

Lease to be
canceled by
Commissioner
Public Lands.

or surrender for cancellation any such contract or lease, and thereupon the Commissioner of Public Lands of the State of Washington is hereby authorized and directed to cancel such contract or lease, and to refund or cause to be refunded any moneys received by the State of Washington on account of such sale, conveyance, contract or lease.

Conflicting
laws hereby
repealed.

SEC. 5. All laws and parts of laws of the State of Washington in conflict with this act are hereby repealed.

Emergency.

SEC. 6. An emergency is hereby declared to exist, and this act shall take effect immediately.

Passed the Senate February 18, 1901.

Passed the House March 13, 1901.

Approved by the Governor March 16, 1901.

CHAPTER CXI.

[S. B. No. 137.]

AMENDING AN ACT RELATIVE TO DIKES.

AN ACT amending section 13 of an act entitled "An act to provide for the establishment and creation of diking districts, and the construction and maintenance of a system of dikes, and to provide the means of payment thereof, and declaring an emergency," approved March 20, 1895.

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

Amendment.

SECTION 1. That section 13 of an act entitled "An act to provide for the appointment and creation of diking districts and the construction and maintenance of a system of dikes, and to provide the means of payment thereof, and declaring an emergency," approved March 20th, 1895, be amended to read as follows :

Benefited
lands formerly
omitted from
assessment—
remedy.

Sec. 13. If the board of diking commissioners shall, at any time, discover that any lands within said district are being benefited by the diking system and the same were by mistake, inadvertence or other cause omitted

from the assessment of benefits as provided for in the last preceding section, or which were omitted for the reason that they were not at the time of assessing the benefits as provided for in said preceding section, for any cause, subject to a legal assessment, said commissioners shall file a petition in the Superior Court in the original cause setting forth the fact of such benefits, describing the lands omitted, the reason the same were omitted in said original proceedings and giving the name of the owners or reputed owners thereof and praying that said original cause, as to such lands, be opened up for further proceedings for the assessment of the alleged benefits, and upon the filing of said petition summons shall issue thereon and be served on the defendants named in said petition the same as summons is served and issued in original proceedings, as near as may be, except the court may, to avoid costs, and in its discretion, call a jury of not less than three jurors, and the jury, in assessing the benefits, shall take into consideration the length of time said lands are to receive the benefits from said improvement and its future maintenance, estimating said time from the date when said lands first became legally assessable, which date must be found by the jury in their verdict as to each tract or parcel found to be benefited: *And provided further*, That in case the expense and costs of the improvement have been paid for by assessments levied against the lands assessed in the original proceeding before the lands provided for in this section are assessed, as provided for herein, then, in such case, the assessments levied from time to time on said last mentioned land shall be paid into the maintenance fund of said district. Every person or corporation feeling himself or itself aggrieved by any judgment for damages or any assessment of benefits provided in this act, may appeal to the Supreme Court of the state within thirty days after the entry of the judgment, and such appeal shall bring before the Supreme Court the propriety and justness of the amount of damage or assessment of benefit in respect to the parties to the appeal. Upon such

File a petition.

Court may call a jury.

Proviso.

Whom may appeal to Supreme Court.

No bonds
required nor
stay allowed.

appeal no bonds shall be required and no stay shall be allowed.

Passed the Senate March 4, 1901.

Passed the House March 14, 1901.

Approved by the Governor March 16, 1901.

CHAPTER CXII.

[S. B. No. 94.]

AMENDING AN ACT CREATING OFFICE OF STATE VETERINARY SURGEON.

AN ACT to amend sections 2 and 5 of an act entitled "An act providing for the creation of the office of the State Veterinary Surgeon and defining his duties," approved March 22, 1895.

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

Amendment.

SECTION 1. That section 2 of an act approved March 22, 1895, entitled "An act providing for the creation of the office of the State Veterinary Surgeon and defining his duties," be and the same is hereby amended to read as follows :

Powers of
such officer.

SEC. 2. He shall have general supervision of all contagious and infectious diseases among domestic animals within or that may be in transit through the state, and he is authorized and empowered to inspect and test all cattle within the state for tuberculosis whenever in his judgment it is deemed advisable, and he is empowered to establish quarantine against any and all such animals affected with any contagious or infectious disease or diseases, or that have been exposed to others thus diseased, whether within or without the state; and he may with the concurrence of the State Board of Health, make such rules and regulations as he may deem necessary for the protection against the spread and for the suppression of said disease or diseases, which rules and regulations after the concurrence of the Governor, shall be published and enforced, and in doing said things, or any of them, he shall have the power to call on any

Rules and
regulations.

Publication of
rules, etc.