

## CHAPTER 97.

[S. B. 248.]

PROVIDING PAYMENT FOR DITCHES FOR DRAINAGE  
PURPOSES.

AN ACT providing for the payment of costs and expenses incurred pursuant to an act entitled "An act providing for the establishment and construction of ditches for drainage purposes," approved March 8, 1901, and providing for the re-establishment and reorganization of abandoned ditches and drains as drainage districts.

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

SECTION 1. Where a ditch or drain shall have been in part constructed in compliance with the provisions of an act of the legislature of the State of Washington entitled "An act providing for the establishment and construction of ditches for drainage purpose," approved March 8, 1901, and the work of constructing said ditch or drain shall have ceased before the completion thereof, or for any reason, the county commissioners shall declare said ditch or drain abandoned.

[This refers to §§4226 to 4250, inc., and 4256 to 4267, inc., Rem.-Bal.]

SEC. 2. When any such drainage proceedings shall have been abandoned by the county commissioners they shall, unless a petition shall have been filed within ninety days after such abandonment, as hereinafter provided, order the county engineer to apportion the costs of improvement, so far as constructed, against the lands benefited and like proceedings shall be had for the apportionment and collection of the costs and expenses of constructing said ditch or drain so far as the same shall have been constructed as are provided for the apportionment and collection of costs and expenses when such ditch or drain shall have been completed in accordance with the provisions of the act of March 8, 1901.

Apportion cost.

[See note to Sec. 1, supra.]

SEC. 3. When any ditch or drain shall have been in part constructed pursuant to the provisions of the said act of March 8, 1901, and the same shall have been abandoned as provided herein, a petition may be filed as provided in section 2 of the act of March 20, 1895, and like proceedings shall be had thereon as are provided by said

[Act of 1895 is §§4137 to 4179, inc., Rem.-Bal., with exception of §§4153 and 4154.]

May be extended.

act of March 20, 1895. Said petition shall include only such lots or tracts of land and public or corporate roads or railroads as were included in the schedule filed by the county surveyor in the original proceedings pursuant to chapter 10 of said act of March 8, 1901: *Provided*, That the boundaries of such proposed drainage district may be extended by the board of county commissioners in like manner as is provided for the extending of boundaries in section 3 of the act of March 20, 1895.

Rights and powers conferred.

SEC. 4. When a petition for the establishment and organization of a drainage district shall have been filed as provided herein the same shall be governed by all the provisions of the said act of March 20, 1895, so far as the same are applicable and all rights and powers conferred upon drainage districts established and organized in compliance with said act shall be and are hereby conferred upon drainage districts organized and established in accordance herewith.

Relating to construction.

SEC. 5. When any drainage district shall be established and organized as provided in this act it shall be lawful for such drainage district to use so much of the original ditch or drain as shall have been constructed and to construct such additional ditches or drains as shall be petitioned for and ordered by the board in the course of said proceedings. Upon the completion of said original ditch or drain, the cost of such new ditches or drains, if any, as shall be constructed and expense thereof, together with all costs and expenses lawfully incurred in the partial construction of said original ditch or drain, shall be apportioned against the land in the district established and as assessment made for the payment of the entire sum in accordance with the provisions of the said act of March 20, 1895.

Concurrent.

SEC. 6. Nothing in this act shall be construed so as to amend, change or repeal any of the existing laws relating to dikes and drains but concurrent therewith.

Passed by the Senate March 3, 1911.

Passed by the House March 9, 1911.

Approved by the Governor March 17, 1911.