

arly for the purpose of acquiring rights of way necessary in the straightening of said rivers.

Passed by the Senate March 6, 1909.

Passed by the House March 8, 1909.

Approved March 23, 1909.

## CHAPTER 242.

[S. B. 187.]

### APPROPRIATION FOR A STATE HISTORICAL BUILDING.

AN ACT relating to the construction of a state historical building for the use of the Washington State Historical Society and making an appropriation from the general fund for the construction thereof.

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

Appropriation \$25,000.

SECTION 1. That for the purpose of constructing a state historical building in the city of Tacoma, for the use of the Washington State Historical Society, there is hereby appropriated from the general fund of the State of Washington the sum of twenty-five thousand dollars: *Provided*, That a suitable site for such state historical building be furnished without cost to the State of Washington therefor, and that such site shall be deeded to the State of Washington.

Commission.

SEC. 2. For the purpose of erecting and completing the state historical building provided for by this act, the Governor, the Secretary of State, the State Treasurer, the president of the Washington State Historical Society, the vice president of the Washington State Historical Society and the secretary of the Washington State Historical Society shall constitute a board or commission to be known as the state historical building commission, of which board the Governor shall be chairman and the secretary of the Washington State Historical Society shall be secretary; the members of the said board shall act as such until the completion of the state historical building hereby provided for, and no member of said board shall be allowed

or shall receive any compensation for his services as a member of such board, but all such members shall be allowed and be paid all their actual expenses while attending meetings of the board.

SEC. 3. It shall be unlawful for any of the members of said board to be connected either directly or indirectly, in any manner whatsoever, with any contract for the erection of said building or for any work done thereupon or for any material or supplies furnished therefor.

Commissioners not to be interested in contract.

SEC. 4. It shall be the duty of said board to locate said state historical building upon a sightly and suitable site within the city of Tacoma, Pierce county, Washington, which site shall be approved by at least two-thirds of the members of said commission before any arrangements shall be made or any expenses incurred by said commission in the matter of the erection of said building, which site shall, before any steps are taken toward the erection of said building, be conveyed to the State of Washington by good and perfect title which shall be approved by the Attorney General for the State of Washington.

Site to be selected in Tacoma.

SEC. 5. After the selection and conveyance to the State of Washington of a site as hereinbefore provided, said commission shall proceed to obtain plans, specifications and details for the construction of such building, which plans before they are adopted shall be approved by two-thirds of the members of said commission, and having adopted plans, specifications and details shall proceed to procure the erection and completion of said building in strict conformity to such plans and specifications.

Plans of building.

SEC. 6. No construction or material exceeding five hundred dollars in amount shall be furnished except pursuant to bids advertised for in one daily newspaper in the city of Tacoma for a period of ten days prior to the time fixed for awarding the contract for such construction or material. The bid of the lowest and best responsible bidder shall be accepted, save that said board shall have the right to reject any and all bids. The performance of any contract shall be secured by a surety company bond to

Bids.

Bond of  
contractor.

the State of Washington in a sum not less than one-third of the contract price, said bond to be conditioned for the faithful performance of said contract and to be approved by the commission; each bid shall be accompanied by a certified check in the sum of ten per cent. of the bid, payable to the chairman of the commission, which check shall be forfeited to the state for the use of the general fund upon failure of the party making the bid for a period of fourteen days after any contract is awarded to enter into a proper contract and furnish a satisfactory bond as required by law. All contracts shall reserve the right to the board, for good cause shown, to annul the contract without allowance for damages and allowing only expenses incurred and labor performed not exceeding the contract price of the proportion that the work done or material furnished thereupon bears to the total amount contracted for. Such a per centum, not less than twenty per centum, as the board shall deem proper shall be reserved from payment on monthly estimates of work done until such work shall have been completed, inspected and accepted. All material contracted for shall be of the best quality and all work done shall be performed by skilled mechanics and competent laborers in accordance with the plans and specifications to the satisfaction of a competent architect employed by the board.

Annullment  
of contract.

Architect.

SEC. 7. The architect chosen by the board shall receive such compensation for his plans and designs as the board shall deem reasonable; he shall be the supervising architect of said building and for all contracts for construction or material therefor. He shall see that all material furnished and work done shall be of the best quality and that all contracts of said board are faithfully performed by the parties so contracting with said board. He shall perform all other duties [de]involving upon him as such architect and shall be the supervising architect of said building and may be removed at the pleasure of said board. Neither said architect or any of his subordinates or assistants shall be connected in any way with, or interested in any work done or material furnished for said

building or any contract therefor, nor shall he have any interest therein, either directly or indirectly. He shall furnish a surety bond to the State of Washington in the sum of ten thousand dollars conditioned for the faithful performance by said architect, his assistants and subordinates of his or their duties as herein prescribed. All disbursements on account of the construction of said building shall be made pursuant to certificates issued by said board. All claims, bills and demands for labor performed, work done or material furnished shall be presented to the board in duplicate and shall be passed upon by said board after a careful examination of every item therein; if found correct they shall audit the same, preserving one duplicate and transmitting the other as audited and allowed to the State Auditor and shall issue a certificate to the effect that the services have been rendered or material furnished and the person therein named is entitled to a warrant on the treasury for the amount therein named. Upon the presentation of said certificate and the duplicate of the vouchers therefor as audited and approved by said board, to the State Auditor, he shall draw his warrant on the State Treasurer upon the general fund for the amount thereof and the State Treasurer is hereby authorized to pay said warrant for the amount stated to the order of the person named in said certificate: *Provided*, That no certificate shall be issued in excess of the amount appropriated hereby. All certificates issued shall be recorded in a book for that purpose.

Bond of  
architect.

Claims, how  
paid.

SEC. 8. The Attorney General shall be the legal adviser of the board herein constituted.

Legal  
adviser.

Passed by the Senate March 10, 1909.

Passed by the House March 10, 1909.

NOTE BY SECRETARY OF STATE.—This bill filed and allowed to become a law without the signature of the Governor.

SAM H. NICHOLS, *Secretary of State.*