

tificate of delinquency issued for delinquent taxes levied under this act may be foreclosed as other certificates, and the general law applicable thereto shall govern the certificates issued for taxes delinquent under this act. Foreclosure of certificate of delinquency.

SEC. 22. The board of directors shall receive no salary for services performed under the provisions of this act, nor shall they be interested directly or indirectly in any contract awarded or to be awarded by the board, or in the profits to be derived therefrom; and for any violation of this provision, such officers shall be deemed guilty of a misdemeanor and such conviction shall work a forfeiture of his office, and he shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment, and the said contract in which said director was interested shall be void. Directors not to receive salary or have interest in contracts. Penalty.

SEC. 23. An emergency exists and this act shall take effect immediately. Emergency.

Passed the Senate February 25, 1903.

Passed the House March 9, 1903.

Approved by the Governor March 16, 1903.

CHAPTER 144.

[S. B. No. 98.]

MAKING UNKNOWN HEIRS PARTIES DEFENDANT IN CERTAIN ACTIONS.

AN ACT authorizing the making, of unknown heirs of deceased persons, and unknown persons, parties defendant in actions pertaining to real estate, and providing for service on such unknown defendant.

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

SECTION 1. That when the heirs of any deceased person are proper parties defendant to any action relating to real property in this State, and when the names and residences of such heirs are unknown, such heirs may be proceeded Procedure against unknown heirs, etc.

against under the name and title of "The unknown heirs" of the deceased.

Court to grant order of service.

SEC. 2. Upon presenting an affidavit to the court or judge, showing to his satisfaction that the heirs of such deceased person are proper parties to the action, and that their names and residences cannot with use of reasonable diligence be ascertained, such court or judge may grant an order that service of the summons in such action be made on such "Unknown heirs" by publication thereof in the same manner as in actions against non-resident defendants.

What plaintiff may include in title of cause.

SEC. 3. That, in any action brought to determine any adverse claim, estate, lien, or interest in real property, or to quiet title to real property, the plaintiff may include as a defendant in such action, and insert in the title thereof, in addition to the names of such persons or parties as appear of record to have, and other persons or parties who are known to have, some title, claim, estate, lien, or interest in the lands in controversy, the following, viz.: "Also all other persons or parties unknown claiming any right, title, estate, lien, or interest in the real estate described in the complaint herein." And service of summons may be had upon all such unknown persons or parties defendant by publication as provided by law in case of non-resident defendants.

Service of summons.

Rights of unknown heirs.

SEC. 4. All such unknown heirs of deceased persons, and all such unknown persons or parties, so served by publication as in the preceding section of this act, provided, shall have the same rights as are provided by law in case of all other defendants upon whom service is made by publication, and the action shall proceed against such unknown heirs, or unknown persons or parties, in the same manner as against defendants, who are named, upon whom service is made by publication, and with like effect; and any such unknown heirs or unknown persons or parties who have or claim any right, estate, lien, or interest in the said real property in controversy, at the time of the commencement of the action, duly served as aforesaid, shall be bound and concluded by the judgment in such action, if the same is in favor of the plaintiff therein as effectually as if the action was brought against such defendant by his or her name and constructive service of summons obtained: *Provided, however,* That such judg-

ment shall not bind such unknown heirs, or unknown persons or parties, defendant, unless the plaintiff shall file a notice of *lis pendens* in the office of the auditor of each county in which said real estate is located, in the manner provided by law, before commencing the publication of said summons. Judgment
not binding.

Passed the Senate February 16, 1903.

Passed the House March 9, 1903.

Approved by the Governor March 16, 1903.

CHAPTER 145

[S. B. No. 109.]

AMENDING AN ACT PROVIDING FOR THE ORGANIZATION AND GOVERNMENT OF MUNICIPAL CORPORATIONS.

AN ACT amending Section 10 of an act entitled "An act providing for the organization, classification, incorporation and government of municipal corporations and declaring an emergency," approved March 27, 1890.

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

SECTION 1. That section 10 of an act entitled "An act providing for the organization, classification, incorporation and government of municipal corporations and declaring an emergency," approved March 27, 1890, be amended to read as follows: Section 10. Two or more contiguous municipal corporations may become consolidated into one corporation after proceedings had as required in this section. The council, or other legislative body, of either of such corporations, shall upon receiving a petition therefor, signed by not less than one-fifth of the qualified electors of each of such corporations, as shown by the votes cast at the last municipal election held in each of such corporations, submit to the electors of each of such corporations the question whether such corporations shall become consolidated into one corporation. Such legislative body shall designate a day upon which a special election shall be held in each of such corporations to determine whether such consoli- Consolidation.
Special election.