

## CHAPTER XLVI.

[H. B. No. 95.]

## TO ENCOURAGE THE LIVE STOCK INDUSTRY.

AN ACT to foster and encourage the live stock interests of this state and to protect the owners of such stock, making regulations concerning the same, and providing penalties for violations of such regulations.

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

SECTION 1. Whenever three or more counties in this state shall vote to accept the benefits and share the burdens of this act, as hereinafter provided, then the governor of the state, by and with the advice and consent of the senate, shall appoint a board of stock commissioners, consisting of one member from each of such counties, and such stock commissioners, upon entering upon their duties, shall take an oath to uphold and support the constitution of the United States and the constitution and laws of this state, and to well and truly perform their duties as provided by law, which oath shall be filed in the office of the secretary of state.

Commissioners, how appointed.

SEC. 2. It shall be the duty of the county commissioners of any county in this state, whenever petitioned by fifty (50) or more electors of the county, unless such petition be counterbalanced by a remonstrance of electors more numerously signed, to submit to the qualified electors of such county at a special election to be held upon thirty (30) days' notice, the question of accepting the benefits and sharing the burdens of this act. For the purpose of giving time for remonstrance, such petition shall lie over unacted on for ten (10) days after the filing of the same. Said election shall be ordered advertised, held and conducted, and the vote canvassed and returned as other elections held under the provisions of the code: *Provided*, The officers of the board of said special election shall receive two dollars only for their service. The question shall be submitted to the electors in the following form: "For stock law," "Against stock law." Should the vote of the county be in the affirmative, the result shall be cer-

Notice of election, how submitted.

Ballots to contain, what.

tified to the governor under the hand and seal of the auditor of the county, whereupon, when three (3) or more counties have so voted in the affirmative, the governor shall make the appointments provided by section one of this act.

Place of meeting.

SEC. 3. Said board when appointed shall meet at the city of Sprague and organize by the election of a president and secretary, and shall have power to fix the times and places of meeting thereafter, and to establish the place where the office of the secretary and records of the board shall be kept. The members of said board shall receive no compensation or mileage for their services, but shall be allowed their actual expenses incurred in the performance of their duties.

Duties of board.

SEC. 4. It shall be the duty of said board to exercise a general supervision over and as far as may be protect the stock interests of the state from theft and disease, and it shall have power and authority to make rules and regulations governing the recording of stock brands and governing the recording of the shipment of live stock on railroads, and the keeping of a record thereof. Such regulations, concerning the matters aforesaid, as may be made, shall be filed in the offices of the county auditors of the several counties to be affected by this act. A copy of the regulations concerning recording of the shipment of live stock shall be certified by the president and secretary of the board to railroad companies whose lines run through or traverse said counties. Said board shall also have the power, whenever deemed necessary by it, to assist in the prosecution of any and all crimes or misdemeanors against the laws of this state in feloniously branding or stealing any stock, or any other crime or misdemeanor under any of the laws of this state for the protection of the rights and interests of stock owners, and may employ counsel out of the fund hereinafter provided for to assist in any such prosecution. Said board shall also devise and recommend to the legislature from time to time such legislation as in their judgment will foster the stock industry of the state. It shall be the duty of railroad companies to require a compliance on the part of their employés with such regula-

tions as the board may make concerning the record to be kept of the shipment of such live stock.

SEC. 5. The said board of stock commissioners are hereby authorized, and it is made their duty, to appoint such stock inspectors as they may deem necessary for the better protection of the live stock interests of the state, and such inspector shall perform such duties in the inspection of stock and in the bringing to justice of such persons depre-<sup>Inspectors ap-  
pointed, how.</sup> dating on stock, and persons violating the provisions of this act, as may be prescribed by the board, and such inspectors shall have the same power to summons a posse when necessary to make arrests in the same manner and to the same extent as sheriffs. Such inspector may, when deputized, exercise the powers of deputy sheriffs, but shall not receive any fee or emolument therefor from the state or county. Inspectors shall be paid such compensation out of the funds hereinafter provided for as the board may determine. <sup>Duties of.</sup>

SEC. 6. An annual tax shall be laid on all the horses and cattle of the several counties affected by this act for the purpose of raising a fund for the purpose of carrying out its provisions: *Provided*, Eight head of stock shall be exempt from said tax to every owner. The rate of taxation to be laid on such live stock for each year shall be fixed by the board of stock commissioners and be by them certified to the county auditors of the several counties each year prior to the annual tax levy, and the county commissioners of the several counties shall include in their tax levy the rates so fixed by said board of stock commissioners on said live stock, and cause the same to be collected along with other state and county taxes. The taxes so collected shall be covered into the state treasury as other state taxes, and shall there be kept intact for the purpose of meeting the expenditures to be incurred under this act. The treasurer shall disburse the same on warrants drawn by the state auditor upon the certificate of the president and secretary of the stock board under regulations to be prescribed by the state auditor. <sup>Annual tax  
levied.</sup>

SEC. 7. From and after the passage of this act it shall be the duty of all butchers engaged in the business of slaughtering cattle in this state to keep a true and correct <sup>Brands re-  
corded.</sup>

report of all marks and brands of all cattle slaughtered by them, recording also the name or names of persons from whom said cattle were bought, together with their residence and date of purchase and delivery of said cattle. The said record shall be kept in a suitable book in the butcher's place of business, subject at all times to the inspection of the public.

Butchers to at-  
test records.

SEC. 8. It shall be the duty of all butchers keeping a record as provided in section seven of this act to make or cause to be made on or before the first day of each month two (2) exact and correct copies of the said record as kept by him or them, and shall be and appear before the nearest acting justice of the peace within the county in which said butcher carries on and conducts his business, and shall make affidavit to the correctness of the said record, one copy of which shall be placed and kept on file in the office of the said justice of the peace and the other copy shall be sent by the said butcher to the county auditor of the county and be placed and kept on file by the said auditor, and be subject as other papers in his office to the inspection of the public.

License.

SEC. 9. All persons carrying on the business of butchering in the counties adopting the provisions of this act shall, on the first day of January of each year or at such later period of the year as they shall commence business, pay into the county treasury of the county in which they do business an annual license tax of ten (\$10) dollars, and shall enter into bond with sureties to the satisfaction of the county auditor in the sum of five hundred (\$500) dollars, conditioned that they will in all respects comply with the provisions of this act concerning their business. The obligee in said bond shall be the State of Washington. Said bond shall be filed with the county auditor, and any person suffering loss by reason of non-compliance with the provisions of this act on the part of any such butcher shall be entitled to sue on said bond for his damages. The license tax collected from butchers shall be paid into the state treasury and there become a part of the fund provided for by section six of this act.

Bonds given.

SEC. 10. Any person or persons, other than a licensed butcher, who shall slaughter any cattle shall preserve the hides of said cattle intact for thirty (30) days at his usual place of abode, and permit the same to be inspected by any and all persons.

SEC. 11. No person shall take up estray stock in this state without first examining the marks and brands before two (2) disinterested witnesses, and swearing to the marks and brands before the nearest justice of the peace prior to advertising said stock. The said affidavit shall be filed with said justice of the peace, and shall contain the names of the witnesses before whom the marks and brands were examined. <sup>Estrays.</sup>

SEC. 12. It shall be unlawful for any person to brand or mark any calf, calves or other cattle that are running at large between the first day of December of each year and the first day of April following: *Provided*, Any owner of stock may brand on his own premises at any time in the presence of one or more responsible citizens. <sup>Branding.</sup>

SEC. 13. Any person who shall violate any of the provisions of sections seven, eight, ten, eleven or twelve of this act, or shall wilfully fail or refuse to comply with any of the requirements thereof, shall be deemed guilty of a misdemeanor, and on conviction thereof in a court of competent jurisdiction shall be punished by a fine of not less than fifty (\$50) dollars or more than five hundred (\$500) dollars, or by imprisonment in the county jail not less than one month and not exceeding six months, at the discretion of the court, or by both such fine and imprisonment, at the discretion of the court. All moneys collected by such fines shall be paid into the general fund of the county for the benefit of the public schools of the county. <sup>Penalty.</sup>

Passed the house February 19, 1895.

Passed the senate March 6, 1895.

Approved March 11, 1895.