

## CHAPTER 159.

(H. B. No. 276)

## AMENDING LAW AUTHORIZING CITIES AND TOWNS TO OPERATE SYSTEMS OF SEWERAGE, ETC.

AN ACT to amend section one of an act entitled, "An act amending section one of an act entitled, 'An act authorizing cities and towns to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate waterways, systems of sewerage, works for lighting, heating, fuel and power purposes, cable, electric and other railways, with all land and property required therefor, providing for payment therefor, repealing an act entitled, 'An act relating to and authorizing cities and towns to purchase, construct and maintain water-works, systems of sewerage, gas and electric light plants, and to issue bonds to pay therefor and declaring an emergency,' approved February 10, 1893, and declaring an emergency, approved March 17, 1897, being section one of Chapter 112 of the Session Laws of the State of Washington for 1897," approved March 14, 1899, and declaring an emergency.

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

SECTION I. That section one of an act entitled, "An act authorizing cities and towns to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate waterways, systems of sewerage, works for lighting, heating, fuel and power purposes, cable, electric and other railways, with all land and property required therefor, providing for payment therefor, repealing an act entitled, 'An act relating to and authorizing cities and towns to purchase, construct and maintain water works, systems of sewerage, gas and electric light plants and issue bonds to pay therefor and declaring an emergency,' approved February 10, 1893, and declaring an emergency, approved March 17, 1897, being section one, Chapter 112 of the Session Laws of the State of Washington for 1897," be and the same is hereby amended to read as follows: Section I. That any incorporated city or town within the State be and is hereby authorized to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate water works within or without its limits for the purpose of furnishing such city or town and inhabitants thereof and any other persons with

an ample supply of water for all uses and purposes, public and private, including water power or other power derived therefrom, with full power to regulate and control the use, distribution and price thereof; and to construct and maintain systems of sewerage, with full jurisdiction and authority to manage, regulate and control the same, within and without the limits of the corporation; and to construct, condemn and purchase, purchase, acquire, add to, maintain and operate works, plants and facilities for the purpose of furnishing such city or town and the inhabitants thereof and any other persons with gas, electricity, and other means, power and facilities for lighting, heating, fuel and power purposes, public and private, with full authority to regulate and control the use, distribution and price thereof; and to authorize the construction of such plant or plants by others for the same purposes, and purchase such power from others, when delivered within such city, for its own use and for the purpose of selling to its inhabitants and other persons doing business within such city, and to regulate and control the use and price of electrical power so supplied, and to construct, condemn and purchase, purchase, acquire, add to, maintain and operate cable, electric or other railways within the corporate limits of said city or town for the transportation of freight and passengers with full authority to regulate and control the use and operation thereof; and to fix, alter, regulate and control the fares and rates to be charged thereon; and for the purposes aforesaid it shall be lawful for any city or town in this State to take, condemn and purchase, purchase, acquire and retain water from any public or navigable lake or water course, percolating or subterranean water or any underflowing water within the State, and by means of aqueducts or pipe line conduct the same to said city or town, and such city or town is hereby authorized and empowered to erect and build dams or other works across or at the outlet of any lake or water course in this State for the purpose of storing and retaining water therein up to and above high water mark and for all the purposes of erecting such aqueducts, pipe lines, dams, or water works, or other necessary structures in storing and retaining water as above provided, or for any of the purposes provided for by this act such city or town shall have the right to occupy and use the beds and shores up to high water mark of any such water course or lakes and to acquire

Power to regulate.

the right by purchase or by condemnation or purchase or otherwise to any water, water rights, easements or privileges named in this act, or necessary for any said purposes: *Provided*, That no such dam or other structure shall impede, obstruct or in any way interfere with public navigation or other public uses of such lake and water course: *Provided*, That should private property be necessary for any such purposes, or for storing water above high water mark, such city or town may condemn and purchase or purchase and acquire such private property.

Power to  
condemn.

SEC. 2. An emergency exists and this act shall take effect immediately.

Passed the House February 21, 1905.

Passed the Senate March 8, 1905.

Approved by the Governor March 11, 1905.

---

## CHAPTER 160.

(H. Sub. B. No. 397)

GENERAL APPROPRIATION FOR STATE INSTITUTIONS, SCHOOLS AND STATE OFFICES FOR FISCAL TERM ENDING MARCH 31, 1907.

AN ACT making appropriations for the maintenance of and sundry expenses at the various State institutions, schools and state offices, and for the sundry civil expenses of the State government for the fiscal term beginning April 1, 1905, and ending March 31, 1907.

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

SECTION 1. The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated out of any moneys in the several funds of the State treasury hereinafter named, in payment of the salaries of certain officers and employes of the State, and for the maintenance and construction of buildings at, and other expenses for the various State institutions and officers hereinbelow designated and mentioned and for other and divers purposes herein-