

thirty days, or by such fine and imprisonment in the discretion of the court.

Not applica-
ble to
scientific
certificate
holder.

SEC. 3. Sections one and two of this act shall not apply to any person holding a certificate giving the right to take birds, their nests, or eggs, for scientific purposes, as now provided by law.

Passed the Senate December 9, 1925.

Passed the House December 18, 1925.

Approved by the Governor December 23, 1925.

CHAPTER 72.

[H. B. 15.]

DISMISSAL OF MILITIA OFFICERS.

AN ACT relating to the dismissal and discharge of officers of the organized militia.

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

Removal by
governor,
grounds.

SECTION 1. The Governor may dismiss any commissioned or warrant officer of the organized militia of Washington for any of the following reasons:

- (1) Conviction of an infamous crime.
- (2) Absence from his command for more than thirty days without proper leave.
- (3) Sentence of dismissal by court-martial, duly approved.

And the Governor may discharge any commissioned or warrant officer of the organized militia of Washington for any of the following reasons:

- (1) Upon muster out of the organization to which such officer is then assigned.
- (2) Acceptance of resignation of such officer: *Provided*, That no officer shall be discharged or his resignation accepted while under arrest or against whom military charges have been preferred, or until he shall have turned over to his successor or satisfactorily accounted for all state and federal monies,

and military property for which he shall be accountable or responsible.

(3) Removal of his actual residence to such distance from the station of his command as to render it impracticable for him to perform the duties of his office.

(4) Incompetence or unfitness for military service is determined by the duly approved findings of an efficiency board appointed for that purpose.

Passed the House November 20, 1925.

Passed the Senate December 21, 1925.

Approved by the Governor December 23, 1925.

CHAPTER 73.

[H. B. 24.]

RAILROAD AND HIGHWAY CROSSINGS.

AN ACT relating to the construction and maintenance of railroad crossings and amending section 6 of chapter 30 of the Laws of 1913.

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

SECTION 1. That section 6 of chapter 30 of the Laws of 1913 be amended to read as follows:

Section 6. Apportionment of Cost of Crossings.

SUBDIVISION A.

Whenever, under the provisions of this act, new railroads are constructed across existing highways, or highway changes are made either for the purpose of avoiding grade crossings on such new railroads, or for the purpose of crossing at a safer and more accessible point than otherwise available, the entire expense of crossing above or below the grade of the existing highway, or changing the route thereof, for the purpose mentioned in this subdivision, shall be paid by the railroad company.

Amends
Rem. Comp.
Stat.,
§ 10516;
Pierce's
Code § 5643.

Railroad to
pay cost of
construction.