

tion by railroad common carriers in the matter of such rates and of facilities for shipment, and providing for due enforcement and observance of the rates so fixed, and of the regulations and prohibitions before referred to, and providing a method of determining the reasonableness of such rates and regulations, and making an appropriation therefor," chapter 113 of the Laws of 1905, entitled "An act regulating and fixing the maximum railroad passenger rates in the State of Washington, and providing for the due enforcement and observance of the rates so fixed," be and the same are hereby repealed.

Passed by the Senate March 2, 1909.

Passed by the House March 8, 1909.

Approved March 17, 1909.

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## CHAPTER 158.

[S. S. B. 168.]

### GRANTING TO MUNICIPAL CORPORATIONS THE RIGHT TO CROSS WATERWAYS.

AN ACT granting to municipal corporations the right to cross state waterways with trestles or bridges for highway purposes, and granting unto railroads, interurban railroads and street railroads operating as common carriers, the right to cross state waterways, with trestles or bridges, for railroad and roadway purposes, and prescribing the conditions under which such crossings may be made, and declaring an emergency.

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

SECTION 1. Municipal corporations shall have, and hereby are given the right to construct bridges or trestles across waterways heretofore or hereafter laid out under the authority of the State of Washington over which the projected line or lines of any highway will run: *Provided*, Such bridges or trestles are constructed in good faith for the purpose of being made a part of the constructed line of such highway. Any corporation, co-partnership, person or trustee heretofore or hereafter by any state or municipal law or ordinance authorized to con-

Bridges may  
be built.

Railroads  
may cross.

struct and operate railroads, interurban railroads or street railroads as common carriers within this state, shall have, and hereby is given, the right to construct bridges or trestles across waterways heretofore or hereafter laid out under the authority of the State of Washington over which the projected line or lines of railroad will run: *Provided*, Such bridges or trestles are constructed in good faith for the purpose of being made a part of the constructed line of such railroad, and may also have included therewith the purpose of providing a roadway for the accommodation of vehicles and foot passengers.

Consent of  
federal gov-  
ernment.

SEC. 2. The location and plans of such structures shall be submitted to, and approved by, the commissioner of public lands of the State of Washington before construction is commenced: *Provided*, That in case the portion of such waterway at the place to be so crossed is navigable water of the United States, or otherwise within the jurisdiction of the United States, such location and plans shall also be submitted to, and approved by, the secretary of war and the chief of engineers of the United States before construction is commenced: *And provided further*, That when plans for any bridge or trestle have been approved by the commissioner of public lands, or the commissioner of public lands, the secretary of war and the chief of engineers aforesaid, it shall not be lawful to deviate from such plans either before or after the completion of such structure, unless the modification of such plans have previously been submitted to, and received the approval of, the commissioner of public lands, or the commissioner of public lands, the secretary of war and chief of engineers, as the case may be. Any structure hereby authorized and approved as aforesaid shall remain within the jurisdiction of the respective officer or officers approving the same, and shall be altered or changed from time to time at the expense of the municipality owning the highway or at the expense of the common carriers, at the time owning the road or roads using such structure, to meet the necessities of navigation and commerce, in such manner as may be from time to time ordered by the re-

Plans to be  
followed.

Improve-  
ments.

spective officer or officers at such time having jurisdiction of the same, and such orders may be enforced by appropriate action at law or in equity at the suit of the state.

SEC. 3. An emergency exists and this act shall take <sup>Emergency.</sup> effect immediately.

Passed by the Senate February 23, 1909.

Passed by the House March 8, 1909.

Approved March 17, 1909.

## CHAPTER 159.

[S. B. 97.]

### APPROPRIATION FOR INSPECTION OF VESSELS.

AN ACT to appropriate one thousand dollars (\$1,000.00) to carry on the inspection of steam vessels, and vessels or boats operated by machinery, navigating the waters within the jurisdiction of this state, excepting vessels which are subject to inspection under the laws of the United States.

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

SECTION 1. That a sum of one thousand dollars (\$1,000.00) be appropriated, in addition to fees and fines <sup>Appropriation \$1,000.</sup> collected, for the inspection of steam vessels, and vessels or boats operated by machinery, navigating the waters within the jurisdiction of this state, excepting vessels which [are subject] to inspection under the laws of the United States.

Passed by the Senate March 2, 1909.

Passed by the House March 10, 1909.

Approved March 17, 1909.

## CHAPTER 160.

[S. B. 20.]

### RELATING TO GARNISHMENTS.

AN ACT in relation to garnishments in justice courts in the State of Washington.

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

SECTION 1. The justice of the peace in the various precincts in the state may issue writs of garnishment,