

CHAPTER 75.

[H. B. 37.]

EMINENT DOMAIN FOR RIGHTS OF WAY THROUGH
CEMETERIES.

AN ACT authorizing the exercise of the power of eminent domain and the condemnation of rights of way for public streets and highways through cemeteries and burial grounds.

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

SECTION 1. Whenever it is necessary that a portion of the lands embraced within any cemetery or burial ground in which not more than one burial shall have taken place within the last preceding five years shall be used for the purpose of shortening the route of any existing public street or highway, reducing the curves thereof, eliminating angles therein, lessening the gradients thereof, or otherwise improving such street or highway, or for extending any such street or highway, the state of Washington, or any municipal corporation authorized by law to establish, lay out, extend and improve public streets or highways, are hereby authorized to exercise the power of eminent domain and acquire lands by condemnation for the right of way and improvement of such streets and highways over and across any such burial ground or cemetery in the same manner and by the same procedure as the state of Washington, or such municipal corporation, as the case may be, is authorized by law to acquire and condemn private lands for rights of way for streets and highways. Any judgment entered in such condemnation proceeding shall provide and require that before any entry is made on the lands condemned for the purpose of construction, or for use of the same as a public street or highway, the condemnor shall at its own expense remove or cause to be removed from such lands any bodies buried therein and suitably rein-

Use for
highway
purposes.

Condemna-
tion.

Procedure.

Judgment.

Removal
of bodies.

tered elsewhere to the satisfaction of relatives if they can be found: *Provided*, That no powers granted by this act shall be exercised after the year 1926.

Passed the House December 14, 1925.

Passed the Senate December 22, 1925.

Approved by the Governor January 5, 1926.

CHAPTER 76.

[H. B. 98.]

DISINCORPORATION OF FOURTH CLASS TOWNS.

AN ACT providing for disincorporation in certain cases of towns of the fourth class.

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

When may
disincor-
porate.

SECTION 1. When any town of the fourth class shall fail for two successive years to hold its regular municipal election or when the officers elected at the regular municipal election of any town of the fourth class shall fail for two successive years to qualify, and the government of such town shall have ceased to function by reason of such failure, the division of municipal corporations may petition the superior court of the county in which such town is situated for an order disincorporating such town. The petition for disincorporation shall in addition to stating the facts as above specified set forth a detailed statement of the assets and liabilities of such town so far as the same can be ascertained.

Petition.

Notice.

SEC. 2. Upon the filing of such petition the superior court shall enter an order setting the same down for hearing at a date not less than thirty days from the date of filing, and the supervisor of municipal corporations shall give notice of such hearing