

than ten days from and after the date of the allowance of such warrant.

SEC. 3. All laws and parts of laws in conflict with any of the provisions of this act are hereby repealed.

Approved March 7, 1893.

CHAPTER XLIX.

[H. B. No. 72.]

RELATING TO ERECTION OF WHARVES AT TERMINI OF PUBLIC HIGHWAYS.

AN ACT to amend section 3272 of the Code of Washington of 1881, the same being section 2137 of volume 1 of Hill's Annotated Statutes and Codes of Washington, relating to the erection of wharves at the termini of public highways.

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

SECTION 1. That section 3272 of the Code of Washington of 1881, the same being section 2137 of volume 1 of Hill's Annotated Statutes and Codes of Washington, be and the same hereby is amended so as to read as follows: Section 2137. (1) Whenever any person shall be desirous of erecting any wharf at the terminus of any public highway, or at any accustomed landing place, he may apply to the county commissioners of the proper county, who, if they shall be satisfied that the public convenience requires said wharf, may authorize the same to be erected and kept up for any length of time not exceeding twenty (20) years. And they shall annually prescribe the rates of wharfage and charges thereon, but there shall be no charge for the landing of passengers or their baggage. (2) No such authority shall be granted to any person other than the owner of the land where the wharf is proposed to be erected, unless such owner shall neglect to apply for such authority; and whenever application shall be made for such authority by any person other than such owner, the board of county commissioners shall not grant the same unless proof shall

Notice of
intention.

be made that the applicant caused notice in writing of his intention to make such application, to be given by posting up at least three notices in public places in the neighborhood where the proposed wharf is to be erected and one notice at the county court house, twenty days prior to any regular session of the board of county commissioners at which application shall be made and by serving a copy of said notice in writing upon such owner of the land, if residing in the county, at least ten days before the session of the board of county commissioners at which the application is made. (3) When such application is heard, if the owner of such land applies for such authority and files his undertaking with one or more sureties to be approved by the county commissioners in a sum not less than one hundred dollars nor more than five hundred dollars, to be fixed by the county commissioners, conditioned that such person will erect said wharf within the time therein limited, to be fixed by the county commissioners, and maintain the same and keep said wharf according to law; and if default shall at any time be made in the condition of such undertaking damages not exceeding the penalty may be recovered by any person aggrieved before any court having competent jurisdiction, then said county commissioners shall authorize such owner of the land to erect and keep such wharf. (4) If such owner of the land does not apply as aforesaid the commissioners may authorize the same to be erected and kept by such applicant upon his entering into an undertaking as required of such owner of the land.

Amount
of bond.

Approved March 7, 1893.