CHAPTER 20.

[H. B. No. 25.]

AUTHORIZING COUNTY COMMISSIONERS TO BUILD AND MAINTAIN WHARVES AND LANDINGS.

AN ACT authorizing county commissioners of each county in the State to build and maintain wharves and landings, on the shores of any navigable waters or water courses within or bordering upon their respective counties, and for that purpose to institute and prosecute proceedings to acquire right-of-way therefor under the statutes of eminent domain in this State and declaring an emergency.

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

Powers of County Boards.

Where to begin.

SECTION 1. The board of county commissioners of each county in this state is hereby authorized to build and maintain, when in their judgment the convenience of the public so requires, wharves and landings on the shores of any navigable waters or water courses within or bordering upon "their respective counties and not included within the limits of tide or shore lands of the first class." Said wharves or landings to begin at the point of termination of a county road at or near the shore of such navigable waters or water courses, and to extend so far into said waters or water courses as the convenience of shipping may require.

State Board may grant easements— when.

Proviso, as to copy of plat.

SEC. 2. In cases where the board of county commissioners shall determine to build, construct and maintain wharves or landings as aforesaid over and across tide lands of the second class owned by the State of Washington, the Board of State Land Commissioners are hereby authorized to grant an easement to the county for so much of said tide land as may be necessary for right-of-way purposes: Provided, that a duly attested and sworn copy of the plat made by the county surveyor shall first be filed with the Board of State Land Commissioners, together with a petition of the board of county commissioners setting forth the reasons for the same; and the aforesaid plat, when approved by the Board of State Land Commissioners, shall be and form the official plat of said right-of-way and shall be filed in the office of the Commissioner of Public Lands, and the said plat shall show the amount of land embraced in the proposed right-of-way and the location of the same

relative to at least two of the corners of the public land survey.

SEC. 3. In cases where a person or person [persons], To secure right of-way firm or corporation has acquired a right, title or interest in over private property. and to the tide lands or other lands over which it is proposed to build, construct or maintain such wharf or landing, whether such interest be a title in fee simple or as lessee or under contract of purchase or otherwise, and the board of county commissioners shall be unable to agree with the person, persons, firm or corporation claiming such interest or title as to the compensation to be paid for the taking of such strip of tide lands or other lands, then and in that case such board of county commissioners may by an order direct proceedings to procure a right-of-way over said tide lands or other lands to be brought in the Superior Procedure. Court by the county attorney in the manner provided by law, for the taking of private property for public use, and to that end are hereby authorized to institute and maintain in the name of the county the proceedings provided by the laws of this state for the appropriation of lands and other property by counties for public use.

SEC. 4. An emergency exists and this act shall take Emergency. effect immediately.

Passed the House February 5, 1903.
Passed the Senate February 16, 1903.
Approved by the Governor February 26, 1903.

CHAPTER 21.

[H. B. No. 121.]

CHANGING NAME OF TOWN OF SIDNEY TO PORT ORCHARD.

AN ACT changing the corporate name of the town of "Sidney," in Kitsap County, State of Washington, a municipal corporation of the fourth class, to "Port Orchard."

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

SECTION 1. That the name of the town of "Sidney," a municipal corporation of the fourth class, situated in the