

CHAPTER 165.

[H. B. 110.]

SALE OF OYSTER RESERVE LANDS.

AN ACT relating to the Oyster Lands of the State of Washington, and providing for the sale of certain isolated tracts of oyster reserve land.

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

SECTION 1. That any person, firm, or corporation, now entitled to and in possession of any oyster land within the State Reserves of the State of Washington, may at his, their, or its option, purchase such tract or parcel of tide land as may lay between said oyster land and the meander line of the adjoining shore, or any small or isolated tract of ground which may lay between adjoining oyster land owners by reason of the failure of the lines of said land to connect up, by complying with the provisions of this act.

SEC. 2. Any such person, firm, or corporation, may file with the Commissioner of Public Lands an application to purchase said land from the State of Washington. Such application to be accompanied by an abstractor's certificate of title or other evidence of title demanded by the State Land Commissioner, to his oyster land. The Commissioner shall examine such showing of title and if he finds such title to be in the applicant he shall certify such fact, together with a copy of the application, to the State Oyster Commission, which shall thereupon have the land applied for surveyed and platted, at the expense of the applicant, and if, after such hearing and investigation as they deem proper, they shall find the said land applied for to be of little value to the State in the future development of the State's Oyster Reserves, due to its size and

Sale of
isolated
tracts.

Application
to purchase.

isolation, they shall thereupon appraise the value of said land, and certify such appraisements to the Commissioner of Public Lands. Upon the payment of the amount to the commissioners a deed shall be issued from the State of Washington to the applicant in the same manner as deeds of State, school, or Granted lands, are issued; such deed to contain a covenant or condition of defeasance to the effect that if said lands be used for any purpose other than the cultivation of oysters or edible shell-fish, then such deed shall be cancelled, and the said lands shall revert to the State.

Deed.

SEC. 3. That where the tract of land so applied for and which is not of greater area than three acres and is located between two or more oyster land owners, then upon the application of either of the adjoining owners the others shall be notified of such application and given sixty (60) days' time within which to apply for the purchase of said land; and if the said land shall be applied for and offered for sale as in this act provided, and if others of said adjoining owners have made application to purchase, the State Oyster Commission shall determine an equitable division of said land between said applicants, and each shall be given the privilege of purchasing the part allotted to him, but if he fail for a period of sixty (60) days to purchase said land at the price fixed, then the other adjoining owner shall have the privilege of purchasing the whole thereof.

Notice to adjoining owners.

Division of land.

SEC. 4. In lieu of a deed as provided for in section 2 hereof, a contract may be issued to the applicant by the terms of which one-fifth (1/5) of the purchase price may be paid to the commissioner, and the remainder in four (4) equal annual payments, with interest on the deferred payments at the rate of 6% per annum, and if such applicant

Instalment contracts.

shall comply with the terms of said contract and make the payments herein provided for, a deed as herein provided for shall issue to him from the State; *Provided* that said contract shall contain a covenant of defeasance as is provided in the case of deeds issued under the provisions of this act; *provided further*, that such contract shall be subject to a cancellation by the Commissioner of Public Lands for failure to comply with its provisions, *and provided further*, that whenever an installment shall mature, the applicant may, if he, they, or it, so elect, pay more than one installment.

Disposition
of moneys.

SEC. 5. All moneys received for the disposal of oyster lands, under the provisions of this act, shall be paid into the State Oyster Reserve Fund.

Passed the House, March 8, 1919.

Passed the Senate, March 12, 1919.

Approved by the Governor March 18, 1919.

CHAPTER 166.

[H. B. 121.]

CULTIVATION OF CLAMS AND OTHER SHELL FISH ON OYSTER LANDS.

AN ACT giving owners and holders of oyster lands the further privilege of cultivating and propagating clams and edible shell fish thereon.

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

Propagation
of edible
shell fish.

SECTION 1. That any person, firm, or corporation in possession of tide lands from the State of Washington, and holding the same under contract or deed from the State of Washington, containing provisions restricting use of said lands or any portion thereof to the cultivation of oysters only, shall hereafter be, and they are hereby, given the further