

within the state, and justices of the peace within their respective counties.

Passed the Senate January 30, 1913.

Passed the House February 27, 1913.

Approved by the Governor March 6, 1913.

CHAPTER 36.

[S. B. 133.]

RELATING TO THE SALE OF STATE LANDS.

AN ACT relating to the disposition of state lands and valuable materials thereon, and amending section 6672 of Remington and Ballinger's Annotated Codes and Statutes of Washington.

[This act amends Rem.-Bal., § 6672; Pierce's Code, 1912, 477 § 61, by changing date of sales from first Saturday to first Tuesday in month.]

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

SECTION 1. That section 6672 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 6672. When the board of state land commissioners shall have decided to sell any lot, block, tract or tracts of granted lands, or timber, fallen timber, stone, gravel or other valuable materials thereon, it shall be the duty of the commissioner of public lands to forthwith fix the date of sale and give notice thereof by advertisement published once a week for five weeks next before the time he shall name in said notice, in at least one newspaper of general circulation published in the county in which the lands are situated, which notice shall specify the place, time and terms of sale, describing with particularity each parcel of land to be sold and stating the appraised value thereof, and by causing to be posted in a conspicuous place in the office of the auditor of the county wherein such lands are situated a copy of said notice. And the commissioner of public lands shall cause all such lands or materials thereon to be sold and arrange such date of sale so that it will fall on the first Tuesday of the month, except where such Tuesday would fall on a legal holiday, in which case no sales shall be made until the following month. The com-

Notice of sale.

Sale on first Tuesday in month.

missioner of public lands shall cause to be printed in pamphlet form a list of all school, granted or other public lands or materials thereon, or tide or shore lands of the first or second class, or detached tide lands, or harbor area leases or mineral lands required by law to be sold at public auction and the appraised value, where the law provides for appraisement, that are to be sold in the several counties of the state, said lists to be issued each month, at least four weeks prior to the date of sale of such lands or materials enumerated thereon, such lands and materials to be listed under the name of the county wherein located, in alphabetical order, giving the appraised values, character of same and such other information as may be of interest to prospective buyers. Said commissioner of public lands shall cause to be distributed to the auditor of each county in the state a sufficient number of such lists to supply the demands made upon them respectively, as reported by such auditors, not exceeding one hundred copies in any one county. And said county auditors shall keep the lists so furnished in a conspicuous place or receptacle on the counter of the public office of their respective departments, and when requested so to do shall mail copies of such lists to residents of their counties. The commissioner of public lands shall retain for free distribution in his office five hundred copies of said lists, as above set forth, such lists to be kept in a conspicuous place or receptacle on the counter of the general office of the commissioner of public lands; and when requested so to do, the commissioner shall mail copies of said lists each month as issued to any applicant therefor. Proof of publication shall be made by affidavit of the publisher or person in charge of the newspaper publishing the notice of sale and by certificate of the auditor showing the posting of the notice of sale as aforesaid and the receipt of the lists as aforesaid, which shall forthwith be sent to and filed with the commissioner of public lands. The board of state land commissioners is hereby authorized to expend any sum of money, not exceeding fifteen dollars in additional advertising of such

Pamphlet
notice.

County
auditor to
furnish
pamphlets.

Free
distribution.

Proof of
publication.

Additional
advertising
authorized.

sale as the said board shall determine to be for the best interests of the state. Such sale shall take place on the day advertised, between the hours of 10 o'clock in the forenoon and 4 o'clock in the afternoon, in front of the courthouse, or of the building in which the superior court is held, in the counties in which there is no courthouse, and shall be sold at public auction to the highest bidder, on the terms prescribed by law and as specified in the notice hereinbefore provided; and no land shall be sold for less than its appraised value. Such sale shall be conducted under the direction of the board, or the commissioner of public lands; by the county auditor of the county in which the lands are situate; and such auditor shall at once deliver to the purchaser under his hand and seal, a memorandum of his purchase, containing a description of the land purchased, the price bid and the terms of sale, upon the delivery to such auditor, by the purchaser, either in cash or by certified check, or draft drawn upon some bank doing business in this state, or by postal order, of an amount equal to one-tenth of the price of the land by him purchased, payable to the order of the commissioner of public lands; and such auditor shall at once send to the commissioner of public lands such cash or certified check, draft or postal order and a copy of the memorandum delivered to the purchaser, together with such additional report of his doings and proceedings with reference to such sale as may be required by the commissioner of public lands or the board of state land commissioners. If any land so offered for sale be not sold, the same may again be advertised for sale, as provided in this act, whenever in the opinion of the board it shall be expedient so to do; and such land shall again be advertised for sale as provided in this act, whenever any person shall apply to said board in writing to have such land sold and shall agree to pay, at least the appraised price thereof and shall deposit with the commissioner of public lands at the time of making such application, a sufficient sum of money to pay the

Sale at
court house.

Public
auction.

Sale.

Certificate.

Remittance.

Report of
sale.

Re-sale.

Application.

cost of advertising for such sale, as provided in making original application.

Passed the Senate February 5, 1913.

Passed the House February 25, 1913.

Approved by the Governor March 6, 1913.

CHAPTER 37.

[S. B. 275.]

VALIDATING CERTAIN CONTRACTS FOR ROAD WORK.

AN ACT relating to the validation and approval of certain contracts relating to roads, road work, construction and improvement thereof, and providing when this act is to take effect.

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

SECTION 1. That in all cases where any board of county commissioners within any county in this state has heretofore adopted profiles, maps, plans and specifications for the construction or improvement of any permanent highway under the provisions of an act entitled "An act relating to the improvement of public highways, providing for the cost thereof and making appropriations therefor and repealing chapter 150 of the Laws of 1907, and declaring an emergency," approved March 8th, 1911, and have accepted a bid or bids for the construction or improvement of such permanent highway, or for any section thereof in accordance with such profiles, maps, plans and specifications, and shall have awarded and entered into a contract or contracts in accordance therewith, all such contracts shall, notwithstanding they or any of them may, in the contract price provided thereby, exceed the cash actually in the permanent highway fund to the credit of such county at the time such contract or contracts were executed and may have exceeded also the sum of the taxes levied for the permanent highway fund in that particular county, and, notwithstanding the fact such contract or contracts may extend the period for their completion beyond the time when the appropriation available therefor

[This act is
ch. 35, L. '11;
Pierce's Code,
1912, 441
§ 207.]

(See § 9, ch.
35, L. 1911;
Pierce's Code,
1912, 441
§ 233.)

Contracts
validated.