

CHAPTER 64.

[H. B. 201.]

RELATING TO EMINENT DOMAIN.

AN ACT relating to eminent domain proceedings on behalf of the state, and amending section 891 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 891, of Remington & Ballinger's Annotated Codes and Statutes of Washington, be amended to read as follows: Section 891. Whenever any officer; board, commission, or other body representing the state is authorized by the legislature to acquire any land, real estate, premises, or other property deemed necessary for the public uses of the state, or any department or institution thereof, and the officer, board, commission or other body whose duty it is to acquire such land, real estate, premises, or other property is unable to agree with the owner or owners thereof for its purchase, it shall be the duty of the attorney general to present to the superior court of the county in which said land, real estate, premises, or other property so sought to be acquired or appropriated shall be situated, a petition in which the land, real estate, premises, or other property sought to be appropriated shall be described with reasonable certainty, and setting forth the name of each and every owner, encumbrancer, or other person or party interested in the same, or any part thereof, so far as the same can be ascertained from the public records, the object for which the land is sought to be appropriated, and praying that a jury be impaneled to ascertain and determine the compensation to be made in money to such owner or owners, respectively, and to all tenants, incumbrancers, and others interested, for taking such lands, real estate, premises, or other property, or in case a jury be waived, as in other civil cases in courts of record, in the manner prescribed by law, then that the compensation to

[Amending
§ 891, Rem-
Bal.]

Actions to
condemn.

Jury to
determine.

Jury waived,
judge to act.

be made as aforesaid be ascertained and determined by the court or judge thereof.

Passed by the House February 23, 1911.

Passed by the Senate March 9, 1911.

Approved by the Governor March 13, 1911.

CHAPTER 65.

[H. B. 266.]

RELATING TO POWDER AND OTHER EXPLOSIVES.

AN ACT relating to the handling, storage and distribution of powder and other explosives used in connection with coal mining and providing penalties for the violation thereof.

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

SECTION 1. Each person, firm or corporation engaged in coal mining, requiring the use of powder or other explosives, shall provide (subject to the approval of the state mine inspector), at or near the entrance of each coal mine operated, at some suitable place near such work, a suitable distributing magazine for the storage of such powder or other explosives. There shall be posted upon such magazine a notice, printed in letters not less than three inches in height, that such magazine contains explosives. No person shall store or keep in any magazine mentioned in this section any powder or other explosive in excess of one ton. In the case of coal mines such powder or other explosive shall be issued daily in quantities not to exceed the average used by each workman in one day, in proper receptacles. Any person or corporation violating or failing to comply with the provisions of this section shall be guilty of a gross misdemeanor.

SEC. 2. Any person who shall store or keep any powder or other explosive in a quantity greater than one pound in any occupied dwelling house or residence or in any

[See generally §§ 7372-7408, Rem.-Bal., relative to coal mines. See, also, §§ 2504, 2506, and 8308, Rem.-Bal.]

Distributing magazine.

Quantity stored.-