

Emergency. SEC. 5. An emergency existing, this act shall take effect immediately.

Passed the House January 25, 1907.

Passed the Senate February 4, 1907.

Approved by the Governor February 11, 1907.

CHAPTER 13.

[S. B. 57.]

PARTITION FENCES.

AN ACT amending sections 3523 and 3526 of Ballinger's Annotated Codes and Statutes of Washington, relating to partition fences.

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

SECTION 1. That section 3523 of Ballinger's Annotated Codes and Statutes of the State of Washington relating to partition fences, be amended to read as follows: Section 3523. When any fence has been, or shall hereafter be, erected by any person on the boundary line of his land and the person owning land adjoining thereto shall make, or cause to be made, an inclosure, so that such fence may also answer the purpose of inclosing his ground, he shall pay the owner of such fence already erected one-half of the value of so much thereof as serves for a partition fence between them: *Provided*, That in case such fence has woven wire or other material known as hog fencing, then the adjoining owner shall not be required to pay the extra cost of such hog fencing over and above the cost of erecting a lawful fence, as by law defined, unless such adjoining owner has his land fenced with hog fencing and uses the partition fence to make a hog enclosure of his land, then he shall pay to the one who owns said hog fence one-half of the value thereof.

Payment.

SEC. 2. That section 3526 of Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows: Section 3526. The respective owners of adjoining inclosures shall keep up and maintain in good repair

Repair.

all partition fences between such inclosures in equal shares, so long as they shall continue to occupy or improve the same; and in case either of the parties shall desire to make such fence capable of turning hogs and the other party does not desire to use it for such purpose, then the party desiring to use it shall have the right to attach hog-fencing material to the posts of such fence, which hog fencing shall remain the property of the party who put it up, and he may remove it at any time he desires: *Provided*, That he leaves the fence in as good condition as it was when the hog fencing was by him attached, the natural decay of the posts excepted. The attaching of such hog fencing shall not relieve the other party from the duty of keeping in repair his part of such fence, as to all materials used in said fence additional to said hog fencing.

Passed the Senate February 2, 1907.

Passed the House February 8, 1907.

Approved by the Governor February 14, 1907.

CHAPTER 14.

[H. B. 160.]

APPROPRIATION FOR PUBLISHING NOTICES OF PROPOSED CONSTITUTIONAL AMENDMENTS.

AN ACT making an appropriation for the payment of the publication of the notices required to be given by section 2 of chapters 65 and 67 of the laws of 1905.

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

SECTION 1. There is hereby appropriated out of the general fund the sum of two thousand, seven and twenty-five one-hundredths dollars (\$2,007.25), for the payment of publishing the notices required by section 2 of chapter 65, and section 2 of chapter 67, of the laws of 1905, relating to the submission to the electors of the state of amendments to the constitution concerning eminent domain and enlarging the public use of waters of the state. The

Appropriation \$2,007.25.