legislation by him 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 during the year, with the cause thereof, with such other information as he can furnish tending to throw light upon the advancement or improvement of the department and the necessities thereof; also an estimate of money 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.

Fifth—The chief shall have such further powers and be subject to such further duties as may be granted or imposed by the city council, except as otherwise in this Charter provided.

Sixth—It shall be the duty of the chief of the fire department to inspect and keep a record of all new buildings in course of erection in the city, and report to the city council any building in process of construction or completed without the fire protection and escapes prescribed by law.

Seventh—The chief of the fire department shall keep a record of the conduct of men in the department, and send a copy of same monthly to the Secretary of the Civil Service Commission, keeping said record in accordance with the rules of and upon forms supplied by said 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 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 like control in regard to all 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, with and with the advice and consent of the city council, 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.

Department of Parks.

Section 1. The city park fund shall consist of—

First—Such tax levy, not to exceed annually one mill on the dollar, as may be provided by the city council.

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 and any and all moneys that may from any source accrue to said fund.

The city council shall have the same control over the city park fund as over the other moneys of the city and shall alone have power to authorize expenditures therefrom.

Sec. 2. The management and control of all the public squares and parks of the city and of all park drives, parkways and boulevards within the city are hereby vested in the city council. It shall have power to designate lands and grounds to be used and appropriated for such purposes; to cause the same to be platted and surveyed and the plats thereof to be filed in the office of the board of public works, or in the office of the city engineer; to devise, adopt and lay out parks, squares, park drives, parkways and boulevards in and adjacent to the city, and from time to time extend the same and add thereto; to grade, improve, ornament and maintain the same; to erect and maintain buildings and structures therein; to provide for securing, growing and maintaining trees, plants, flowers, zoological collections and other attractions therein; to grant concessions and privileges therein under such restrictions and for such terms as it shall prescribe the revenue of which shall go into the city park fund; provided that no such concession or privilege shall ever be granted for the sale of any intoxicating liquors in any public park, square, park drive, parkway or boulevard of the city. It may exclude from any or all of the parks, squares, park drives, parkways and boulevards of the city any vehicles or classes of traffic, which in its judgment may be improper for or detrimental to the same, or injurious to the improvements therein; it may appoint or cause to be appointed policemen for the special enforcement therein of the park regulations of the city, to be known as park police, and to be paid out of the city park fund; it shall have power to select and designate by ordinance any street or highway of the city for a park drive, parkway or boulevard, provided that before taking possession thereof for such purpose, it shall make or cause to be taken proper proceedings as required by law for the ascertainment and payment to the proper parties of the damage, if any, which will result to the property to be affected thereby, and after the payment of such damage, or the lawful ascertainment that no damage will be caused thereby, such street or highway shall become and be for all purposes a park drive, parkway or boulevard as may have been determined by the city council and thereafter the same shall be subject to such rules and regulations as may from time to time be in force with reference thereto.

The city council shall have power and is hereby authorized to obtain title for and in the name of the city to any lands so designated by it for the purposes of this article by gift, devise, purchase, condemnation or lease. The city council may authorize the making of contracts in the name of the city for the purchase of any lands to be paid for at such time or times and in such manner as the city council may agree upon; and the city council may accept the lands and authorize the giving back of a mortgage or mortgages in the name of the city to secure the unpaid purchase price, provided no personal or general liability on the part of the city shall be created by any such contract beyond the money then in the city park fund available therefor; and provided further that there shall be no express or implied agreement in any such mortgage nor any separate instrument given for the payment of the sums secured thereby, but the remedy of the mortgagee shall be confined to the property mortgaged.

Sec. 3. After any land for park purposes has become or is the unencumbered property of the city the board of public works shall have the same superintendence and management of said land and of the ornamentation and improvement of the same as of the other public grounds of the city, and the city council may authorize the board of public works to make such improvement and ornamentation of any such parks and to erect therein such building or buildings as the council may deem proper; provided, that at no time shall any debt be made or incurred for park purposes until there is a sufficient sum of money of the city park fund in the city treasury which may be available to pay the same.

Sec. 4. The board of public works shall annually in the month of January transmit to the mayor a detailed report of all work and improvements made during the year last expired in the parks, drives and boulevards of the city.

Sec. 5. There is hereby established in the department of parks a park committee to consist of five members, who shall hold office except as herein otherwise provided for the term of five years and until their sucessors are appointed and qualified respectively.

They shall be appointed by the mayor, by and with the advice and consent of the city council for the terms of one, two, three, four and five years respectively from the first Monday in May, 1896, and thereafter annually, after 1896, and prior to the first Monday in May of each year, the mayor, by and with the advice and consent of the city council, shall appoint a committee-man who shall succeed the committee-man whose term of office is about to expire.

The committee shall serve without compensation or expense to the city, and it shall be its duty to exercise inspection over and annually to report to and to advise the city council in regard to the maintenance, extension, ornamentation and improvement of the city parks, drives, boulevards and public places.

ARTICLE XIV.

The Library Department.

Section 1. There shall be a library fund, which shall consist of:

First—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."

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

Third—The rents, issues and profits derived from any property which may be held or owned in trust for said library by the city or any other trustee.

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

Fifth—Such annual tax levy, not to exceed one mill on the dollar, as the city council may provide.

Sec. 2. The title of all property belonging to the Seattle Public Library shall be and remain in the name of the city and shall be held inviolable in trust for the use and benefits of said library.

Sec. 3. There shall be five library commissioners appointed by the mayor, who shall hold office for five years, serve without compensation, and be subject to removal by the mayor. The five commissioners shall be appointed shall classify themselves that one of them shall go out of office each year, beginning December 31st, 1896. The commissioner having the shortest term to serve shall be chairman of the commission, and the librarian shall be secretary thereof.

There shall be a Librarian appointed by the mayor, whose appointment and tenure shall be subject to the provisions of Article XVI. of this charter.

Sec. 4. Subject to the direction and control of the city council, the librarian shall have the custody, management and control of the library, and, under civil service rules, have the appointment and removal of his subordinates.

Sec. 5. It shall be the duty of the library commissioners to visit the library at least monthly, and to make proper recommendations to the mayor, city council and librarian concerning the management of the library and the purchase of books.

Sec. 6. The city council shall provide for the expense of operating, maintaining and enlarging the library by monthly appropriation from the library fund, the same to be expended in the manner provided by ordinance or by this charter, but shall not have power to create any debt or obligation against the fund, except in so far as there shall be money therein with which to pay the same.

Sec. 7. The Seattle Public Library shall be open for the use of 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, assistant corporation counsel and a city attorney. The corporation counsel shall appoint the assistant corporation counsel and city attorney, and remove them at his pleasure.

Sec. 2. The corporation counsel shall be an attorney of the supreme court of this state, and have been in the practice of his profession in the city of Seattle for at least four years next prior to his election.

Sec. 3. The corporation counsel shall have full supervisory control of all the litigation of the city, or in which the city or any of its departments are interested, and shall perform such other duties as are or shall be prescribed by ordinance.

Sec. 4. The assistant corporation counsel and the city attorney shall perform such duties as shall be required by the corporation counsel or by any ordinance of the city.

ARTICLE XVI.

Civil Service Department.

Section 1. Commissioners' Appointment. The mayor shall appoint three persons who shall constitute and be known as the civil service commission, one for three years, one for two years and one for one year from the first day of January, 1896; each year thereafter, the mayor shall in like manner appoint one person as the successor of the commissioner whose term of office shall expire with the preceding year, to serve as such commissioner for three years. Appointments to fill vacancies shall be for the unexpired term. All appointments to said commission, both original and to fill vacancies, shall be so made that not more than two members shall at the time of appointment be members of the same political party. Any commissioner whose term shall expire shall be eligible to reappointment. Two of said commissioners shall constitute a quorum.

Sec. 2. Removal of Commissioners—Vacancies. The mayor may, in his discretion, remove any commissioner, but the vacancy thereby created shall be filled by the city council. The mayor shall within five days report in writing any such removal to the city council with his reasons therefor, but the commissioner so removed shall have no right to a trial, hearing or appeal. Vacancies in the office of commissioner occurring in any other way than by removal by the mayor shall be filled by appointment by the mayor.

Sec. 3. Classification of Employes. The commissioners shall classify all the offices and places of employment in the city with reference to the examinations hereinafter provided for, except the offices and places mentioned in Section 11 of this article. The offices and places so classified by the commission shall constitute the classified civil service of the city of Seattle; and no appointment to any such office or place shall be made except under and according to the rules hereinafter mentioned.

Sec. 4. Rules. The commission shall make rules to carry out the purposes of this article, and for examinations, appointments, promotions and removals in accordance with its provisions, and the commission may, from time to time, make changes in the existing rules.

Sec. 5. Publication and Time of Taking Effect of Rules. All rules made as hereinbefore provided, and all changes therein shall be forthwith printed for distribution by the commission, and the commission shall give notice by publication in the city official newspaper of the place where said rules may be obtained, and shall also give notice in such publication of the time when said rules shall go into operation which shall not be less than ten days subsequent to the date of publication.

Sec. 6. Examinations. All applicants for offices or places in the classified civil service shall be subjected to examination, which shall be public, competitive and open to all citizens of the United States with specified limitations as to residence, age, health, habits and moral character. Such examinations shall be practical in their character and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the positions to which they seek to be appointed, and shall include, when appropriate, tests of physical qualifications, health, and of manual or professional skill. No questions in any examination shall relate to political or religious opinion or affiliations. The commission shall control all examinations, and may, whenever an examination is to take place, designate a suitable number of persons, either in or not in the official service of the city, to be examiners, and if in the official service, it shall be a part of their official duty, without extra compensation, to conduct such examinations as the commission may direct and to make return and report thereof to the commission, and the commission may at any time substitute any other person, whether or not in such service, in the place of any one so selected. The commissioners may themselves act at any time as such examiners. The examiners at any examination shall not all be members of the same political party. Every applicant for examination, except laborers and applicants for promotion, shall pay to the city treasurer the sum of one dollar, and shall not be examined until he or she exhibits the treasurer's receipt therefor. Preference in employment shall at all times, subject to such examination, be given to citizens of the United States and electors of the city.

Sec. 7. Notice of Examinations. Notice of the time and place and general scope of every examination shall be given by the commission by publication in the city official newspaper two weeks preceding such examination, and such notice shall also be posted by the commission in a conspicuous place in its office for two weeks before such examination. Such further notice of examination may be given as the commission shall prescribe.

Sec. 8. Registers. From the returns or reports of the examiners, or from the examination made by the commission, the commission shall prepare a register for each grade or class of positions in the classified service of the city of the persons whose general average standing upon examination for such grade or class is not less than the minimum fixed by the rules of such commission, and who are otherwise eligible; and such persons shall take rank upon the register as candidates in the order of their relative excellence as determined by examination, without reference to priority of time of examination. Between candidates of equal standing, preference shall at all times be given to citizens of the United States and electors of the city.

Sec. 9. Promotions. The commission shall by its rules provide for promotions in the classified service, on the basis of ascertained merit and seniority in service and standing upon examination, and shall provide, in all cases where practicable, that vacancies shall be filled by promotion. All examinations for promotion shall be competitive among such members of the next lower rank established by the commission for each department as desire to submit themselves to such examination; and it shall be the duty of the commission to submit to the appointing power the names of not more than three applicants, having the highest rating, for each promotion. The method of examining and the rules governing the same and the method of certifying shall be the same, as near as may be, as provided for applicants for original appointment.

Sec. 10. Appointments to Classified Service. The head of the department or office in which the office classified under this act is to be filled shall notify the commission of any vacancy, and the commission shall certify to the appointing officer the names and addresses of the three candidates, if there shall be so many eligible, standing highest upon the register for the class or grade to which such position belongs, except that in cases of laborers where a choice by competition is impracticable, the commission may provide by its rules that selections may be made by lot from among those candidates proved fit by examination. Where there is more than one office to be filled, the commission may certify a less number than three for each office, and may also limit the number of times the same person may be certified. The appointing officer shall notify the commission separately of each position to be filled, and shall fill such places by appointment from the persons certified to him by the commission therefor, which appointment shall be on probation for a period to be fixed by the rules. The appointing officer may require the persons certified to come before him and shall be entitled to inspect such persons' examination papers. The commission may strike off the names of candidates from the register after they have remained thereon for a time to be limited by rule. Before the expiration of the period of probation the head of the department or office in which a candidate is employed may, by and with the consent of the commission, discharge him upon assigning in writing his reasons therefor to the commission. If he is not then discharged his appointment shall be deemed complete. To prevent the stoppage of public business, or to meet extraordinary exigencies, the head of any department may, with the approval of the commission, make temporary appointments to remain in force not exceeding sixty days, and only until regular appointments under the provisions of this article can be made.

Sec. 11. Officers Excepted from the Classified Civil Service. The following city officers shall not be included in the classified civil service: All elective officers, the assistant corporation counsel, the city attorney, the city engineer, the superintendent of lighting and water works, the superintendent of streets, sewers and parks, the members of the board of health, the health officer, the employes of the health department other than sanitary inspector, the library commissioners, the park committee, the port warden, the judges, clerks and inspectors of election, the private secretary of the mayor, all clerks of the treasurer, one chief clerk of the comptroller, and the city comptroller for the first term under this charter hereinbefore made an appointive officer for that period shall also be excepted.

Sec. 12. Removals. Every officer or employe in the classified civil service shall hold office until removed or retired. Any officer or employe in such service may be removed by the appointing power only upon the filing with the commission of a statement in writing of the reasons therefor. Any officer or employe so removed may within ten days after his removal demand an investigation. The commission shall forthwith make such investigation and its finding and decision shall be certified to the appointing officer, and if the removal is not sustained thereby, the officer or employe so removed shall at once be reinstated. Nothing in this article shall limit the power of any officer to suspend without pay a subordinate for a period not exceeding thirty days. In the course of any investigation, each member of the commission shall have power to administer oaths, and the commission shall have the power to require the attendance of any officer or employe or other person and the production of books and papers relevant to such investigation. The provisions of this section shall not apply to the removal of the chief of police.

Sec. 13. Reports to Commission. Immediate notice in writing shall be given by the appointing power to the commission of all appointments, permanent or temporary, made in the classified civil service and of all transfers, promotions, resignations or vacancies from any cause in such service, and of the date thereof, and a record of the same shall be kept by the commission. When any place of employment is created or abolished or the compensation attached thereto altered, such change shall be immediately reported in writing by the proper head of department to the commission.

Sec. 14. Investigations. The commission shall investigate the enforcement of this article and of its rules and the action of the examiners herein provided for, and the conduct and action of the appointees in the classified service, and may inquire as to the nature, tenure and compensation of all offices and places in the public service. In the course of such investigations each commissioner shall have the power to administer oaths and the commission shall have the power to require the attendance and the examination of any officer or employe or other person, and the production of books and papers relevant to such investigation.

Sec. 15. Report by the Commission. The commission shall, on or before the first day of January of each year make to the mayor for transmission to the city council a report showing its own actions, the rules in force, the practical effects thereof, and any suggestions it may approve for the more effectual accomplishment of the purposes of this article. The mayor may require a report from the commission at any other time.

Sec. 16. The Chief Examiner—Commissioner of Labor. The commission shall employ a chief examiner to superintend any examination held under this article. He shall be secretary of the commission, and as such shall keep the minutes of its proceedings, preserve all reports made to it and keep a record of all examinations held under its direction and perform such other duties as the commission may prescribe. He shall be ex-officio labor commissioner for the city and it shall be his duty as such, in addition to his duties as chief examiner and secretary of the civil service commission, to receive all applications for labor by persons desiring employment and by persons desiring to employ labor and record their names, when requested, in a book to be kept for that purpose, designating opposite the name of each applicant the character of labor or employment desired and the address of such applicant. To prevent abuses the commission may require a deposit not to exceed twenty-five cents from each person applying for work or applying to employ labor. The commissioner of labor shall be under the direction and control of the civil service commission and shall make such reports, and at such times, and perform such other duties as the commission may require.

Sec. 17. Rooms—Public Employment Office. The city council shall allow the reasonable use of all public buildings or halls for the holding of examinations and for the meetings of the commission, and shall provide and furnish a suitable office or offices to carry out the purposes of this article. The office of the chief examiner and labor commissioner shall be known as the "Public Employment Office of the City of Seattle," and be centrally located, and a sign shall be maintained bearing such designation. Such office shall be a bureau of statistics of labor for the city of Seattle, and the commissioner of labor may, under the direction of the civil service commission, collect, arrange and systematize all statistics relating to the various branches of labor in the city and especially those relating to the commercial, industrial and social condition of the inhabitants.

Sec. 18. Salaries and Expenses. The compensation of the civil service commissioners shall be $100 per year each, payable quarterly, provided, however, that after the first day of January, 1898, the city council may by ordinance increase their compensation. The compensation provided for the expenses of the commission and for the maintenance of the public employment office, and may provide for an assistant or assistants to the labor commissioner.

Sec. 19. Frauds Prohibited. No person or officer shall wilfully or corruptly by himself or in collusion with one or more other persons, deceive or obstruct any person in respect of his or her right of examination, or corruptly or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined hereunder, or aid in doing so, or wilfully or corruptly make any false representation concerning the same or concerning the person examined, or wilfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospect or chances of any person so examined or to be examined, to be appointed, employed or promoted.

Sec. 20. No officer to Solicit or Receive Political Contribution. No officer or employe of the city shall solicit orally or by letter, or otherwise, or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription or contribution for any party or political purpose whatever.

Sec. 21. No Person to Solicit Political Contribution From Officers or Employes. No person shall in any room or building occupied for the discharge of official duties by any officer or employe of the city, solicit orally or by letter, or by written communication delivered therein, or in any other manner or place solicit or receive from any

officer or employe of the city, appointed under civil service rules, any contribution or money or other thing of value for any party or political purpose whatever. No officer or employe of the city who may have charge or control of any building, office or room occupied by persons in the employ of the city, shall permit any person to enter the same for the purpose of thereinsoliciting or delivering written solicitations or receiving or giving notice of any political assessment.

Sec. 22. Payment of Political Assessment Prohibited. No officer or employe in the service of the city, under civil service rules, shall directly or indirectly give or hand over to any person in the employ of or holding office under the city, county, state or national government any money or other valuable thing on account of, or to be applied to the promotion of any party or political object whatever.

Sec. 23. Abuse of Official Influence Prohibited. No officer or employe of the city shall degrade, discharge or promote, or in any manner change the official rank or compensation of any other officer or employe, or promise or threaten to do so, for giving or withholding, or neglecting to make any contribution of money or any valuable thing for any party or political purpose, or for refusal or neglect to render any party or political service.

Sec. 24. Payment for Places Prohibited. No applicant for appointment or promotion in the classified civil service shall either directly or indirectly, pay or promise to pay any money or other valuable thing to any person whatever for or on account of his appointment or promotion, or proposed appointment or promotion.

Sec. 25. Recommendation in Consideration for Political Service Prohibited. No applicant for appointment or promotion in the classified civil service shall ask for or receive any recommendation or assistance from any officer or employe in said service, or of any other person, upon consideration of any political service to be rendered to or for such person, or for the promotion of such person to any office or appointment. No recommendation by any officer, city, county, state or national, except as to character, residence or fitness of the applicant, shall be received or considered by any persons concerned in any examination or appointment under this article, and no recommendation whatever shall be made by or received from the mayor.

Sec. 26. Abuse of Political Influence Prohibited. No person holding any office in the government of the city, or any nomination for or while seeking a nomination for, or appointment to such office shall corruptly use or promise to use, either directly or indirectly, his official authority or influence, whether then possessed or merely anticipated, in the way of conferring upon any person, or in order to secure or aid any person in securing any office or public employment or any nomination, confirmation or promotion, or increase of salary upon the consideration or condition that the vote or political influence or action of the last named person shall be given or used in behalf of any candidate, officer or party, or upon any other corrupt condition or consideration.

Sec. 27. Appointments and Removals to be Certified to the Comptroller. The commission shall certify to the city comptroller all appointments to places and offices in the classified civil service, and all vacancies occurring therein whether by death, retirement, resignation or dismissal, and all findings made or approved by the commission under the provision of Section 12 of this article.

Sec. 28. Comptroller and Treasurer to Pay Salaries Only After Certification. The comptroller shall not approve of the payment of, nor shall the treasurer pay or be in any manner concerned in paying any salary or wages to any person for services as an officer or employe of the city, unless such person is occupying an office or place of employment according to the provisions of law and is entitled to payment therefor, nor shall the comptroller audit or allow the claim for services of any deputy or other person employed in the public service in violation of the provisions of this article.

Sec. 29. Penalties. Any person in the service of the city by appointment under civil service rules who shall wilfully or through culpable negligence violate any of the provisions of this article, and who shall be convicted thereof after a trial before the civil service commission shall be dismissed from the service of the city and not be subject to reappointment.

Sec. 30. Penalties for Officers and Persons Other Than Those in the Civil Service. Any officer or employe of the city other than those holding office under the civil service rules, who shall wilfully or through culpable negligence violate any of the provisions of this article, and who shall be convicted thereof, shall be fined in a sum not less than fifty dollars ($50.00) and not exceeding one thousand dollars ($1000.00), and the office so held by such person by force of such conviction shall be rendered vacant and such person shall be incapable of holding any office or place of employment under the city thereafter. Any other person who shall wilfully or through culpable negligence violate any of the provisions of this article upon conviction thereof shall be punished by a fine of not less than fifty dollars ($50.00) and not exceeding one thousand dollars ($1000.00).

Sec. 31. Retirement. The commission may fix by its rules the age at which a person in the service of the city, appointed under civil service rules, may be retired from service.

Sec. 32. Disability. Any person in the service of the city under civil service appointment who shall be disabled in the discharge of his duties, shall receive full pay during such disability not to exceed thirty days, and half pay not to exceed six months, or who shall be permanently injured or disabled while in the line of duty, shall receive pay while such disability continues, to be fixed by the city council, not exceeding twenty per cent. of the pay received by such person at the time of injury. The commission shall prescribe such rules as may be necessary for carrying out the purposes of this section, and may provide a suitable medal of honor for distinguished bravery or service while in the line of duty.

Sec. 33. Vacations. The head of any department may grant 15 days vacation with pay in any one year to any person or employe in the civil service of the city.

Sec. 34. Use of Intoxicating Liquors Prohibited. No person habitually using intoxicating beverages to excess shall be appointed to or retained in any office, appointment or employment to which the provisions of this article are applicable.

Sec. 35. Present Employes to be Brought Under the Rules. All persons other than those designated in Sec. 11 of this article, holding office or employment under the city at the time of the adoption of this charter shall be required by the civil service commission to take the civil service examination. Any person who shall not take the civil service examination within six months after the adoption of this charter shall be removed by the appointing power, and shall not be entitled to any of the benefits herein provided for persons holding office by appointment under civil service rules.

ARTICLE XVII.

Salaries and Bonds.

Section 1. The mayor shall receive annually a salary of $1,500, to be paid monthly. The annual salaries of the following officers of this city shall be payable monthly, and shall be as follows: Treasurer, $2,000; corporation counsel, $1,000; city comptroller and ex-officio city clerk, $1,000.

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 offical 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 bond over and above all just debts and liabilities, in unincumbered property situated within this state, which is not exempt from execution and forced sale; provided that the suretyship of approved surety corporations may be accepted in lieu of individual sureties. 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 as fixed by the city council by ordinance.

Sec. 4. It shall be one condition of the bond of the chief of police that he shall pay all such actual damages as may be sustained by any person arrested without a warrant by reason of any false or unlawful imprisonment by or under the direction of such chief of police.

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-six, and biennially thereafter, a general election, for the election of a mayor, members of the city council and other elective officers for the term provided for in this charter, and special elections shall be held at such times and for such purpose as the city council may by ordinance prescribe, except as otherwise provided in this charter, and 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. The manner of conducting and voting at elections under this charter, opening and closing the polls, keeping the poll lists, canvassing the votes, declaring the result and certifying the returns, shall be the same as provided by the laws of this state for state and county elections therein; except as otherwise provided in this charter.

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, or measure to be submitted, and in all cases notices shall be published in the city official newspaper 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 elections.

Sec. 7. Immediately after the closing 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 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 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, 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 council 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 city council shall 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 according, as nearly as may be, to the laws of the state regulating proceedings in cases of contested elections for county officers.

Sec. 10. Whenever any question is to be submitted to the electors of the city and the method of such submission is not specifically provided by this charter or by general law, the same may be submitted at either a general or special election, and the method of submission shall be substantially as follows: The city clerk shall prepare a notice containing the proposition in full, and the time when the same is to be posted as provided in section five of this article and to be published in full in the city official newspaper for thirty days next preceding the day of election, and the ballots at such election shall contain such statement of the proposition as shall be prescribed by ordinance.

ARTICLE XIX.

Officers, Terms and Vacancies.

Section 1. The elective officers of the city of Seattle shall be: A Mayor, a Comptroller, who shall be ex-officio City Clerk, a Corporation Counsel, a Treasurer, and the members of the City Council.

Sec. 2. The appointive officers of the city of Seattle shall be: A City Engineer, a Superintendent of Streets, Sewers and Parks, a Superintendent of Lighting and Water Works, an Assistant to the Corporation Counsel, a City Attorney, a Commissioner of Labor, a Health Officer, a Sanitary Inspector, three members of the Board of Health, a Boiler Inspector, a Port Warden, a Librarian, five Library Commissioners, a Chief of Police, a Chief of the Fire Department, three Civil Service Commissioners, a Secretary of the Board of Public Works, five Park Committeemen, and such other officers as the electors of the city, at any general election upon submission of the Council, may authorize the Council to create.

Sec. 3. 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 four 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. No person shall be eligible to or shall hold any office who shall have been or shall be convicted of malfeasance in office, bribery or other infamous crime by judgment of any court of competent jurisdiction.

Sec. 4. Unless otherwise expressly provided in this charter, and expressly subject to the provisions of Article XVI. thereof, the term of every appointive officer shall expire at the same time at which the terms of the elective officers for the current term shall expire.

Sec. 5. The term of every elective officer under this charter, except councilman, shall be for two years. Every person elected shall qualify before the second Saturday after his election and his term of office shall commence at 12 o'clock, noon, on the second Monday after the canvass of the election by the city council.

Sec. 6. Every councilman and every other 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 qualificatins 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; that he will faithfully comply with and abide by all the requirements of Section 13 of this Article, 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 such oath or affirmation, or to give bond, as herein required, his office shall be deemed vacant.

Sec. 7. 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 drunkenness, or by any permanent disability, preventing the proper discharge of his duty.

Sec. 8. If any appointive office become vacant, the same shall, except as is otherwise provided in this charter, 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 become vacant, the city council shall, within twenty days thereafter, proceed to elect by ballot a person to fill such vacancy who shall possess the qualifications of the original incumbent, provided, that if any such office shall not be filled within the time above limited, the city council 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. 9. Any elective officer other than a member of the council may be suspended by the mayor and removed for cause by the council, as hereinafter provided, and the mayor shall temporarily fill the vacancy, except as hereinafter provided. Any officer appointed by the mayor may be removed by him, except as otherwise provided in this charter, upon filing with the city council a statement of his reasons therefor. Any member of the council may be suspended or removed by the council as hereinafter provided.

Sec. 10. 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 meeting of the council, at which he shall present charges against such suspended officer. The accused shall be furnished with a copy of the charges, and shall have a right to appear with counsel and make his defense. The city council 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. In case of the suspension of a member of the city council by that body, the member so suspended shall be tried in like manner as herein provided for the trial of officers suspended by the mayor, except that the charges may be preferred by any elector or member of the city council. In either case, the president of the city council shall preside at such trial, and in his absence or disability the acting president. If two-thirds of all the members of the city council shall by resolution find the accused guilty, then the suspended officer shall thereby be removed from office. The successor of any officer so removed, if elected by the council, shall be chosen from the same political party as the officer removed.

Sec. 11. Every elective officer shall hold office until his successor is elected and qualified, except as otherwise in this charter provided.

Sec. 12. Every appointive officer shall hold office until his successor is appointed and qualified, except as otherwise in this charter provided.

Sec. 13. No head of department or other elective or appointive officer, councilman or member of any board, commission or bureau, created by or under this charter, except policemen or firemen, 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. Nor shall any such officer accept from any railroad or street railroad corporation, operating in whole or in part within the city, any pass or free transportation or transportation upon any terms, save such as are open to the public generally. The violation of any of the provisions of this section shall work a forfeiture of the office of the officer violating the same, and warrant his removal from office by impeachment or other proper procedure. Any such officer guilty of accepting such pass, free transportation or transportation upon terms not open to the public generally, shall, in addition to forfeiting his office as above provided, forfeit to the city all sums of money paid him by the city as salary during the term in which he shall be guilty of such misconduct, up to the time of the recovery of judgment against him therefor; and a civil action for the recovery thereof may at any time be commenced in the name of the city by the corporation counsel upon complaint verified by any citizen of the city.

No person elected or appointed to any such office in this city who has accepted the said office and entered upon the duties thereof shall, except when otherwise in this charter or by general law of the state specifically provided, be eligible to any other office in the city during the term for which he was so elected or appointed.

ARTICLE XX.

Amendments.

Section 1. Any amendment or amendments to this charter may be proposed in the city council, and if the same shall be agreed to by a majority of all the members elected, such proposed amendment or amendments, shall be entered upon the journal with the yeas and nays of the members voting thereon. Upon the passage of any such amendment or amendments, the same shall be submitted to the electors of the city for their ratification at the next general election, which shall be at least sixty days after the adoption of such proposed amendment in the council; and if at such election any such amendment shall be ratified by a majority of the qualified electors voting thereon, the same shall thereby become a part of this charter, and within five days after such election shall be by the mayor by proclamation published in the city official newspaper proclaimed a part hereof; provided, that if more than one amendment be submitted at the same general election, the same shall be submitted at such election in such manner that each proposed amendment may be voted on separately without prejudice to others; and provided further, that after the passage of such proposed amendments through the council, the same shall be published by the city clerk in the city official newspaper for at least thirty days prior to the day of such election.

Sec. 2. Whenever twenty per cent. of the qualified voters of the city registered in the registration list used at the last general municipal election shall present to the city council a proposition for an amendment to the city charter, it shall be the duty of the city council to submit the same to the qualified voters of the city for their ratification or rejection at the next general election, which shall be at least 60 days after the presentation of such petition to the city council; such submission shall be made by resolution of the city council, which shall be adopted at least sixty days prior to such election. Before any such proposition shall be circulated for signatures, it shall be presented to the city clerk, who shall procure the opinion of the corporation