

felony, but shall not have named, in such offer, the person whose apprehension is sought, and any person, in consequence of such offer, shall have apprehended, brought back and secured the person who committed such felony, and such person shall have been charged therewith and convicted thereof, and the board of county commissioners shall have ordered such reward paid to the person so affecting such arrest and conviction, and the county auditor of such county shall have issued a warrant in payment of such reward, and such warrant shall have been held or shall be invalid by reason of the fact that in the offer of such reward by the board of county commissioners, no particular person was named as the person for whose arrest and conviction such reward was offered, such warrant shall be and is hereby declared to be valid, and it shall be the duty of the county treasurer of such county to pay such warrant out of the fund in the county treasury upon which the same was drawn, but no interest shall be paid thereon.

Passed the Senate March 2, 1917.

Passed the House March 6, 1917.

Approved by the Governor March 15, 1917.

CHAPTER 152.

[S. B. 195.]

POWERS OF COMMERCIAL WATERWAY DISTRICTS.

AN ACT relating to commercial waterway districts of the State of Washington, and providing for the issuance of refunding bonds by said district, and amending section 8172 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That all bonds heretofore issued or hereafter to be issued by any commercial waterway district of the State of Washington, may be refunded in the discretion of the board of commissioners of such district in

Issuance of
refundng
bonds.

the manner hereinafter provided, whenever in the discretion of the board it becomes advisable so to do: *Provided, however,* That such refunding shall not operate so as to accelerate the maturity of any outstanding bonds which are so sought to be refunded. All the provisions of the existing laws relating to bonds of commercial waterway districts shall apply to any such refunding bonds, except that such refunding bonds may be exchanged for outstanding bonds without notice: *Provided,* That the same are so exchanged at not less than par value: *And provided further,* That such refunding bonds shall be payable in not less than five (5) years, nor more than twenty (20) years from their date, and may be payable in installments from year to year covering a period of not less than five (5) years commencing from said five (5) years from date.

SEC. 2. That section 8172 of Rem. & Bal. Code as amended by chapter eleven (11) of the Laws of 1911, be and the same is hereby amended so as to read as follows:

Section 8172. Any commercial waterway district organized or validated under the provisions of this act, or attempted to be organized under the provisions of any previous act and validated under the provisions of any other act, shall have the following powers and authority:

Powers.

(a) The right of eminent domain, with power by and through its board of commissioners to cause to be condemned and appropriated private property for the use of said organization in the construction and maintenance of a system of commercial waterways and make just compensation therefor: *Provided,* That the property of private corporations may be subjected to the same rights of eminent domain as that of private individuals: *Provided, further,* That the said board of commissioners shall have the power to acquire by purchase all the property necessary to make the improvements herein provided for.

Right of eminent domain.

(b) Said board of commissioners herein provided shall have the right, power and authority to straighten, widen, deepen and improve any and all rivers, water-courses, streams, whether navigable or otherwise, flowing

Improvement of streams.

through or located within the boundaries of said district, or extensions or enlargements thereof.

Construction
of necessary
appliances.

(c) To construct all needed and auxiliary ditches, canals, flumes, locks, dikes, and all other artificial appliances in the construction of a commercial waterway system, and which may be necessary or advisable to protect the land in any commercial waterway district, from overflow, or to assist and become necessary in the preservation and maintenance of such commercial waterway system.

Acquisition
of rights of
way.

(d) In the accomplishment of the foregoing objects, the commissioners of said waterway district are hereby given the right, power and authority by purchase or the exercise of the power and authority of eminent domain, or otherwise, to acquire all necessary and needed rights of way in the straightening, deepening, or widening, or otherwise improving of such rivers, watercourses or streams, and such auxiliary ditches, canals, flumes and dikes hereinabove mentioned, and when so acquired shall have and are hereby given the right, power and authority by and with the consent and approval of the United States government in cases where such consent is necessary, to divert, alter and change the bed or course of or otherwise improve any such river, watercourse or stream aforesaid, or to deepen, widen and straighten the same: *Provided*, That such diversion, alteration or change shall not be had without payment of compensation or damages for any property rights, riparian or otherwise, that may be taken or damaged thereby. Said district and its board of commissioners shall also have the right, power and authority to acquire, either by condemnation or purchase, or both, all such property and property rights adjoining or in the vicinity of any system of commercial waterways as may be necessary or advantageous or proper for the construction and establishment of slips, docks, wharves or landing places or other aids to navigation and commerce in connection with the use of any such commercial waterway, and to pay for any or all such, either by means of the

Lands for
dock
purposes.

proceeds of sale of abandoned beds of streams, which the district may have acquired, or by exchanging property in said abandoned beds, as the board of commissioners may deem advisable. Said district through its board, shall also have power to lease all properties or lands on such terms and in such manner as the commissioners may deem advisable from time to time.

Power to lease.

(e) The right, power and authority to acquire the necessary and needed rights of way for any and all purposes created by this act may be acquired by the commissioners of any waterway district over and across or upon any land or interest therein of the State of Washington, or any county of this state, and streets, alleys, and avenues, or public places of any city, town or municipal corporation of this state: *Provided, however,* That the construction of such commercial waterway or commercial waterways shall not have the effect of impairing any right, power or authority now existing on the part of any city or town to construct in, upon, underneath, above or across such commercial waterway or commercial waterways, sewers, water pipes, mains, the granting of any franchise thereon, or improve by the way of planking, replanking, paving, repaving or any other power, right and authority which, but for this act, such city or town would have in or to such street, avenues, alley or public place, except, however, that such right, power and authority on behalf of such city or town shall not be exercised either by such city or town or by any person or persons, firms or corporations, to whom it might grant any right or franchise which will materially impair the efficiency of said commercial waterway or commercial waterways. The provision of this section as regards such system of commercial waterway or commercial waterways, to be constructed within the boundaries of any incorporated city or town, shall apply to the extension or enlargement of any commercial waterway or commercial waterways already existing upon, over and across any street,

Rights of way over state and municipal lands.

Rights of cities, in crossing waterways.

Extensions of waterways.

avenue, alley or public place, of any city or town, as well as the original construction thereof.

Passed the Senate March 2, 1917.

Passed the House March 6, 1917.

Approved by the Governor March 15, 1917.

CHAPTER 153.

[S. B. 58.]

POWER OF EMINENT DOMAIN FOR MILITARY PURPOSES.

AN ACT relating to the exercise of the power of eminent domain for military purposes, by the state, by counties and by cities.

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

SECTION 1. Whenever the governor, as commander-in-chief of the military of this state, shall deem it necessary to acquire any lands, real estate, premises or other property for any military purpose or purposes of this state, either to add to, enlarge, increase or otherwise improve state military facilities now or hereafter existing or to establish new facilities, the acquisition of which shall have been provided for by the state, by a county or by a city, or by either, all or any thereof, upon certificate by the governor of such necessity, proceedings for the condemnation, appropriation and taking of the lands, real estate, premises or other property so certified to be necessary shall be taken as follows:

Where the state is to pay the purchase price it shall be the duty of the attorney general, upon receipt by him of said certificate of the governor, to file a petition in the superior court for the county in which such lands, real estate, premises or other property may be situate praying such condemnation, appropriating and taking, which petition shall be prosecuted to a final determination in the manner by law provided for other condemnation suits brought by or on behalf of the state;

Certificate of necessity.

Proceedings by state.