

thousand (20,000) persons a municipal court, which court shall be known and designated as "The municipal court of the city of _____," for which one judge shall be elected by the qualified electors of each of such cities at the general state election in the year eighteen hundred and ninety-two, and every four (4) years thereafter, and for which a clerk shall be elected or appointed in the manner hereinafter provided.

SEC. 2. Whereas, there are cities of the first class within this state having twenty thousand inhabitants, but which had not such population as shown by any national or state census, and whereas, there is now no existing law providing for municipal courts in such cities, and such courts are necessary for the proper preservation of law and order within such cities; an emergency is hereby declared to exist, and this act shall therefore take effect and be in force from and after its passage and approval by the governor.

Approved March 9, 1891.

CHAPTER CXLIV.

[H. B. No. 314.]

AUTHORIZING CHANGE OF COUNTY LINES.

AN ACT to provide for annexing certain county territory to a neighboring county to which it is contiguous.

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

SECTION 1. Where a port, harbor, inlet, bay or mouth of river shall be embraced within two adjoining counties, and upon the shore of said harbor, bay, inlet or mouth of river an incorporated city shall have been or may hereafter be located, and the harbor of the said city shall lie in such two counties, and it shall become necessary in order to place the said harbor or port within the limits of one county, or to extend the corporate limits of such city, to embrace the full extent of said shore line of such harbor,

port or bay, and the waters of said harbor, together with a strip of the adjacent and contiguous upland territory not exceeding three miles in width (to be measured back from high water mark) and six miles in length, and not being at a greater distance in any part of said strip from the court house in the county seat of the county to which said territory is proposed to be annexed, as said county seat and court house are now situated, than the distance of ten miles.

In all such cases when a majority of the qualified electors living upon any territory in any county of this state within which said harbor shall partly be embraced shall desire to have such territory stricken from the county of which it shall then be a part and added to and made a part of the county contiguous thereto, they may present a petition describing with proper certainty the bounds and area of such territory, with the reasons for making such application, to the board of county commissioners of the county in which such territory shall be, who shall proceed to ascertain if such petition contains the requisite number of petitioners, who shall be *bona fide* residents of the territory sought to be stricken off and transferred to the contiguous county, and if satisfied that the petition is signed by a majority of the *bona fide* electors of such territory, and that there will remain in the county from which such territory is taken more than four thousand inhabitants, the said board shall make an order that a special election shall be held within the limits of the territory described in the petition, upon a date to be named in the said order. Notices of such election shall contain a description of the territory proposed to be transferred, the names of the counties from and to which such transfer is intended to be made, and shall be posted and published as required for general elections.

SEC. 2. The said election shall be conducted in all respects as general elections are conducted under the law governing general elections, so far as they may be applicable, except that there shall be triplicate returns made, one to each of the respective county auditors, another to the office of the secretary of state. The ballots used at such election shall contain the words "For transferring territory," or "Against transferring territory." The votes shall be can-

Consent of occupants

Duty of county commissioners.

Special election.

Conduct of election.

Returns.

vassed, as by law required, within twenty days, and if three-fifths of the votes cast in said territory at such election are "For transferring territory," the territory described in such petition shall become a part of and be added to and made a part of the county contiguous thereto, and within thirty days after the canvass of the returns of the elections held under the provisions of this act the governor shall issue his proclamation of the change of said county lines.

Governor's
proclamation.

SEC. 3. All assessments and collection of taxes, and all judicial or other official proceedings commenced prior to the said governor's proclamation transferring such territory of the contiguous county, shall be continued, prosecuted and completed in the same manner as if no such transfer had been made.

Township, pre-
cinct and school
officers.

SEC. 4. All township, precinct, school and road district officers within such transferred territory shall continue to hold their respective offices within the county to which they may be transferred until their respective terms of office expire, and until their successors are elected and qualified.

Liability for
debts of county.

SEC. 5. Every county which shall thus be enlarged from territory taken from another county shall be liable for a just proportion of the existing debts of the county from which such territory shall have been stricken, which such proportion of indebtedness shall be paid by the county to which such territory shall have been transferred at such time and in such manner as may be agreed upon by the boards of county commissioners of both counties interested: *Provided*, That the county to which such territory may be transferred and attached shall not be liable for any portion of the debt of the county from which such territory has been taken, incurred in the purchase of any county property, or the construction of any county building then in use or under construction, which shall fall within and be retained by the county from which such territory shall have been taken.

County au-
ditors.

SEC. 6. The county auditors of the respective counties interested in the transfer of territory, as in this act provided, are hereby constituted a board of appraisers and adjusters, to appraise the property, both real and personal,

owned by the county from which such territory shall have been taken, and to adjust the indebtedness of such county with the county to which such territory shall have been transferred, in proportion to the amount of taxable property within the territory taken from the one county and transferred to the other.

SEC. 7. That if the board of appraisers and adjusters provided for in this act shall not agree on any subject, value or settlement as herein stated, they shall choose a third man from an adjoining county to settle their differences, and the decision thus arrived at shall be final.

SEC. 8. The expense of proceedings and election provided for in this act shall be paid by the county to which the territory shall be attached after such election. Expenses of change.

SEC. 9. The county auditor of the county to which any territory may be transferred and attached under the provisions of this act is hereby authorized and empowered to take transcripts of all records, books, papers, etc., on file in the office of the county auditor of the county from which said territory has been transferred, which may be necessary to perfect the records of the county to which such territory may be attached, and for this purpose he shall have access to the records of the county from which such territory is stricken free of cost.

SEC. 10. Nothing in this act shall be construed to authorize the annexing of territory of one county to a neighboring county, where the territory proposed to be annexed, or any part thereof, is at a greater distance than ten miles from the court house in the county seat of the county to which said territory is proposed to be annexed, as said court house is now located, nor to authorize the annexation of any territory at a greater distance than three miles from high water mark of tide water, but such annexation shall be strictly confined within said limits. Limit of annexation.

Approved March 9, 1891.