

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 consolidation. Consolidation.
Special election.

tion shall be effected, and shall give written notice thereof to the council or other legislative body of each of the other of such corporations, which notice shall designate the names [name] of a proposed new corporation. It shall thereupon be the duty of such legislative body of each of the corporations so proposed to be consolidated to give notice of such election by publication in a newspaper, printed and published in such corporation, for a period of four weeks prior to such election. Such notice shall distinctly state the proposition to be submitted, the name of the corporation so proposed to be consolidated, the name of the proposed new corporation, and the class to which such proposed new corporation will belong, and shall invite the electors to vote upon such proposition by placing upon their ballots the words "For consolidation," or "Against consolidation," or words equivalent thereto. The legislative bodies of each of such corporations shall meet in joint convention at the usual place of meeting of the legislative body of that one of the corporations having the largest population, as shown by the last State census, on the Monday next succeeding the day of such election, and proceed to canvass the votes cast thereat. The votes cast in each of such corporations shall be canvassed separately; and if it shall appear upon such canvass that a majority of the votes cast in each of such corporations shall be for consolidation, such joint convention, by an order entered upon their minutes, shall cause the clerk or other officer performing the duties of clerk, of the legislative body at whose place of meeting such joint convention was held, to make a certified abstract of such vote, which abstract shall show the whole number of electors voting at such election in each of such corporations, the number of votes cast in each for consolidation, and the number of votes cast in each against consolidation. Such abstract shall be recorded upon the minutes of the legislative body of each of such corporations, and immediately upon the record thereof, it shall be the duty of the clerk, or other officer performing the duties of clerk, of each of such legislative bodies, to transmit to the Secretary of State a certified copy of such abstract. Immediately after such filing the legislative body of that one of such corporations having the greatest population, as shown by the last

Notice of election—
what to set forth.

Ballots.

Canvass of votes.

Abstract of votes.

Copy of abstract filed with Secretary of State.

State census, shall call a special election, to be held in such new corporation, for the election of the officers required by law to be elected in corporations of the class to which such new corporation shall belong; which election shall be held six months thereafter. Such election shall be called and conducted in all respects in the manner prescribed, or that may hereafter be prescribed by law for municipal elections in corporations of such class, and shall be canvassed by the legislative body so calling the same, who shall immediately declare the result thereof and cause the same to be entered upon their journal. From and after the date of such entry such corporation shall be deemed to be consolidated into one corporation under the name and style of the city (or town, as the case may be) of ——— (naming it) with the powers conferred or that may hereafter be conferred by law upon municipal corporations of the class to which the same shall so belong and the officers elected at such elections shall be entitled immediately to enter upon the duties of their respective offices, upon qualifying in accordance with law, and shall hold such offices respectively, only until the next general municipal election to be held in such city or town, and until their successors are elected and qualified. All the provisions of sections five and six of this act shall apply to such corporations and to the officers thereof: *Provided*, That in all cases wherein cities and towns of the third and fourth class desire annexation to cities of the first class no election shall be required to be held in such cities of the first class. When any city or town of the third or fourth class shall vote in favor of annexation to any city of the first class, the legislative body of such city or town so voting shall canvass such votes, and if in favor of annexation, shall forthwith file a petition together with an abstract of the votes so taken and canvassed with the city council of such city of the first class, praying for annexation under the name of such city of the first class. At the next regular meeting of the city council of said city of the first class following the filing of such petition and abstract, or as soon thereafter as practicable, said city council shall proceed to hear such petition with abstract attached, for annexation, and if said council so deem it wise and expedient to take or annex such city or town of the third or fourth class, then

Special election to be called.

When deemed consolidated.

Officers to enter upon duties.

Cities of third and fourth class.

Petition.

Hearing of petition.

the city council of said city of the first class shall pass a resolution requiring its corporation counsel to prepare an ordinance as required by law and the charter of said city covering the annexation of said cities or town, and present the same to the city council. Upon the taking effect of said ordinance of such city of the first class, such city or town so desiring to be annexed shall thereupon become a part of such city of the first class under the name of such city of the first class and subject to all its laws and ordinances then and there in force and simultaneously the terms of office of the officials of the city or town so annexed shall terminate. And it shall be the duty of the clerk of said city of the first class to forthwith transmit to the Secretary of State a certified copy of the proceedings so had before said city of the first class relating to said matters of annexation. And *further provided*, That no property within either of the former corporations so consolidated shall ever be taxed to pay any portion of any indebtedness of either of the other of such former corporations, contracted prior to, or existing at, the date of such consolidation.

Ordinance.

Duty of city clerk.

Proviso as to former taxes and indebtedness.

Passed the Senate February 19, 1903.

Passed the House March 9, 1903.

Approved by the Governor March 16, 1903.

CHAPTER 146.

[S. B. No. 99.]

AMENDING ACT RELATING TO GARNISHMENTS.

AN ACT to amend an act entitled "An act in relation to garnishments," approved March 8th, 1893.

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

SECTION 1. That an act entitled "An act in relation to garnishments," approved March 8th, 1893, be amended by adding thereto a new section immediately following section 9, said new section to be numbered section 9½, and to read as follows, to-wit: Section 9½. If the defendant in the prin-