

payments due upon the payroll of an employer, the certificate of the industrial insurance department that an audit has been made of the payroll of such employer pursuant to the direction of the department and of the amount of such payroll for the period stated in the certificate shall be *prima facie* evidence of such fact.

Passed the Senate March 3, 1917.

Passed the House March 7, 1917.

Approved by the Governor March 14, 1917.

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## CHAPTER 121.

[H. B. 162.]

### EMPLOYMENT OF FREE OR CONVICT LABOR IN STATE ROAD CONSTRUCTION.

AN ACT relating to public highways and providing for the employment of free or day labor and convict labor, and amending section 5869-1 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 5869-1 of Rem. & Bal. Code be, and the same is, hereby amended to read as follows:

Section 5869-1. The state highway board may in its discretion cause any state road to be constructed, either under contract as now provided by law or by force account. Construction may be done by force account in all cases where the estimated amount of said work is less than the sum of five thousand dollars (\$5,000.00): *Provided*, This limitation of five thousand dollars (\$5,000.00) shall not apply to work done by convict labor. The work may be done either by free or day labor or by the use of convict labor when available and capable of advantageous use. The state highway board shall by resolution entered upon its record determine when construction in any case shall be by force account, and whether by free or day labor or by convict labor, which resolution shall state the reasons for such determination. In all other cases con-

Construction  
of state  
roads.

Force ac-  
count, day  
labor and  
convict labor.

struction shall be let by contract on plans and specifications previously prepared by the highway engineer and let to the lowest and best bidder in the manner now provided by law. In the event that the highway board considers said bids when received too high, they may re-advertise, or do the work by force account, which decision shall be ordered by resolution to that effect entered upon the records of said board, which resolution shall set out the amount of the lowest bid and the fact that said board had found that in its judgment the said work may be more cheaply done by force account day labor or convict labor.

Construction  
by contract.

Passed the House February 9, 1917.

Passed the Senate March 7, 1917.

Approved by the Governor March 14, 1917.

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## CHAPTER 122.

[H. B. 214.]

### REGULATION OF WEIGHTS AND MEASURES.

AN ACT relating to weights and measures, authorizing state sealers to act as automobile inspector in certain cases, and amending sections 9511-2, 9511-3, 9511-4 and 9511-5 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 9511-2, Rem. & Bal. Code, be amended to read as follows:

Section 9511-2. There is hereby created a department of weights and measures in and for the State of Washington. The secretary of state shall be *ex-officio* superintendent of weights and measures and the head of the department herein created. He shall appoint a deputy superintendent of weights and measures and one inspector whose terms of office shall expire with that of the superintendent. The deputy shall receive a salary of twenty-four hundred dollars per annum, and the inspector shall receive

Superintendent of  
weights and  
measures.

Deputy and  
inspector.