

act shall apply to all elections in districts or precincts where voting machines are used; and any provisions of law or of any city charter or ordinance which conflict with the use of such machines as herein set forth, shall not apply to the districts or precincts in which voting machines are used; and all acts or parts of acts or city charters or ordinances in conflict with any of the provisions of this act, shall be of no force or effect in election districts or precincts where voting machines are used.

Laws
applicable.

Passed the House February 27, 1913.

Passed the Senate March 5, 1913.

Approved by the Governor March 11, 1913.

CHAPTER 59.

[H. B. 478.]

GRANTING SMITH'S COVE WATERWAY TO THE PORT OF SEATTLE.

AN ACT vacating a portion of Smith's Cove Waterway, in the city of Seattle, and vesting the title of the vacated portion in the port of Seattle.

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

SECTION 1. That all of that portion of the Smith's Cove waterway, in the city of Seattle, north of the southerly line of Garfield street in said city of Seattle, as the same appears upon the plat of said city, be, and the same is hereby, vacated as a waterway of the State of Washington.

Description.

SEC. 2. After the date of the passage and approval of this act, and the time when the same shall become effective, the title to all of that portion of the said Smith Cove waterway hereby vacated shall be vested in the port of Seattle: *Provided, however,* That before such vacation shall become effective, or the title to said property shall vest in said port of Seattle the said port of Seattle shall procure the consent of all owners of property abutting upon the said waterway of said vacation, but the said port of Seattle shall possess no right to acquire any such con-

Title to vest
in port.

Consent of
abutting
owners.

sent by exercise of the power of eminent domain, or by any proceedings whatever, against the will of any such abutting owner.

Passed the House March 7, 1913.

Passed the Senate March 11, 1913.

Approved by the Governor March 11, 1913.

CHAPTER 60.

[S. B. 247.]

CREATING THE DEPARTMENT OF AGRICULTURE.

[For acts amended or repealed, see § 14 *infra*.]

AN ACT creating a department of agriculture, providing for the organization and administration thereof, defining the powers and duties of its officers and employes in relation to agriculture, horticulture, live stock, dairying, state fairs, foods, drinks, drugs, oils, and other kindred subjects, providing penalties for the violation thereof, and repealing certain acts and parts of act.

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

Department of Agriculture created.

SECTION 1. There shall be a department of the state government known as the Department of Agriculture, which shall be charged with the administration of the laws relating to agriculture, agricultural resources and products, horticulture, live stock, foods, drugs and oils, and such other subjects as the legislature may provide.

Commissioner.

SEC. 2. The office of commissioner of agriculture is hereby created. The governor shall appoint the commissioner of agriculture, and such commissioner shall hold office at the pleasure of the governor and until his successor is appointed and qualified. The commissioner shall be *ex-officio* a member of the state board of health.

Member state board of health.

SEC. 3. Before entering upon the duties of his office the commissioner of agriculture shall take and subscribe the oath of office required of state officers, and shall give a surety company bond in the sum of five thousand dollars, conditioned for the faithful performance of his duties, the cost of said bond to be paid by the state. The

Bond.