

sary surveys and plats and other work incident to carrying out purposes and provisions of this act.

Passed the Senate February 20, 1929.

Passed the House March 12, 1929.

Approved by the Governor March 22, 1929.

CHAPTER 223.

[H. B. 327.]

PUBLIC SERVICE PROPERTIES AND UTILITIES.

AN ACT relating to public service properties and utilities, to tow boats, tugs, scows, barges and lighters, and amending Section 8, Chapter 117 of the Laws of 1911, as amended by Chapter 116 of the Laws of 1923.

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

SECTION 1. That section 8 of chapter 117 of the Laws of 1911, as amended by chapter 116 of the Laws of 1923, be amended to read as follows: Amends § 8,
Chap. 117,
Laws 1911.

Section 8. The term "commission," when used in this act, means the public service commission hereby created. Terms
defined—
commission,

The term "commissioner," when used in this act, means one of the members of such commission. commis-
sioner,

The term "corporation," when used in this act, includes a corporation, company, association or joint stock association. corporation,

The word "person," when used in this act, includes an individual, a firm or copartnership. person,

The term "street railroad," when used in this act includes every railroad by whatsoever power operated, or any extension or extensions, branch or branches thereof, for public use in the conveyance of persons or property for hire, being mainly upon, along, above or below any street, avenue, road, highway, bridge or public place within any one city or town, and includes all equipment, switches, spurs, street
railroad,

tracks, bridges, right of trackage, subways, tunnels, stations, terminals and terminal facilities of every kind used, operated, controlled or owned by or in connection with any such street railroad, within this state.

railroad,

The term "railroad," when used in this act, includes every railroad, other than street railroad, by whatsoever power operated for public use in the conveyance of persons or property for hire, with all bridges, ferries, tunnels, equipment, switches, spurs, tracks, stations and terminal facilities of every kind used, operated, controlled or owned by or in connection with any such railroad.

street
railroad
company,

The term "street railroad company," when used in this act, includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, and every city or town, owning, controlling, operating or managing any street railroad or any cars or other equipment used thereon or in connection therewith within this state.

railroad
company,

The term "railroad company," when used in this act, includes every corporation, company, association, joint stock association, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, owning, operating, controlling or managing any railroad or any cars or other equipment used thereon or in connection therewith within this state.

express
company,

The term "express company," when used in this act, includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, who shall engage in or transact the business of carrying any freight, merchandise or property for hire on the line of any common carrier operated in this state.

The term "common carrier," when used in this act, includes all railroads, railroad companies, street railroads, street railroad companies, steamboat companies, express companies, car companies, sleeping car companies, freight companies, freight line companies, and every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, and every city or town, owning, operating, managing or controlling any such agency for public use in the conveyance of persons or property for hire within this state. common carrier,

The term "gas plant," when used in this act, includes all real estate, fixtures and personal property, owned, leased, controlled, used or to be used for or in connection with or to facilitate the manufacture, distribution, sale or furnishing of gas (natural or manufactured) for light, heat or power. gas plant,

The term "gas company," when used in this act, includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, and every city or town, owning, controlling, operating or managing any gas plant within this state. gas company,

The term "electric plant," when used in this act, includes all real estate, fixtures and personal property operated, owned, used or to be used for or in connection with or to facilitate the generation, transmission, distribution, sale or furnishing of electricity for light, heat, or power for hire; and any conduits, ducts or other devices, materials, apparatus or property for containing, holding or carrying conductors used or to be used for the transmission of electricity for light, heat or power. electric plant,

The term "electrical company," when used in this act, includes any corporation, company, association, joint stock association, partnership and electrical company,

person, their lessees, trustees or receivers appointed by any court whatsoever (other than a railroad or street railroad company generating electricity solely for railroad or street railroad purposes or for the use of its tenants and not for sale to others), and every city or town owning, operating or managing any electric plant for hire within this state.

transportation of property,

The term "transportation of property," when used in this act, includes any service in connection with the receiving, delivery, elevation, transfer in transit, ventilation, refrigeration, icing, storage and handling of the property transported, and the transmission of credit.

transportation of persons,

The term "transportation of persons," when used in this act, includes any service in connection with the receiving, carriage and delivery of the person transported and his baggage and all facilities used, or necessary to be used in connection with the safety, comfort and convenience of the person transported.

service,

The term "service," is used in this act in its broadest and most inclusive sense.

telephone company,

The term "telephone company," when used in this act, includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, and every city or town owning, operating or managing any telephone line or part of telephone line used in the conduct of the business of affording telephonic communication for hire within this state.

telephone line,

The term "telephone line," when used in this act, includes conduits, ducts, poles, wires, cables, cross-arms, receivers, transmitters, instruments, machines, appliances, instrumentalities and all devices, real estate, easements, apparatus, property and routes used, operated, owned or controlled by any

telephone company to facilitate the business of affording telephonic communication.

The term "telegraph company," when used in this act, includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, owning, operating or managing any telegraph line or part of telegraph line used in the conduct of the business of affording for hire communication by telegraph within this state.

telegraph
company.

The term "telegraph line," when used in this act, includes conduits, poles, wire, cables, cross-arms, instruments, machines, appliances, instrumentalities and all devices, real estate, easements, apparatus, property and routes used, operated or owned by any telegraph company to facilitate the business of affording communication by telegraph.

telegraph
line.

The term "water system," when used in this act, includes all real estate, easements, fixtures, personal property, dams, dikes, head gates, weirs, canals, reservoirs, flumes or other structures or appliances operated, owned, used or to be used for or in connection with or to facilitate the supply, storage, distribution, sale, furnishing, diversion, carriage, apportionment or measurement of water for power, irrigation, reclamation, manufacturing, municipal, domestic or other beneficial uses for hire.

water
system.

The term "water company," when used in this act, includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, and every city or town owning, controlling, operating, or managing any water system for hire within this state.

water
company.

The term "vessel," when used in this act, includes every species of water craft, by whatsoever power operated, for the public use in the conveyance of persons or property for hire over and upon the

vessel.

waters within this state, excepting all tow boats, tugs, scows, barges, and lighters, and excepting row boats and sailing boats under twenty gross tons burden, open steam launches of five tons gross and under, and vessels under five tons gross propelled by gas, fluid, naphtha or electric motors.

steamboat
company,

The term "steamboat company," when used in this act, includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers, appointed by any court whatsoever, owning, controlling, leasing, operating or managing any vessel over and upon the waters of this state.

dock,
wharf,

The term "dock" or "wharf," when used in this act, includes any and all structures at which any steamboat, vessel or other water craft lands for the purpose of receiving or discharging freight from or for the public, together with any building or warehouse used for storing such freight for the public for hire.

warehouse,

The term "warehouse," when used in this act, includes any building or structure in which freight is received for storage from the public for hire, intended for shipment or discharged by any water craft.

wharfinger,
warehouse-
man,

The term "wharfinger" or "warehouseman," when used in this act, includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, operating or managing any dock, wharf or structure where steamboats, vessels or other water craft land for the purpose of discharging freight for the public, and where such freight is received on such dock, wharf or structure for the public for hire within this state.

public
service
company.

The term "public service company," when used in this act, includes every common carrier, gas com-

pany, electrical company, water company, telephone company, telegraph company, wharfinger and ware-houseman as such terms are defined in this section.

Passed the House March 8, 1929.

Passed the Senate March 12, 1929.

Approved by the Governor March 26, 1929.

CHAPTER 224.

[H. B. 108.]

STATE OYSTER RESERVES.

AN ACT authorizing the vacation of State Oyster Reserves or portions thereof, and providing for the manner of sale or lease thereof and the disposition of the proceeds.

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

SECTION 1. The commissioner of public lands is hereby authorized to sell or lease tide lands which have heretofore or which may hereafter be set aside as state oyster reserves in the same manner as provided for the disposition of second class shore lands in so far as the statutes relating to the sale of such second class shore lands may be applicable to the sale of tide lands in state oyster reserves.

Sale or
lease of tide
lands.

SEC. 2. The commissioner of public lands, upon the receipt of an application for the purchase or lease of any tide lands which have heretofore or which may hereafter be set aside as state oyster reserves, shall notify the director of fisheries and game of the filing of the application, describing the lands applied for. And it shall be the duty of the director of fisheries and game to cause an inspection of the reserve to be made for the purpose of determining whether said reserve or any part thereof should be retained as a state oyster reserve or vacated.

Application.

Director of
fisheries and
game.