

warrants shall be payable only from the funds created by the special taxes or assessments hereinbefore authorized upon the property in the said local improvement district, and the holder of any such bond or warrant shall look only to such fund for the payment of the principal and interest thereof and shall have no claim or lien therefor against the city by which the same was issued except from such fund.

Construc-
tion of act.

SEC. 6. The provisions and remedies provided by this act are and shall be cumulative of existing provisions and remedies, and nothing in this act contained shall be held to repeal any provision of the existing law or of any charter of any city upon the subject matter thereof, but such existing law or charter provision shall continue in full force and effect, and it shall be optional with the city authorities to proceed under either such existing law, charter provision or this act.

Passed the House March 8th, 1907.

Passed the Senate March 13th, 1907.

Approved by the Governor March 18th, 1907.

CHAPTER 244.

[H. B. 231.]

AMENDING ACT RELATING TO APPROPRIATION OF LANDS AND HIGHWAYS FOR CORPORATE PURPOSES.

AN ACT to amend an act entitled "An act to amend section 4334 of Ballinger's Annotated Codes and Statutes of Washington relating to the appropriation of lands and highways for corporate purposes." (Section 7089 of Pierce's Code.)

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

SECTION 1. That section 1 of an act to amend an act entitled "An Act to amend section 4334 of Ballinger's Annotated Codes and Statutes of Washington relating to the appropriation of lands and highways for corporate purposes," (section 7089 of Pierce's Code) be, and the same is hereby amended to read as follows: Sec. 1. Every corporation organized for the construction of any railway,

macadamized road, plank road, clay road, canal or bridge, is hereby authorized and empowered to appropriate, by condemnation, land and any interest in land or contract right relating thereto, including any leasehold interest therein and any rights-of-way for tunnels beneath the surface of the land, and any elevated rights-of-way above the surface thereof, including lands granted to the State for university, school or other purposes, and also tide and shore lands belonging to the State (but not including harbor areas), which may be necessary for the line of such road, railway or canal, or site of such bridge, not exceeding two hundred feet in width, besides a sufficient quantity thereof for toll houses, workshops, materials for construction, excavations and embankments and a right-of-way over adjacent lands or property, to enable such corporation to construct and prepare its road, railway, canal or bridge, and to make proper drains; and in case of a canal, whenever the court shall deem it necessary, to appropriate a sufficient quantity of land, including lands granted to the State for university, school or other purposes, in addition to that before specified in this section, for the construction and excavation of such canal and of the slopes and bermes thereof, not exceeding one thousand feet in total width; and in case of a railway to appropriate a sufficient quantity of any such land, including lands granted to the state for university, schools and other purposes and also tide and shore lands belonging to the State (but not including harbor areas), in addition to that before specified in this section, for the necessary side tracks, depots and water stations, and the right to conduct water thereto by aqueduct, and for yards, terminal, transfer and switching grounds, docks and warehouses required for receiving, delivering, storage and handling of freight, and such land, or any interest therein, as may be necessary for the security and safety of the public in the construction, maintenance and operation of its railways; compensation therefor to be made to the owner thereof irrespective of any benefit from any improvement proposed by such corporation, in the manner provided by law: *And provided further,* That if such corporation lo-

Authority
to condemn.

Rights-of-
way.

Canals.

Compensa-
tion irre-
spective of
benefits.

cate the bed of such railway or canal upon any part of the track now occupied by any established State or county road, said corporation shall be responsible to the county commissioners of said county or counties in which such State or county road so appropriated is located, for all expenses incurred by such county or counties in relocating and opening the part of such road so appropriated. The term land as herein used includes tide and shore lands but not harbor areas; it also includes any interest in land or contract right relating thereto, including any leasehold interest therein.

Passed the House March 11, 1907.

Passed the Senate March 13th, 1907.

Approved by the Governor March 18, 1907.

CHAPTER 245.

[H. B. 349.]

ANNEXATION OF UNINCORPORATED TERRITORY TO CITIES OF THE FIRST CLASS.

AN ACT providing for the annexation to cities of the first class of unincorporated territory contiguous thereto and providing a method therefor.

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

Contiguous
territory
may be an-
nexed.

SECTION 1. Any portion of a county not heretofore incorporated as a municipal corporation, lying contiguous to any city of the first class, may become annexed to such city under the provisions of this act, and when so annexed shall become a part of said city: *Provided*, That whenever any such unincorporated territory is separated from any city of the first class by water, or by tide or shore lands on which no *bona fide* residence is maintained by any person, said unincorporated territory shall be deemed contiguous for all the purposes of this act.

Petition to
county com-
missioners.

SEC. 2. A petition shall be presented to the board of county commissioners of such county, signed by at least twenty per centum of the qualified electors of such county,