

ers, and in the apprehension of prisoners who have escaped, shall have the powers and duties of a peace officer. } Vetoed.

Passed the Senate February 5, 1957.

Passed the House February 21, 1957.

Approved by the Governor March 1, 1957, with the exception of Section 2, which is vetoed.

NOTE: EXCERPT OF GOVERNOR'S VETO MESSAGE READS AS FOLLOWS: Veto message, excerpt.

"The real purpose of this bill is to make it a crime for an inmate of a penal institution to hold any person a hostage. This objective is accomplished by section 1 of the bill.

"Section 2 of the bill strikes from the existing law the words 'and guards'. In the case of *State v. Davis*, 48 Wash. (2d) 513, 518, the Supreme Court of the State of Washington points out that the legislature, in enacting chapter 241, Laws of 1955, apparently attempted to make a distinction between officers and guards of a penal institution. The omission in section 2 of this bill of the words 'and guards' does not remedy the defect pointed out by the Supreme Court but, on the contrary, would render it likely that a court would place an interpretation upon this section which would deprive guards of the powers and duties of peace officers. The sponsors of this bill and the Legislative Council attempted to obtain the opposite result. For this reason section 2 is vetoed and the remainder of the bill is approved."

CHAPTER 113.

[S. B. 5.]

FIRST CLASS CITIES—ELECTED OFFICIALS— COMPENSATION, TIME.

AN ACT relating to cities of the first class.

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

SECTION 1. Section 1, chapter 354, Laws of 1955 and RCW 35.22.205 are each amended to read as follows: RCW 35.22.205 amended.

The compensation and the time to be devoted to the performance of the duties of the mayor and elected officials of all cities of the first class shall be as fixed by ordinance of said city irrespective of any city charter provisions. Compensation and hours, mayor, legislative body.

Passed the Senate January 30, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 19, 1957.