

road purposes, and it is hereby made their duty to make such transfer or conveyance upon receiving notice from the State Highway Board that a state road has been established and definitely located over a county road and that said road will be improved and maintained by the state and that funds are available for the immediate construction of such road.

Passed by the House February 23, 1909.

Passed by the Senate March 4, 1909.

Approved March 6, 1909.

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## CHAPTER 59.

[H. B. 125.]

### PERMITTING CITIES AND TOWNS TO VALIDATE CERTAIN INDEBTEDNESS.

AN ACT to enable counties, cities and towns to validate certain warrants and other obligations and evidences of indebtedness on the part of such counties, cities and towns, issued by the corporate authorities thereof in excess of their legal authority and declaring an emergency.

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

SECTION 1. Any county, city or town in this state may ratify in the manner prescribed by this act, the attempted incurring of any indebtedness of such county, city or town, by the issuing of warrants, making of contracts, or creation of other evidences of indebtedness on the part of such county, city or town, by the corporate authorities thereof at any time prior to the passage of this act, when the only ground of the invalidity of such indebtedness so to be ratified is that, at the time of such attempted incurring thereof, the same, together with all other then existing indebtedness of such county, city or town, exceeded one and one-half per centum of the taxable property of such county, city or town, ascertained by the last assessment for state and county purposes previous to the attempted incurring of such indebtedness, except that in incorporated cities the assessment shall be taken from the last assessment for city

[This chapter supercedes ch. 221, L. '07.]

Ratification.

Grounds of invalidity.

purposes, and that such indebtedness was so attempted to be incurred without the assent of three-fifths of the voters therein voting at an election held for that purpose.

Ordinance.

SEC. 2. Whenever the corporate authorities of any such county, city or town shall deem it advisable that the ratification authorized by this act shall be obtained, they shall provide therefor by ordinance or resolution, which shall specify separately the amount of each distinct class of such indebtedness so to be ratified, the date or period of the attempted incurring by the corporate authorities of each separate class thereof, and the general nature of the indebtedness composed in each distinct class and shall provide for the holding of an election for that purpose, at which the attempted incurring of such indebtedness shall be submitted to the voters in such county, city or town for ratification or approval, of which election notice, to be provided for in such ordinance or resolution, shall be given by publishing the same in a newspaper published in such county, city or town once a week for at least four successive weeks prior to the election, and if no newspaper is published in such city or town, then by publishing such notice for the same period in a newspaper published in the county wherein such city or town is situate and of general circulation therein. Each distinct class of such indebtedness so specified shall be the subject of a distinct vote in favor of or against the ratification thereof, and such vote shall designate the class of indebtedness referred to by the description thereof used and the amount specified in the ordinance or resolution.

Election.

Classes of indebtedness.

Vote necessary to validate.

SEC. 3. If at an election held as provided for in section two of this act, three-fifths of the voters of such county, city or town, voting at such election, shall vote in favor of the ratification, of any distinct class of such indebtedness, specified in the ordinance or resolution providing for such election, then such indebtedness shall thereby become and is hereby declared to be validated and a binding obligation upon such county, city or town, when the only ground of the previous invalidity of such indebtedness is that at the time of the incurring thereof so ratified, the same, together

with all other then existing indebtedness of such county, city or town, exceeded one and one-half per centum of the taxable property in such county, city or town ascertained by the last previous assessment for state and county purposes (except that in incorporated cities the assessment shall be taken from the last assessment for city purposes): *Provided*, That neither anything in this act contained nor the vote cast at any such election shall be deemed to validate or authorize any indebtedness, which, together with all other indebtedness of such county, city or town existing at the time of the attempted incurring of the same exceeded any constitutional limitation of indebtedness which might be incurred with the assent of three-fifths of the voters in such county, city or town voting at an election to be held for that purpose: *And provided further*, That this act shall apply only to indebtedness attempted to be incurred prior to the passage hereof. Limit.

SEC. 4. The words corporate authorities used in this act, shall be held to mean the legislative or managing body of any county, city or town. Construction.

SEC. 5. An emergency exists and this act shall take effect immediately. Emergency.

Passed by the House February 1, 1909.

Passed by the Senate March 3, 1909.

Approved March 6, 1909.

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## CHAPTER 60.

[H. B. 266.]

### RELATING TO DRAINAGE AND SEWERAGE IN CITIES OF THE THIRD CLASS.

AN ACT authorizing cities of the third class to provide for the drainage and sewerage of such cities and provide for the payment of the cost and maintenance thereof, and declaring an emergency.

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

SECTION 1. That cities of third class be, and the same are hereby empowered to improve the public streets