

for their approval or rejection, said proposition shall be expressed on the ballots in the following terms:

“ Water district. Yes.”

“ Water district. No.”

giving in each instance the name to such district as may be decided on by the board of county commissioners.

There shall be not less than one polling place in each ward in each incorporated city or town, and one polling place in each precinct outside such cities or towns. Polling places.

In case any petition shall have been filed with the county auditor of any county prior to the taking effect of this act and no election shall have been called thereon, no election shall be called until the expiration of sixty days from the time of taking effect of this act, and in case within thirty days from the taking effect of this act a protest signed by the requisite number of qualified electors of any city or town shall be filed with the county auditor, the same shall be examined and if found sufficient shall be certified to the board of county commissioners, and such cities or towns shall be excluded from the proposed district.” Stay of pending proceedings.

SEC. 3. This act is necessary for the immediate preservation of the public health and shall take effect immediately. Emergency.

Passed the House February 11, 1915.

Passed the Senate February 24, 1915.

Approved by the Governor March 1, 1915.

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## CHAPTER 25.

[H. B. 130.]

### AUTHORITY TO DAM MILL OR McALLISTER CREEK.

AN ACT authorizing the construction of a dam for diking and drainage purposes across Mill or McAllister creek in Thurston county, providing for a hearing thereon and for compensation to persons injured thereby.

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

SECTION 1. A dam to prevent the overflow of lands above the same by tides and to permit the drainage of such lands is hereby authorized to be constructed across Mill or Dam authorized.

McAllister creek in Thurston county at some point on the said stream where it flows through the northwest quarter of the James McAllister donation claim in said county.

Application  
by majority  
owners of  
land.

SEC. 2. The authority herein given may be exercised by the persons who own the lands bordering upon and along said stream above the location of said dam or by any number of them representing a majority of the foot frontage of property along said stream upon application therefor to the commissioner of public lands and approved by him as hereinafter provided.

Hearing.

SEC. 3. Whenever any one or more of the property owners as named in Sec. 2 shall apply to the commissioner of public lands for the right to construct a dam on Mill or McAllister creek as herein authorized and show that he or they are the owners of lands bordering upon or along said Mill or McAllister creek above the location of said dam, and that the owners of a majority of the front footage along said stream join in said petition or waive any objections thereto, the said commissioner shall fix a time for the hearing of such application and shall post notices thereof, or cause notices to be posted, in at least three places on and along the property affected thereby. If after such hearing he shall satisfy himself that the owners of a majority of the land bordering upon and along the said stream desire such dam or waive any objections thereto, he shall cause the applicants for such right to file a good and sufficient bond in amount to be fixed by him to compensate any person or persons who may claim to be injured by said dam, and upon the filing of such bond he shall grant the applicants the right to construct such dam.

Notice.

Bond of  
applicants.

SEC. 4. The dam herein authorized shall be built in a good and substantial manner to be approved by the commissioner of public lands, and it shall also amply provide gates or fishways for the passage of fish through the same in a manner to be approved by the state fish commissioner. Applicant or applicants for the right to construct such dam shall also be responsible for the safe upkeep and repair of the same.

Approval of  
public land  
and fish com-  
missioners.

SEC. 5. If any person owning lands or having an interest therein bordering on or along said stream shall feel aggrieved or his property damaged by the construction or the proposed construction of such dam, he shall file his claim with the commissioner of public lands not later than six months after the construction of such dam. Upon the filing of such claim the commissioner of public lands shall immediately cause an action to be brought in the superior court of Thurston county to ascertain the amount of such damage, and when so ascertained together with the costs in connection with such suit shall be a liability against the applicant or applicants to whom was granted the right to build such dam, and such claim may be enforced against the bond so filed with the said commissioner of public lands.

Claims for damages.

Enforcement against bond.

Passed the House February 19, 1915.

Passed the Senate February 24, 1915.

Approved by the Governor March 1, 1915.

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## CHAPTER 26.

[H. B. 133.]

### INTERSTATE FERRIES.

AN ACT relating to ferries in adjoining states and the power of counties to contribute to the construction and maintenance thereof.

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

SECTION 1. That whenever the board of county commissioners of any county shall determine that the construction or maintenance of a ferry in a state adjoining such county or connecting such county with such adjoining state is of necessity or convenience to the citizens of such county, the board shall have power to enter into a contract for the construction or maintenance of such ferry, or to make such contribution as may be deemed advisable toward the construction or maintenance thereof.

Counties authorized to construct or maintain.

Passed the House February 16, 1915.

Passed the Senate February 24, 1915.

Approved by the Governor March 1, 1915.