

tions; to acquire by purchase or otherwise, lands for public parks within or without the limits of such city, and to improve the same; *Provided, however,* That no sum shall be appropriated for that purpose until the same is authorized by a vote of two-thirds of the qualified voters residing in such city, at the annual municipal election, or at a special election held for that purpose, which election shall be held as other special elections.

SEC. 2. An emergency exists and this act shall take effect immediately.

Passed the House March 6, 1899.

Passed the Senate March 9, 1899.

Approved March 13, 1899.

CHAPTER CIV.

[H. B. No. 324.]

RELATING TO IMPROVEMENT OF COUNTY ROADS.

AN ACT to amend sections 11, 12, 33, and 36, and to repeal sections 8, 9, and 10 of an act entitled "An act providing for the establishment of a system of improved roads in counties, and providing for the manner of laying out, constructing and maintaining the same," approved March 15, 1893, and the same being chapter 123 of the laws of 1893.

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

SECTION 1. Section 11 of an act entitled "an act providing for the establishment of a system of improved roads in counties, and providing for the manner of laying out, constructing and maintaining the same," approved March 15, 1893, the same being chapter 123 of the laws of 1893, is hereby amended to read as follows: Section 11. If the bond be approved by the clerk of the board of county commissioners, he shall immediately deliver a copy of the petition to the commissioners who may appoint a time for the hearing

Amendment.

and consideration of said petition, and if the commissioners upon the hearing find against the improvement, they shall dismiss the petition and proceedings at the cost of the petitioners; and they shall cause an itemized bill of costs to be made up by the clerk for their examination and approval, which shall include the per diem of the engineer, together with all other costs necessarily made.

Amendment.

SEC. 2. Section 12 of said act is hereby amended to read as follows: Section 12. If the commissioners find for the improvement they shall cause to be entered on their journal an order directing the engineer to proceed with the construction of said improvement in the following manner:

Duty county surveyor.

1. The county surveyor shall be the engineer and shall go upon the road described in the petition or as changed in accordance with this act, and survey and level the same, and set a stake at every hundred feet, numbering from the place of beginning, out; note the intersection of lines and boundaries of lands, road districts, or township lines, land marks and road crossings, and make a report, profile and plat of the same, and estimate the number of cubic yards of earth or other substance to be removed, cut or filled, necessary bridges, culverts and drains to be constructed, obstructions to be removed, the materials along or adjacent to said road which can be made available and used in construction of the same, the estimated cost thereof, and an estimate of the cost of each working section, as hereinafter provided, and of each section of 100 feet.

Plat and schedule.

2. The engineer shall also make and return a schedule and plat of all the lots and lands lying within the improvement boundary, which plat shall be drawn upon a scale sufficiently large to represent all the meanderings of the road proposed to be improved, and shall distinctly show the boundary lines of each lot or tract of land included in the improvement boundary, the name of the owner of each lot or tract of land as the same may appear upon the records at the time, and an estimate of the total cost of the entire improvement pro-

posed, which estimate shall include all fees and salaries estimated to be paid for locating, supervising and appraising, together with such other matters as the engineer may deem material. The profile shall show the surface line, the grade line and gradient fixed, and the engineer shall make and file with his report an itemized bill of all costs made in the discharge of his duty under this section, and shall file his report with the clerk of the board of county commissioners within thirty days after making the survey and level.

SEC. 3. Section 33 of said act is hereby amended to ^{Amendment} read as follows: Section 33. It shall be the duty of the county surveyor in charge of said work, if the county commissioners so direct, to inspect all work of construction from time to time and see that the same is being done according to contract.

SEC. 4. Section 36 of said act is hereby amended to ^{Amendment.} read as follows: Section 36. Construction done under the yearly installment plan shall commence at the place of beginning and be completed without intermission toward the place of ending, and the payment of improvements under such installment plan shall not in any year exceed the benefit assessments for that year. The engineer shall divide the road into as many annual construction sections of equal cost as there are years of construction, and let contracts from time to time during the progress of construction in like manner as hereinbefore provided, and any excess funds appropriated to one section shall be applicable to the succeeding section.

SEC. 5. Sections 8, 9 and 10 of said act are hereby repealed.

Passed the House February 27, 1899.

Passed the Senate March 9, 1899.

Approved March 13, 1899.