

for a breach thereof shall be paid into the county treasury.

Passed the House March 1, 1953.

Passed the Senate March 10, 1953.

Approved by the Governor March 17, 1953.

CHAPTER 117.

[H. B. 554.]

CITIES AND TOWNS—LOCAL IMPROVEMENT DISTRICT WARRANTS.

AN ACT relating to local improvements in cities and towns; repealing section 72, chapter 98, Laws of 1911 and section 3, chapter 168, Laws of 1915, and amending section 35.45.130, RCW.

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

Repealing and amendment clause.

SECTION 1. Section 72, chapter 98, Laws of 1911 and section 3, chapter 168, Laws of 1915, amendatory thereof, are each repealed and section 35.45.130, RCW, presently derived therefrom and henceforth derived from this act, is amended to read as follows:

Issuance of warrants against local improvement funds authorized.

Every city and town may provide by ordinance for the issuance of warrants in payment of the cost and expense of any local improvement, payable out of the local improvement district fund. The warrants shall bear interest at a rate not to exceed eight percent per annum and shall be redeemed either in cash or by local improvement bonds for the same improvement authorized by ordinance.

Priority of warrants.

All warrants against any local improvement fund sold by the city or town or issued to a contractor and by him sold or hypothecated for a valuable consideration shall be claims and liens against the improvement fund against which they are drawn prior and superior to any right, lien, or claim of any surety upon the bond or bonds given to the city or

town by or for the contractor to secure the performance of his contract or to secure the payment of persons who have performed work thereon, furnished materials therefor, or provisions and supplies for the carrying on of the work.

Passed the House March 1, 1953.

Passed the Senate March 10, 1953.

Approved by the Governor March 17, 1953.

CHAPTER 118.

[H. B. 555.]

ACTIONS BY AND AGAINST PUBLIC CORPORATIONS.

AN ACT relating to actions by and against public corporations; repealing section 601, page 154, Laws of 1869 and section 661, Code of 1881, and amending section 4.08.110, RCW; repealing section 602, page 154, Laws of 1869 and section 662, Code of 1881, and amending section 4.08.120, RCW.

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

SECTION 1. Section 601, page 154, Laws of 1869 and section 661, Code of 1881, are each repealed, and section 4.08.110, RCW, presently derived therefrom and henceforth derived from this act, is amended to read as follows:

Repealing
and
amendment
clause.

An action at law may be maintained by any county, incorporated town, school district or other public corporation of like character, in its corporate name, and upon a cause of action accruing to it, in its corporate character and not otherwise, in any of the following cases:

Actions by
public
corporations.

(1) Upon a contract made with such public corporation;

(2) Upon a liability prescribed by law in favor of such public corporation;

(3) To recover a penalty or forfeiture given to such public corporation;