And provided further, That either county may have any proper action in the courts to compel the performance of the contract or any duty imposed thereby or by this act.

Sec. 9. When such a contract shall have been entered into, it shall be lawful to issue warrants upon said fund though there be at the time of such issuance no money in the fund, but in such cases the aggregate of such warrants so issued in any year shall not exceed one-half the amount of the next annual tax levy required by such contract. Such warrants shall be stamped by the county treasurer when presented to him for payment, to bear interest at a certain rate thereafter until paid, such rate to be the then current rate as determined by the county auditor.

Passed the Senate February 21, 1913.
Passed the House March 5, 1913.
Approved by the Governor March 11, 1913.

CHAPTER 55.
[H. B. 121.]

ABOLISHING THE OFFICE OF CORONER.

An Act relating to the duties and functions of coroners and justices of the peace; abolishing the office of county coroner in certain counties, and repealing all acts in conflict herewith.

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

Section 1. That whenever information is given to the prosecuting attorney of any county that the dead body of any person has been found in such county, and there shall exist reasonable grounds for the belief that such death was caused by unlawful means, the prosecuting attorney shall, as a part of his official duties, direct a justice of the peace residing in the county seat of the county to forthwith go to the place where such dead body was found and make an investigation, which shall be public and shall be held at such time and place as shall give any person inter-
ested therein an opportunity to be present and to be repre-

Expenses. sented by counsel, and in cases where said justice of the

May said justice of the peace shall receive his actual and neces-

subpoena necessary expenses in going to and returning from the place

witnesses. where said investigation is made.

SEC. 2. That the justice of the peace in the conduct of
such investigation is hereby empowered to summon and
compel the attendance of any witness deemed necessary or
requested by any person interested therein, to administer
oaths to such witnesses, to examine such witnesses in all
matters pertinent to such investigation, to have their testi-
mony taken down and transcribed, and to cause an autopsy
to be performed if deemed advisable by the prosecuting at-
torney of said county.

SEC. 3. That immediately after the conclusion of such
investigation, said justice of the peace shall make a full
report to, and file same with, said prosecuting attorney to-
gether with all evidence taken at such investigation, and
the prosecuting attorney shall file said transcript of the
testimony given in such investigation and all evidence tak-
en together with his written opinion as to how such person
came to his death, in the office of the county clerk of said
county.

SEC. 4. That, except where otherwise provided by law,
the said justice of the peace shall take into his custody any
money or other property found upon such dead body or
belonging to the deceased and shall deliver the same as soon
as practicable to the prosecuting attorney.

SEC. 5. That as soon as practicable after such investi-
gation the justice of the peace shall cause such dead body,
unless the same be demanded by a legal claimant, to be de-
ivered to a competent undertaker, designated by the
board of county commissioners of the county, who shall
decently bury the same, and such undertaker shall receive
reasonable compensation, not exceeding thirty-five dollars,
therefor: Provided, That such compensation shall, as far
as possible, be paid by the prosecuting attorney out of any money or property found upon or belonging to the deceased.

Sec. 6. All witnesses appearing at such investigation shall be entitled to the same fees and mileage as witnesses in the superior court.

Sec. 7. The failure or refusal of any witness to appear or testify at such investigation, when such witness has been duly summoned, shall be a misdemeanor.

Sec. 8. The prosecuting attorney shall, after paying the burial expenses provided for by section five of this act, pay the balance of any money in his hands to the executor or administrator of such deceased, if one has been appointed, and, if not, to the county treasurer of the county.

Sec. 9. The office of county coroner is hereby abolished as to all counties of this state except counties of the first class, and none of the provisions of this act shall apply to or in counties of the first class.

Sec. 10. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Sec. 11. This act shall take effect on the second Monday of January, 1915, and at said time all coroners affected by this act shall deliver to the prosecuting attorneys of their respective counties all property which had theretofore come into their possession by virtue of their official capacity as coroners.

Passed the House January 31, 1913.
Passed the Senate February 26, 1913.
Approved by the Governor March 11, 1913.