

cused person to offer himself or herself as a witness in such case: *And provided further*, That it shall be the duty of the court to instruct the jury that no inference of guilt shall arise against the accused if the accused shall fail or refuse to testify as a witness in his or her own behalf.

Passed the House March 2, 1915.

Passed the Senate March 10, 1915.

Approved by the Governor March 16, 1915.

CHAPTER 84.

[S. B. 63.]

DIKING DISTRICT ELECTIONS.

AN ACT relating to elections in diking districts and amending section 4095 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 4095 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Amends
Rem.-Bal.
§ 4095, by
requiring
voters to
be land-
owners.

Section 4095. Said election shall be held on the day designated in such notice, and shall be conducted in accordance with the general election laws of the state, and no person shall be entitled to vote at such election or at the elections of commissioners hereinafter provided for unless he shall be a qualified elector of the county in which such district is located, and shall own land in the district. It shall be the duty of the county auditor, upon the request of the board of county commissioners, to certify to the election officers of any such election the names of all persons owning land in the district as shown by the records of his office, and at any such election the election officers may require any such land owner, offering to vote, to take an oath that he is a qualified elector of the county before he shall be allowed to vote: *Provided*, That at any elec-

Elections.

Voters
must be
landowners.

Votes by corporations.

Canvass of votes.

Bonds of dike commissioners.

tion held under the provisions of this act, an officer or agent of any corporation owning land in the district, duly authorized thereto in writing, may cast a vote on behalf of said corporation; when so voting he shall file with the election officers such written instrument of his authority. The board of county commissioners shall, on the Monday next succeeding such election, count and canvass the votes cast thereat, and if, upon said canvass and count, it appears that a majority of the votes cast are for "Dike Districts, yes," the board shall immediately enter an order upon its records declaring the proposed territory duly organized as a dike district, giving to such district a proper number, followed by the name of the county and state, and shall also declare the three persons receiving, respectively, the highest number of votes, the duly elected dike commissioners of such diking district. Said board shall cause a copy of the order entered of record, duly certified, to be filed in the office of the secretary of state, and from and after the date of such filing, said organization shall be deemed complete; and the members of said board of commissioners, so chosen at said election, before entering upon the discharge of their duties, shall qualify as county officers are required to qualify, and each shall enter into a bond, payable to the State of Washington, for the benefit of said district, with two or more sureties, in a penal sum of not less than one thousand dollars nor more than five thousand dollars, conditioned for the faithful performance of their duties as dike commissioners, to be approved by the board of county commissioners; and to be filed with the county clerk, of the county in which said district is situated. The said dike commissioners shall hold office until the next general election at which officers of said dike district are to be elected, and until such further time as their successors are elected and qualified. The members of each successive board of dike commissioners, whether elected or appointed, shall, before entering upon their duties, enter into a bond as herein provided, and after being approved by the board of county commis-

sioners, shall be filed in the office of the county clerk of the county in which said district is situated.

Passed the Senate January 28, 1915.

Passed the House March 10, 1915.

Approved by the Governor March 16, 1915.

CHAPTER 85.

[S. B. 102.]

RELIEF OF HEIRS OF ANNIE E. ENNIS.

AN ACT for the relief of the heirs of Annie E. Ennis, deceased, late of Walla Walla county, State of Washington, ceding to said heirs a certain right-of-way, now held by the State of Washington, over and across certain lands in Walla Walla county, State of Washington.

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

SECTION 1. That the right-of-way now held by the State of Washington, over and across the following described lands, situated in Walla Walla county, State of Washington, being particularly described as follows:

Cession by
state of right
of way in
Walla Walla
county.

“The exclusive right-of-way and the right to construct, operate and maintain a railway from the track of the Washington and Columbia River Railway Company, or from the track of the Oregon Railway and Navigation Company, or from both of them, over and across the following described tracts, pieces or parcels of land situate in the county of Walla Walla aforesaid, to-wit:

“Lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), and fractional lots nine (9), ten (10), eleven (11), twelve (12), seventeen (17), eighteen (18), nineteen (19), twenty (20), of block five (5); and also lots thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty-two (22), twenty-three (23) and twenty-four (24) in block eight (8), all in Butler’s addition to the city of Walla Walla, according to the official plat and survey thereof.”