

Three judges elected biennially.

tion thereafter, there shall be elected three judges of the supreme court, to hold for the full term of six years, and until their successors are elected and qualified, commencing with the second Monday in January succeeding their election.

[Amending § 9043-1, Rem.-Bal.]

SEC. 2. There shall be added to Remington and Ballinger's Annotated Codes and Statutes of Washington a section to be known as section 9043-1 to read as follows: Sec. 9043-1. A person elected judge of the supreme court to fill a vacancy for an unexpired term shall not qualify for office until the second Monday in January succeeding his election.

Commencement of unexpired terms.

Passed by the Senate February 14, 1911.

Passed by the House March 9, 1911.

Approved by the Governor March 18, 1911.

CHAPTER 120.

[S. B. 89.]

ENABLING COUNTIES, CITIES AND TOWNS TO VALIDATE CERTAIN WARRANTS.

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:*

[Amending §§ 8038 and 8039, Rem.-Bal.]

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, exceeding one and one-half

Indebtedness exceeding limit.

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

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.

Provide by ordinance or resolution.

Submit to vote.

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 in-

Three-fifths vote required.

debtedness, 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 exceed 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.

Basis for estimate.

This act specifically applies.

Defining term.

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.

Emergency.

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

Passed by the Senate February 2, 1911.

Passed by the House March 8, 1911.

Approved by the Governor March 17, 1911.