witnesses, to hear their testimony, to receive other evidence, and to hear the arguments of counsel. At such trial the president of the board of aldermen shall preside, and in his absence or disability the president of the house of delegates. If two-thirds of all the members of the city council shall by resolution sanction the action of the mayor, the suspended officer shall thereby be removed from office. The city council shall in joint convention immediately proceed to elect a successor to such officer for the unexpired term.]

[SECTION 1. Any amendment or amendments to this charter may be proposed in either house of the city council, and if the same shall be agreed to by not less than three-fifths of

same shall be agreed to by not less than three-fifths of the members of each house, proposed amendment or amendments shall be entered upon the journal of each house, with the yeas and nays of the members of such house therein; provided, that after the passage of such amendment or amendments through the house in which it may have originated, the same shall not be called in the other house and placed upon its final passage therein at any time less than twenty days from the time of its passage through the house in which it originated. Upon the passage of said amendment or amendments through both of said houses, the same shall be submitted to the qualified voters of the city for their ratification or rejection at the next general election, which shall be at least sixty days after the adoption of such proposed amendment in the house to which it shall have been last submitted; and if, at such election, a majority of all the lawful voters voting thereat shall, by their votes, ratify any such amendment so submitted, the same shall thereby become a part of this charter, and within five days after such election be, by the mayor in proclamation, published in the city official newspaper, proclaimed a part thereof; provided, that if more than one amendment be submitted at the same general election the same shall be submitted at such election in such a manner that electors may vote for or against each of the amendments separately. And provided further, that after the passage of such proposed amendment through the said houses of the city council the same shall be published by the city clerk in the city official newspaper or newspapers, for the period of six days prior to such election, together with a notice by the mayor that the

all the members of each house, such proposed amendment or amendments shall be entered upon the journal of each house with the yeas and nays of such house thereon, and shall for ten consecutive days (excluding Sundays), beginning within five days next after the passage thereof, be published in the city official newspapers, and shall, not less than sixty nor more than ninety days after the first publication, be again submitted to each house of the city council for passage, and pursue the same course before the council and mayor as is pursued by an ordinance, and if upon such resubmission the same be agreed to again in each house by not less than three-fifths of all the members thereof and be not returned by the mayor with his objections, or be passed notwithstanding his objections by not less than two-thirds of all such members, such proposed amendment or amendments shall be submitted to the qualified voters of the city for their ratification at the next general election, or at a special election to be called for the purpose by the city council before such general election; and if at such election a majority of all lawful voters voting thereat shall by their votes ratify any amendment so submitted, the same shall thereby become a part of this charter, and within five days after such election be by the mayor, in proclamation published in the city official newspapers, proclaimed a part thereof; provided, that if more than one amendment be submitted, the same shall be submitted to the voters at such election in such a manner that they may vote for or against each amendment separately, and the city council shall cause every amendment that is to be submitted to be published for at least thirty days (excluding Sundays) next preceding such election in the city official newspapers.]

same is submitted to the qualified voters of the city for their rejection or approval at the said coming election.

ARTICLE XXI.

STREETS AND HIGHWAYS UPON THE TIDE LANDS AND SEA AND LAKE SHORES.

SECTION 1. Railroad avenue, Railroad avenue South and Railroad avenue "Y," as bounded and described in ordinances of the City of Seattle numbers eight hundred and four, eleven hundred and forty-five, thirteen hundred and thirty-three, thirteen hundred and thirty-four and thirteen hundred and thirty-five, are hereby extended and established over and across and along the harbor of the City of Seattle as public streets and highways of the city; provided, that this provision shall in no wise validate or invalidate, extend or curtail any grant of right-of-way on or over said highway by the city to any railroad company or corporation.

SEC. 2. West street, Commercial street, South Second and South Third streets, and Grant street, as bounded and described by ordinances numbers eleven hundred and six, eleven hundred and forty-one, eleven hundred and forty-six, seven hundred and forty-five, eleven hundred and nine and thirteen hundred and seventy-three, are hereby extended and established over and across the tide lands within the city as in said ordinances bounded and described.

SEC. 3. All streets within the city as platted in any of the plats or additions to the city, extending to the westward to the line of ordinary high tide, are hereby extended and established of the same width, and in the same direction, to the harbor line, as such line shall be established by the state, and in case such harbor line shall not be established along the Duwamish river, then and in such case said streets shall be and the same are extended to the west boundary of the city.

SEC. 4. All streets in the city abutting on the seashore to the southward are hereby extended and established over and across the tide lands to the south limits of the city.

SEC. 5. All streets abutting on Lake Union or Lake Washington are hereby extended and established to and into the waters of said lakes to a point where such waters are of the depth of thirty feet at low water.

SEC. 6. All streets platted in the original plat or in any addition thereto or to the city, over and across any of the tide lands within the city, are hereby extended and established over and

across such tide lands, as the said streets are shown on the several plats of said city and all additions thereto.

SEC. 7. The city council may by ordinance extend, establish or vacate any street over or across or along the harbor or tide lands in the city, as they in their discretion may deem best.

ARTICLE XXII.

MISCELLANEOUS SUBJECTS.

SECTION 1. All moneys in the city treasury at the time of the adoption of this charter, belonging to the several funds, shall be paid over to the city treasurer elected under the provisions of this charter, and be by him credited to the several funds to which the same belong.

SEC. 2. No privilege shall be granted that suspends or conflicts with any ordinance, except by an ordinance passed by the city council.

SEC. 3. All books and records of every office and department shall be open to the inspection of any citizen at any time during business hours. Copies or extracts from said books and records, duly certified, shall be given by the officer having the same in custody to any person demanding the same, and paying or tendering, for the use of the city, ten cents per folio of one hundred words for such copies or extracts.

SEC. 4. Except when otherwise provided by law or this charter, all public offices shall be kept open for business every day, except Sundays and legal holidays, from nine o'clock in the forenoon until five o'clock in the afternoon.

SEC. 5. No office shall be created, nor shall any person be employed in any capacity, nor shall any officer, clerk or employe receive any salary or compensation for any service of any kind, unless the same is specially provided for or authorized by law or this charter.

SEC. 6. Every officer authorized by law or ordinance to allow, audit or certify demands upon the treasury, or to make any official investigation, shall have power to administer oaths and affirmations and take and hear testimony concerning any matter or thing relating thereto.

SEC. 7. Every officer who shall approve, allow or pay any demand on the treasury not authorized by law, ordinance or this charter, shall be liable to the city individually and on his official bond for the amount of the demand so illegally approved, allowed or paid.

SEC. 8. Unless otherwise provided by law or this charter, each officer, board or department authorized to appoint any deputy, clerk, assistant or employe, shall have the right to remove any person so appointed.

SEC. 9. All appointments of officers, deputies and clerks to be made under any provision of this charter must be made in writing and in duplicate, authenticated by the person or persons, board or officer making the same. One of said duplicates must be filed with the city clerk and the other with the comptroller.

SEC. 10. All officers of the City of Seattle in office when this charter takes effect shall continue to hold and exercise their respective offices under and in accordance with the terms and provisions and obligations of this charter, until the election or appointment and qualification of the successors of said officers provided for in this charter.

SEC. 11. This charter shall be published in full in two daily newspapers in the city of Seattle, for thirty days, and after the same shall have been so published in full in said papers, the legislative authority of the city shall within five days thereafter provide for the submission thereof to the qualified voters of the city at an election to be held for that purpose, and shall give ten days' notice of such election in each election precinct of the city by publishing such notice in two daily newspapers published in the city and by causing said notice to be posted at each polling place in the several election precincts thereof, which notice shall specify the object for which said election is called. Said election shall be held at the time specified in said notice and shall be governed by the laws regulating and controlling elections in the city, but the division of the city into wards and any division of wards into precincts, made in this charter, shall be in force at said election. The form of the ballot at said election shall be: "For the proposed charter," or "Against the proposed charter." The officers conducting said election shall make returns thereof within the time and in the manner provided by the election laws of the city, and the vote thereof shall be canvassed and the result declared as provided by such laws; and if upon such canvass it shall be found that a majority of such votes so cast at such election were cast in favor of the ratification of such charter, the same shall become the organic law of the city, and shall supersede any existing charter and all amendments thereto, and all special laws inconsistent therewith, when authenticated, recorded and attested as provided in an act of the legislature of the state of Washington, approved March

twenty-fourth, eighteen hundred and ninety, entitled "An act to provide for the government of cities having a population of twenty thousand or more inhabitants, and declaring an emergency to exist."

SEC. 12. At the same election held for the purpose of submitting the proposed charter as provided in the preceding section, the qualified electors of the city shall also elect all officers of the city required to be elected by this charter, and such election for officers shall be held and the returns made and canvassed according to the general provisions of the existing laws of the city, and immediately after the vote of such election shall have been canvassed and the results thereof declared, if it shall appear that a majority of the votes cast at such election were cast in favor of the ratification of the proposed charter, the mayor and city clerk of the city shall thereupon issue notice to each officer elected at such election, notifying him of his election, and within ten days after the issuance of such notice the officers so elected shall qualify as provided in this charter, and on the tenth day after the issuance of such notice the officers so elected and qualified shall enter upon the discharge of the duties of their respective offices to which they have been elected, and at such time said charter shall be attested and recorded and go into effect. The first officers elected under this charter shall hold their respective offices until twelve o'clock M. of the second Monday after the regular municipal election held in the month of March, eighteen hundred and ninety-two, and until their respective successors are duly qualified.

ARTICLE XXIII.

HOURS OF LABOR.

In all public works done by the city, eight hours shall constitute a day's work; and no employe of the city, on city works, shall be required to work longer than eight hours for one day's pay. This section shall be enforced by the city council by ordinance.

CERTIFICATE.

I, Harry White, Mayor of the City of Seattle, do hereby certify that in accordance with the terms and provisions of section ten of article eleven of the constitution, and an act of the legislature of the State of Washington, entitled, "An act to provide for the government of cities having a population of twenty thousand or

more inhabitants, and declaring an emergency to exist," approved March the twenty-fourth, eighteen hundred and ninety, the mayor and common council of the City of Seattle, being the legislative authority thereof, duly caused a special election to be held on the thirty-first day of May, eighteen hundred and ninety, for the purpose of electing fifteen freeholders to prepare a charter for the City of Seattle; that due notice of such election was given in the manner provided by law; that on the thirty-first day of May, eighteen hundred and ninety, said election was held, and the votes cast thereat were duly canvassed by the legislative authority of said city, and the following named persons were declared duly elected to prepare and propose a charter for said city, to wit: Roger S. Greene, Orange Jacobs, Junius Rochester, John Leary, Jacob Furth, C. M. Sheafe, John Collins, George Donworth, H. G. Struve, J. R. Lewis, J. C. Nixon, George B. Adair, W. R. Andrews, Robert Calligan, and Douglas Young; that thereafter, to wit, on the fourth day of August, one thousand eight hundred and ninety, said board of freeholders duly returned a proposed charter for the City of Seattle, signed by the following members thereof: Orange Jacobs, George B. Adair, W. R. Andrews, Robert H. Calligan, John Collins, George Donworth, Jacob Furth, Roger S. Greene, John Leary, J. C. Nixon, Junius Rochester, C. M. Sheafe, H. G. Struve, Douglas Young; that thereafter such proposed charter was duly published in two daily newspapers in said city and of general circulation therein, to wit, for a period of forty-five days, said publication in each of said papers commencing on the ninth day of August, eighteen hundred and ninety; that thereafter, on the first day of October, eighteen hundred and ninety, at a general election duly called by the legislative authority of said city, the proposed charter was submitted to the qualified electors thereof, and the returns of said election were duly canvassed by the legislative authority thereof at a meeting held on the third day of October, eighteen hundred and ninety, and the result of said election was found to be as follows: For said proposed charter, two thousand five hundred and seven votes; against said proposed charter, five hundred and two votes; majority for said proposed charter, two thousand and five votes; for separate Article No. XXIII. of said proposed charter, which was separately submitted therewith and was separately voted on at said election, two thousand and thirty votes; against said separate Article No. XXIII. of said proposed charter, four hundred and forty-seven votes; majority for said separate Article No.

XXIII. of said proposed charter, one thousand five hundred and eighty-three votes. Whereupon the said charter, including said Article No. XXIII. thereof, was declared duly ratified by a majority of the qualified electors voting at said election. And I further certify that the foregoing is a full, true and complete copy of the proposed charter so voted upon and ratified as aforesaid.

In testimony whereof, I hereunto set my hand and affix the corporate seal of said city, at my office, this fourteenth day of October, one thousand eight hundred and ninety.

[L. S.]

HARRY WHITE,
Mayor of the City of Seattle.

Attest: C. W. FERRIS,
Clerk of the City of Seattle.

PROCLAMATION OF THE MAYOR

OF THE CITY OF SEATTLE.

WHEREAS, At the general municipal election, held on the 8th day of March A. D. 1892, provided for by law, for the city of Seattle, propositions for the amendment of the charter of said city were duly submitted to the voters at said election, for their ratification or rejection, which said amendments were designated by numbers, which said numbers extended from one to thirty-seven, inclusive; and,

WHEREAS, A majority of all the voters at said election, voting thereon, were in favor, as shown by the canvassed returns thereof, of the adoption and ratification of said proposed amendments, now, therefore,

I, George W. Hall, mayor of said city, do hereby declare and proclaim, as such mayor, that said proposed charter amendments have been duly approved and ratified by a majority of all lawful voters voting thereon, and that said proposed amendments have thus become a part of, and are hereby declared to be an integral part of the charter known as the freeholders' charter of the City of Seattle.

Done under my hand, this 12th day of March, in the year of our Lord, eighteen hundred and ninety-two.

GEORGE W. HALL,
Mayor of the City of Seattle.

Published March 14, 1892.