

CHAPTER 180.

[H. B. No. 368.]

AMENDING BALLINGER'S CODE RELATIVE TO APPROPRIATION OF LANDS FOR CORPORATE PURPOSES.

AN ACT to amend Section 4334 of Ballinger's Annotated Codes and Statutes of Washington, relating to the appropriation of lands and highways for corporate purposes.

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

SECTION 1. That section 4334 of Ballinger's Annotated Codes and Statutes of Washington, relating to the appropriation of lands and highways for corporate purposes, be, and the same hereby is, amended to read as follows: Section 4334. Every corporation organized for the construction of any railway, macadamized road, plank road, clay road, canal or bridge, is hereby authorized and empowered to appropriate, by condemnation, land and any interest in land or contract right relating thereto, including any leasehold interest therein and any rights-of-way for tunnels beneath the surface of the land, and any elevated rights-of-way above the surface thereof, including lands granted to the State for university, school or other purposes, and also tide and shore lands belonging to the State (but not including harbor areas), which may be necessary for the line of such road, railway or canal, or the site of such bridge, not exceeding two hundred feet in width, besides a sufficient quantity thereof for toll houses, workshops, materials for construction, and a right-of-way over adjacent lands or property, to enable such corporation to construct and prepare its road, railway, canal or bridge, and to make proper drains; and in case of a canal, whenever the court shall deem it necessary, to appropriate a sufficient quantity of land, including lands granted to the State [for] university, school or other purposes, in addition to that before specified in this section, for the construction and excavation of such canal and of the slopes and bermes thereof, not exceeding one thousand feet in total width; and in case of a railway to appropriate a sufficient quantity of any such land, including lands granted to the State for university, school and other

Sec. 4334 Ballinger's Code.

Authority to have condemnation for rights-of-way.

Canals.

Harbor areas
excepted.

purposes and also tide and shore lands belonging to the State (but not including harbor areas), in addition to that before specified in this section, for the necessary side tracks, depots and water stations, and the right to conduct water thereto by aqueduct; compensation therefor to be made to the owner thereof irrespective of any benefit from any improvement proposed by such corporation, in the manner provided by law: *And Provided, further,* That if such corporation locate the bed of such railway or canal upon any part of the track now occupied by any established State or county road, said corporation shall be responsible to the county commissioners of said county or counties in which such State or county road so appropriated is located, for all expenses incurred by such county or counties in re-locating and opening the part of such road so appropriated. The term land as herein used includes tide and shore lands but not harbor areas; it also includes any interest in land or contract right relating thereto, including any leasehold interest therein.

Responsibility of corporation for expenses incurred.

Passed the House March 5, 1903.

Passed the Senate March 12, 1903.

(Note by the Secretary of State).—The above act was filed in this office on the 18th day of March, 1903, without the approval or disapproval of the Governor thereof.

SAM H. NICHOLS,
Secretary of State.

CHAPTER 181.

[H. B. No. 53.]

AMENDING ACT PROVIDING FOR ASSESSMENT AND COLLECTION OF TAXES RELATIVE TO DELINQUENCY CERTIFICATES.

AN ACT amending an act to provide for the assessment and collection of taxes in the State of Washington, approved March 15th, 1897, by amending Section 94 of Chapter LXXI, Session Laws of 1897, and declaring an emergency.

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

SECTION 1. That section 94 of an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," is hereby amended to read as fol-