

Resurvey.

purchase said lots, and also contract of sale numbered 3666, so as to include only the lands above the line of ordinary low water in the Chehalis river and upon the payment by the said C. A. Ives or his successor of an amount equal to the number of acres so found in said lots above the line of ordinary low water multiplied at the proportionate rate per acre in each lot as required by the original application, the said commissioner of public lands shall cause a deed to be issued therefor to the said C. A. Ives, or his successor, and the acceptance of such deed shall be deemed a relinquishment by such grantee of all claims to any part of said lots lying below the line of ordinary low water as shall be fixed by such survey.

Passed by the House February 25, 1911.

Passed by the Senate March 9, 1911.

Approved by the Governor March 17, 1911.

CHAPTER 111.

[H. B. 184.]

RELATING TO POWERS OF MUNICIPAL CORPORATIONS.

[See §§8005
to 8010,
Rem.-Bal.]

AN ACT relating to the powers of municipal corporations, authorizing such corporations to acquire by purchase, condemnation, or otherwise, water for irrigation and domestic purposes, and the construction of a piping system therefor; to levy and collect special assessments and taxes to pay for the same; providing the modes of payment therefor; making the annual rental for the use of such water a charge and lien against the property furnished; permitting cities and towns owning gas, water or electric plants to dispose of any surplus remaining after the inhabitants thereof have been supplied, and declaring an emergency.

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

SECTION 1. That all cities and towns within the state, other than cities of the first class, situated within the limits of any irrigation project owned and operated by the United States Government, any water users association, private individuals or corporation, where the water used for irri-

gation and domestic purposes is appurtenant or may become appurtenant to the land embraced within the limits of any such city or town are hereby authorized to purchase, contract for and acquire water for the purpose of furnishing said city or town and the inhabitants thereof with a supply of water for irrigation and domestic purposes, and may do so either by the entire city or town or by assessment districts as the mayor and council of said city or town may determine.

Power to acquire water.

SEC. 2. Whenever the city council of any city or town shall deem it advisable that the city or town of which they are officers, should purchase a water right for said city or town and provide a piping system for the proper distribution of said water to the inhabitants thereof, the city or town council may provide therefor by ordinances, which shall specify and adopt the system or plan proposed, the amount of water measured in second feet that it is possible to purchase, the cost thereof, together with the estimated cost as near as can be of the construction of a piping system, and the same shall be submitted for ratification or rejection to the qualified voters of said city or town at the general or special election, and for the purpose of providing for constructing and maintaining such water system for irrigation and domestic purposes, and issuing bonds to pay therefor, such cities and towns are hereby authorized to proceed in all ways in accordance with and apply all provisions of an act of the legislature of this state, entitled: "An act authorizing cities and towns to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate certain public utilities, providing for modes of payment therefor, repealing all acts in conflict herewith, and declaring an emergency." Approved March 17th, 1909.

Provide by ordinance.

Submitted for ratification.

[Reference to §§8005 to 8010, Rem.-Bal.]

SEC. 3. If the city or town council should decide to construct said piping system for the distribution of water under the provisions of this act, by the establishment and creation of assessment districts, then before any contract shall be let for such construction the mayor and council

City engineer prepare plans.

shall by ordinance or resolution adopt the plans therefor, which shall be prepared by the city engineer, and shall fix and establish tax assessment districts and such cities and towns are hereby authorized to charge the expenses of such water works for irrigation and domestic purposes to all the property included within such district which is contiguous or approximate to any street in which any main or lateral pipe of such water works is for irrigation and domestic purposes to be placed, and to levy special taxes upon such property to pay therefor, which assessment and tax shall be levied in accordance with the last general assessment of the property within said district for city purposes.

SEC. 4. That for the purpose of providing, for the establishment of such water system for irrigation and domestic purposes, for the establishment and creation of assessment districts, for the issuing of bonds to pay therefor, for the collection of all assessments and the enforcement of any lien created by this act, such cities and towns are hereby authorized to proceed in all ways in accordance with and to apply all provisions of any statute now in force or that may hereafter be enacted relative to local improvements: *Provided, however,* Such statute appertains to such cities or towns.

Proceed
under
statutes.

SEC. 5. The annual rental for the use of said water for irrigation and domestic purposes shall be fixed by the city or town council and the charges so fixed shall constitute a lien against the premises so furnished as provided by law.

Rental.

SEC. 6. Any city or town owning or operating its own gas, water, or electric plant shall have the right to dispose of any surplus gas, water or electricity, remaining after the wants of the inhabitants thereof have been supplied.

Surplus.

SEC. 7. For the purpose of carrying out the provisions of section 6 any municipality intending to make such purchase shall have authority to build and construct and maintain all necessary conduits and transmission lines from the boundaries of such municipality to the boundary of such city or town selling such surplus products.

SEC. 8. An emergency exists and this act shall take effect immediately. Emergency.

Passed by the House March 3, 1911.

Passed by the Senate March 9, 1911.

Approved by the Governor March 17, 1911.

CHAPTER 112.

[H. B. 438.]

RELATING TO HORTICULTURE.

AN ACT relating to horticulture and amending sections 3072, 3080, 3118 and 3129, and repealing section 3131 of Remington & Ballinger's Annotated Codes and Statutes of the State of Washington.

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

SECTION 1. That section 3072 of Remington and Ballinger's Annotated Codes and Statutes of Washington, be and the same is hereby amended to read as follows: Section 3072. The state commissioner of horticulture shall maintain an office at Tacoma, Washington, which office shall be kept open from nine o'clock a. m. to twelve o'clock m. and from one p. m. to five p. m. daily except Sundays and legal holidays. [Amending
§ 3072,
Rem.-Bal.]

SEC. 2. That section 3080 of Remington & Ballinger's Annotated Codes and Statutes of Washington, be and the same is hereby amended to read as follows: Section 3080. District horticultural inspectors shall have power and it shall be their duty: [Amending
§ 3080,
Rem.-Bal.]

(a) To enforce the provisions of all laws relating to horticulture, within their respective districts;

(b) To arrange for and hold institutes and meetings of horticulturists for the discussion of horticultural subjects and the dissemination of information as to horticultural questions, and for the demonstration of methods of preventing the diseases of or pests injurious to horticultural plants and fruits, and of curing and removing the same; Meetings.