

avenue, alley or public place, of any city or town, as well as the original construction thereof.

Passed the Senate March 2, 1917.

Passed the House March 6, 1917.

Approved by the Governor March 15, 1917.

CHAPTER 153.

[S. B. 58.]

POWER OF EMINENT DOMAIN FOR MILITARY PURPOSES.

AN ACT relating to the exercise of the power of eminent domain for military purposes, by the state, by counties and by cities.

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

SECTION 1. Whenever the governor, as commander-in-chief of the military of this state, shall deem it necessary to acquire any lands, real estate, premises or other property for any military purpose or purposes of this state, either to add to, enlarge, increase or otherwise improve state military facilities now or hereafter existing or to establish new facilities, the acquisition of which shall have been provided for by the state, by a county or by a city, or by either, all or any thereof, upon certificate by the governor of such necessity, proceedings for the condemnation, appropriation and taking of the lands, real estate, premises or other property so certified to be necessary shall be taken as follows:

Where the state is to pay the purchase price it shall be the duty of the attorney general, upon receipt by him of said certificate of the governor, to file a petition in the superior court for the county in which such lands, real estate, premises or other property may be situate praying such condemnation, appropriating and taking, which petition shall be prosecuted to a final determination in the manner by law provided for other condemnation suits brought by or on behalf of the state;

Certificate of necessity.

Proceedings by state.

Where a county is to pay the purchase price it shall be the duty of the prosecuting attorney of said county, upon receipt by him of said certificate of the governor, to file a petition in the superior court for said county praying such condemnation, appropriation and taking, which petition shall be prosecuted to a final determination in the manner by law provided for other condemnation suits brought by or on behalf of a county; By county.

Where a city is to pay the purchase price it shall be the duty of the corporation counsel, city attorney or other head of the legal department of said city, upon receipt by him of said certificate of the governor, to file a petition in the superior court for the county in which said city is situate, praying such condemnation, appropriation and taking, which petition shall be prosecuted to a final determination in the manner by law provided for other condemnation suits brought by or on behalf of such city; By city.

Where the purchase price is to be paid by the state, a county and a city or by the state and a county, or by the state and a city, or by a county and a city, the condemnation shall be prosecuted to a final determination in the manner by law provided for either or any thereof, as the governor may determine, which determination shall be final and conclusive. Joinder of state, county and city.

SEC. 2. Nothing herein contained shall be construed as in any manner applying to condemnation by any county for the purpose of acquiring title to any site for a mobilization, training and supply station, to be donated by any county to the United States. Inapplicable to condemnation for Federal purposes.

Passed the Senate January 31, 1917.

Passed the House March 6, 1917.

Approved by the Governor March 15, 1917.