

## FLOOD CONTROL LEVY NOT YET DECIDED UPON

COMMISSIONERS HAVE POWER  
TO LEVY UP TO TWO MILLS,  
BUT NO PLANS YET MADE,  
DAILY HERALD TOLD

No decision has been made relative to what levy, if any, will be ordered in the event the county approves the plan for forming a flood control district at a special election to be held December 3.

This statement was made today by Attorney R. V. Welts, president of the Skagit county planning council, when asked by the Daily Herald to clear up several issues around which has evolved considerable argument.

"If the people decided in favor of a flood control district, the board of county commissioners will automatically become the commissioners of the control district," said Mr. Welts. "They will have power to spread a levy over the district of not more than two mills, but there is no plan at the present time to do so."

Continuing his explanation, Mr. Welts said:

"As I see it, if the flood control district is approved, the commissioners will undoubtedly go to work in laying out a comprehensive flood control program, completion of which we could work toward during a period of years. They would then seek state and federal aid before they would levy any substantial amount. It would be up to the commissioners to decide what they want to do, and any levy that they decide upon would come after that."

The flood control district, embracing all of the county east of Swinomish channel, will have a valuation of approximately \$17,000,000, it is estimated. If the full two mills were collected, it would amount to about \$34,000.

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County Auditor Carl P. Kloke stated all precincts within the proposed district will be open for voters on December 3.

A majority vote is necessary to authorize the district.

### GO INTO COURT

TACOMA, Oct. 23.—(P)—Canvassing of the returns and certifying of the results of Tuesday's special election to determine whether or not a flood control district shall be established in the Puyallup valley, apparently overwhelmingly approved by voters of the district, was restrained by Superior Judge Ernest M. Card today on petition of the Weyerhaeuser Timber company, St. Paul & Tacoma Lumber company, Milwaukee Land company and the Northwestern Improvement company.

The court set October 31 as the date for the county election board, composed of Commissioner Harvey O. Scofield, Prosecuting Attorney Harry H. Johnston, and Auditor S. Clifford Davis to appear and show cause why the restraining order should not be made permanent.

In the meantime the ballots will be impounded by the auditor as they are received from the election boards and held pending the outcome of the injunction proceedings.

Residents of the larger communities of Puyallup valley are overwhelmingly in favor of the establishment of a flood control district, according to unofficial returns. Proponents of the district expressed the belief that later returns will not change the result.

The district which includes land along and adjacent to the Puyallup, Carbon and Stuck rivers is to be created in conformity with acts passed by the last legislature.

Puyallup voted 326 to 50 for the district, Sumner 316 to 25, Orting 305 to 22 and the entire vote so far tabulated is 1097 to 215.

### RULING GIVEN

OLYMPIA, Oct. 23.—(P)—Flood control districts, the attorney general's office has decided, may not properly spend money to drain lands, except to make outlets for flood waters.

The opinion, written by Assistant Attorney General George C. Hannan, was given to Director E. F. Banker of the department of conservation and development yesterday. The department had asked whether the law was broad enough to include drainage.

Answering a question about leasing lands belonging to dikage and draining districts, the attorney general's office said that where the tenant pays all assessments against the land and the district retains sale rights, a lease "for not more than one season" would be legal.