

CHAPTER 219.

[S. B. 130.]

EMINENT DOMAIN BY CORPORATIONS.

AN ACT in relation to property put to public use by corporations, the acquisition of title thereto, the condemnation thereof, and providing for the recovery of compensation by the owner in any suit for compensation.

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

Entry upon property with owner's consent.

SECTION 1. No corporation authorized by law to condemn property for public use, which has heretofore entered or shall hereafter enter upon property for a public use with the consent of the record owner or the person or corporation in possession, shall be ousted from such possession or prevented from continuing the putting of such property to public use if before entry of judgment of ouster it shall institute proceedings in condemnation to acquire such property for public use, and shall thereafter prosecute the same in good faith and pay any compensation which may be awarded therein.

No ouster if corporation institute condemnation proceedings.

Possession and public use for three years.

SEC. 2. No corporation which shall have been or shall be in possession of property put to public use for three or more years, and while continuing to put such property to public use shall be ousted therefrom or prevented from continuing such use if prior to the entry of any judgment of ouster it shall institute condemnation proceedings to acquire such property for public use, and shall thereafter prosecute the same in good faith and pay any compensation awarded therein.

Owner's action for compensation without ouster.

SEC. 3. Nothing in this act shall prevent the owner of any such property suing for and recovering compensation for such property without instituting suit or proceedings to oust such corporation therefrom, and upon payment of the amount awarded

Payment of award.

such owner title to the property shall vest in such corporation as effectually as if acquired by proceedings in condemnation.

Title vests in corporation.

SEC. 4. If any section, provision or clause in this act be adjudged invalid the remainder of the act shall nevertheless remain valid.

Partial invalidity.

Passed the Senate February 9, 1927.

Passed the House March 8, 1927.

Approved by the Governor March 19, 1927.

---

## CHAPTER 220.

[S. B. 141.]

### PAYMENT OF CLAIMS AGAINST COUNTIES FOR LABOR AND MATERIAL.

AN ACT authorizing the payment of claims for labor, material and supplies furnished for the benefit of counties, in certain cases.

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

SECTION 1. Whenever any county, by its board of county commissioners, shall have heretofore entered into a contract for the construction of any public improvement for the benefit of the county, whereby the contractor agreed to furnish all labor, material and supplies necessary for such improvement, and the contractor has proceeded with such improvement and procured from other persons, firms or corporations, labor, material or supplies and used the same in the construction of such improvement, but has failed to pay such persons, firms or corporations therefor, and such persons, firms or corporations have filed claims therefor against the county, and such claims have been audited in the manner provided by law and found to be just claims against the county, and valid obligations of the county except for the fact that the

Liens for labor and material supplied contractor valid though not filed within time.