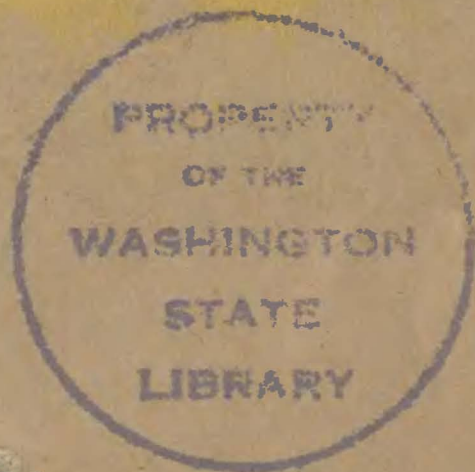


1859
of Incorporation
of the
Town of Olympia



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Library of Washington
by Wendell Phillips



ACT OF INCORPORATION
OF THE
TOWN OF OLYMPIA,
TOGETHER WITH THE
RULES OF ORDER
OF THE
BOARD OF TRUSTEES.

OLYMPIA :
EDWARD FURSTE, PRINTER

1859.

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TOWN ORGANIZATION.

BOARD OF TRUSTEES :

GEORGE A. BARNES, T. F. McELROY,
JAMES TILTON, ELWOOD EVANS,
JOSEPH CUSHMAN.

President of Board,.....JOSEPH CUSHMAN.
Treasurer,.....T. F. McELROY.
Clerk,.....RICHARD LANE.

TOWN MARSHAL,
WILLIAM MITCHELL.

POLICE MAGISTRATE,
THOMAS M. REED.

Standing Committees of Trustees :

On Finance—MESSRS. BARNES AND TILTON.
On Streets, &c.—MESSRS. TILTON AND BARNES.
On Health and Police—MESSRS. EVANS AND
McELROY.
On Engrossed Bills—MESSRS. McELROY AND
EVANS.

ACT OF INCORPORATION

OF THE

TOWN OF OLYMPIA.

AN ACT

TO INCORPORATE THE TOWN OF OLYMPIA.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington, That the town of Olympia shall be bounded as follows, to-wit: Com-
mencing at a point on Budd's Inlet, where the north-
ern boundary of section No. 11 intersects the shore ;
thence along the meandering of the beach southerly
to a point of intersection with the bay at the north-
ern boundary of section No. 14 ; thence east on sec-
tion line, between sections 14 and 11, to the northeast
corner of section 14 : thence south on section line,*

between sections 13 and 14, and sections 23 and 24 ; thence west, on the southern boundary of sections 22 and 23, to the southwest corner of section 22 ; thence north, on the west boundary of sections 22 and 15, to the northwest corner of section 15 ; thence east, on northern boundary of section 15, to a point of intersection with the western shore of Budd's Inlet ; thence northerly along said western shore, following the meandering of the beach to the intersection of the northern boundary of section 10 with the beach ; thence east, across Budd's Inlet, to the place of beginning.

SEC. 2. The inhabitants of said town of Olympia shall be, and are hereby constituted 'a body politic and corporate, by the name and style of the " Town of Olympia," and by that name they and their successors shall be known in law, and have perpetual succession, sue and be sued, plead and be impleaded, in all courts whatsoever, and receive property, personal and real, within said town, for public buildings, public works, and town improvements, and may dispose of the same in any way for the benefit of the town ; may purchase property beyond the limits of the town to be used for burial purposes, and for the establishment of a hospital for the reception of persons infected with contagious diseases.

ARTICLE SECOND.

SEC. 1. For the government of the said town of Olympia, there shall be annually elected, in the manner hereinafter provided, the following officers : A Board of Trustees, (consisting of five members), who

shall hold their offices for one year, or until their successors shall be duly elected and qualified ; and there shall be appointed annually by the Board of Trustees, one Town Clerk and one Town Marshal.

[ARTICLE THIRD.

SEC. 1. That a general election for all town officers of the corporation required under this act, shall be held on the first Monday in April of each year.

SEC. 2. No person shall be entitled to vote at any town election who shall not be an elector for Territorial offices, and who shall have resided in this town ten days next preceding the day of election ; and no person shall be eligible to any office under this charter who is not a qualified voter of said town.

SEC. 3. At all elections for town officers the vote shall be by ballot, at the time and place designated by the Board of Trustees.

SEC. 4. That all vacancies happening before the annual election shall be filled by the Board of Trustees.

SEC. 5. That all elections for town officers shall continue for one day, during which time the polls shall be kept open from 10 o'clock A. M. to 4 o'clock P. M.

SEC. 6. The person who shall receive a plurality of votes for any office, shall be declared duly elected, and the clerk shall issue to him a certificate of election, and on presentation of the same to the Board of Trustees, he shall be sworn into office.

ARTICLE FOURTH.

SEC. 1. The members of the Board of Trustees

shall annually elect one of their number president of the Board of Trustees, who shall hold his office for one year or until his successor shall be elected and qualified.

SEC. 2. The members of the Board of Trustees shall fix the time and place for holding their stated meetings, and may be convened by the president of the Board of Trustees at any time. A majority of the members shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members.

SEC. 3. Any ordinance which shall have passed by the Board of Trustees shall, before it becomes a law, be signed by the president of the Board.

SEC. 4. Said Board of Trustees shall have full power and authority :

1st. To make all needful by-laws, ordinances and town regulations, not repugnant to the constitution or laws of the United States, and the laws of this Territory.

2d. To levy taxes for municipal purposes, not to exceed one-half of one per centum per annum upon all taxable property, as is shown by the assessment made for Territorial and county purposes.

3d. To prohibit and prevent the introduction of contagious diseases into said town limits, and to make such regulations as shall promote the security of health, peace, cleanliness and good order within said town.

4th. To prevent and restrain any disturbances or disorderly conduct, riot, drunkenness, or any indecent

and immoral practices, within the limits of said town.

5th. To appoint one of the justices of the peace, residing within said town, as committing magistrate, whose duty it shall be to hear all complaints of violation of the said ordinances, and to examine all parties arrested by the town Marshal.

6th. The roads, streets and alleys within said town limits, shall be under the exclusive control of said Board of Trustees, who shall make all needful rules in regard to the improvement, repair, grading, cleaning, &c., &c., thereof. And for the purposes of this act said town shall not be included in any road district, but the road tax now due by law within said town shall be collected by the town Marshal, and laid out and expended by him as directed by ordinance.

ARTICLE FIFTH.

SEC. 1. The Trustees shall receive no compensation for their services.

SEC. 2. The town clerk shall receive such compensation for his services as may be allowed him by ordinance.

SEC. 3. The Marshal shall receive the same fees for his services as constables are entitled to for services of a similar nature, and for other services, such compensation as may be provided for by ordinance.

ARTICLE SIXTH.

SEC. 1. It shall be the duty of the Board of Trustees, at their first meeting, annually, to elect one of their number to perform the duties of town treasurer

who shall hold his office for one year, or until his successor is elected and qualified.

SEC. 2. It shall be the duty of the town Marshal, in addition to the duties prescribed by the Board of Trustees, to execute and return all processes issued by any justice of the peace residing within the town limits; to collect all moneys and tax, and pay the same over to the treasurer monthly.

SEC. 3. It shall be the duty of the town treasurer to receive all moneys which shall come to said town by taxation or otherwise, and pay out the same as may be provided by ordinance.

SEC. 4. The Board of Trustees shall define the duties of all officers by ordinance, which are not herein prescribed.

ARTICLE SEVENTH.

SEC. 1. All officers required to be elected under this act shall, before entering upon the duties of their office, take an oath or affirmation of office before any person competent to administer oaths.

SEC. 2. All resolutions and ordinances, calling for an appropriation for any sum exceeding one hundred dollars, shall lie over two meetings.

ARTICLE EIGHTH.

SEC. 1. This charter shall go into operation as soon as the law receives the signatures of the presiding officers of the Legislative Assembly; and, until the first election held under the provisions of this law shall have been held, the following persons shall be

Trustees, viz : George A. Barnes, T. F. McElroy, James Tilton, Joseph Cushman and Elwood Evans ; and Wm. Mitchell shall be town Marshal. And the said Board of Trustees shall have power to fill vacancies.

Passed January 29, 1859.

RULES OF ORDER

FOR THE GOVERNMENT OF THE BOARD OF
TRUSTEES OF THE TOWN OF OLYMPIA.

RULE 1. The President (or, in his absence, the Clerk) shall call the members to order, at the time to which the Board stands adjourned. Should there not be a quorum present, it shall be the duty of the town Marshal immediately to inform the absent members (except those known to be unavoidably detained) that their presence is required to enable the Board to proceed to business. Should they fail to appear on such notice, the members present shall adjourn to the next regular meeting which may have been established by the Trustees.

RULE 2. A quorum being present, the Board shall proceed, in the absence of the President, to choose a President *pro tem.*; after which the first business in order shall be the reading, by the Clerk, the records of the transactions of the preceding meeting, which, if not objected to, shall be considered as approved.

RULE 3. The President shall announce, at each meeting of the Board, the business in order, agreeably to the following rules, and no business shall be taken up or considered until the class to which it belongs shall be declared to be in order.

RULE 4. The business of the Board shall come up in the following order:

1st. Petitions, Memorials, Remonstrances, and Communications.

2d. Reports from Standing Committees.

3d. Reports from Select Committees.

4th. Propositions and Motions.

5th. Reports, and business lying on the table.

RULE 5. The President shall preserve order and decorum; may speak to points of order, in preference to other members, rising from his seat for that purpose; and shall decide all questions of order, subject to an appeal to the Board by any two members, on which appeal, no member shall speak more than once without leave of the Board.

RULE 6. The President shall rise to put a question, but may state it sitting.

RULE 7. Questions shall be distinctly put in this form, to wit:—"As many as are of the opinion that (as the question may be) say *aye*;" and after the affirmative voice is expressed, "As many as are of the contrary opinion, say *no*." If the President doubt, or division is called for, the Board shall divide; those of the affirmative of the question shall first arise, and afterwards those in the negative.

RULE 8. All questions relating to priority of business shall be decided without debate.

RULE 9. When two or more members happen to rise at once, the President shall name who is first to speak.

RULE 10. No member shall speak more than twice on the same question without the leave of the Board, nor more than once, until every member chosing to speak shall have spoken.

RULE 11. When a question is under debate, no motion shall be received but to amend it—to refer it—to lay it on the table—to postpone—the previous question—to adjourn.

RULE 12. A motion to adjourn shall always be in order.

RULE 13. When any member is about to speak in debate, or deliver any matter to the Board, he shall arise from his seat and respectfully address the President, and shall confine himself to the question in debate, and avoid personalities.

RULE 14. Every member who shall be present when a question is put, shall vote for or against the same, unless the Board shall excuse him, or unless he be immediately interested, in which case he shall not vote; but no member shall be permitted to vote on a question when a division is called for, unless present when his name is called in its regular order.

RULE 15. The President shall vote in all elections by ballot; and when the ayes and nays are called for, he shall vote, his name being called last; and, in case of an equal division, the question shall be lost; and upon all questions where the Board is equally divided, he shall give the casting vote; or, where his vote shall make an equal division, he shall vote upon the calling of any member; and in case of such division, the question shall be lost.

RULE 16. Whenever it shall be decided that the Board go into the Committee of the Whole, the President shall leave the chair, and appoint a chairman of

the Committee of the Whole, who shall report the proceedings of the Committee.

RULE 17. No motion shall be considered, unless the same shall be seconded. It shall be reduced to writing (if desired by any member of the Board,) but the mover may withdraw it at any time before a decision or an amendment be made to it.

RULE 18. On a motion in Committee of the Whole to rise and report, the question shall be decided without debate.

RULE 19. If the question in debate contains several points, any member may have the same divided.

RULE 20. Where a question has been once decided, it shall be in order for any member who voted in the majority, to move for a reconsideration thereof; but no motion for a reconsideration of any vote shall be made, after the ordinance, resolution, or act, shall have gone out of the possession of the Board; and no motion of such reconsideration shall be made more than once.

RULE 21. Upon a division of the Board, the names of those who vote for and those who vote against a question, shall be entered upon the minutes, when any two members may require it, and in such case, it shall be the duty of the clerk to enter on the minutes the names of the members so calling for a division.

RULE 22. Appointments of officers shall be by ballot, unless otherwise ordered, and a majority of the whole number present shall be necessary to constitute a choice.

RULE 23. All committees shall be appointed by the President. (except when it may be determined that the election shall be by ballot.)

RULE 24. Reports of Standing and Select Committees shall be made in writing and filed by the Clerk.

RULE 25. There shall be four Standing Committees, to consist of two members each :

1. A Committee on Finance.
2. A Committee on Health and Police.
3. A Committee on Streets, Public Buildings and Improvements, Landings and Wharves.
4. A Committee on Engrossed Bills.

RULE 26. No Standing Rule or Order of the Board shall be rescinded or suspended except by a vote of two-thirds of the members present ; nor shall the order of business established by the rules of the Board, be postponed or changed, except by a vote of two-thirds of the members present.

RULE 27. Every Ordinance shall receive three readings previous to its being passed, but shall not be read more than twice at any one meeting ; and the President shall announce, before each reading, whether it be the first, second, or third. Each Ordinance, after its final passage, shall be enrolled by the Clerk in a book kept for that purpose, and shall be published in a newspaper called the *Pioneer and Democrat*.

RULE 28. Upon the final passage of every Ordinance, the question shall be taken by yeas and nays.



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