

in any such civil action shall recover only actual damages; *Provided, however,* That the provisions of this act shall not apply to the case of any libel against any candidate for a public office in this state unless the retraction of the charge is made editorially in a conspicuous manner at least three days before the election.

SEC. 2. The words "actual damages" in the foregoing section shall be construed to include all damages that the plaintiff may show he has suffered in respect to his property, business, trade, profession or occupation and no other damages whatever.

SEC. 3. No civil action for libel can be maintained against a reporter, editor, publisher, or proprietor of a newspaper for publication therein of a fair and true report of anything occurring at a public place or of any judicial, legislative or other public or official proceeding or of any statement, speech, argument or debate in the course of the same, or of the contents of any pleading in any court without proving actual malice.

Passed the Senate March 8, 1899.

Passed the House March 9, 1899.

Approved March 13, 1899.

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## CHAPTER LX.

[S. B. No. 141.]

### ADVANCING CITIES TO SECOND AND THIRD CLASS.

AN ACT to amend section 16 of an act entitled "An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency," approved March 27th, 1890, the same being section 508 of Vol. 1 of Hill's Code.

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

SECTION 1. That section sixteen ( 16 ) of an act of the legislature of the State of Washington, entitled "An act

providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency," approved March 27th, 1890, the same being section 508 of Vol. 1 of Hill's Code, be and the same is hereby amended to read as follows:

SEC. 16. When a petition signed by one hundred freeholders of a town, or two hundred freeholders of a city of the third class, is presented to the council of the corporation in which the signers reside, setting forth that they desire such town to be advanced to a city of the third class, or such city of the third class to a city of the second class, and that they have the population requisite for such advancement, the council shall cause notice to be given by the mayor as in other cases, that at the next annual election for officers of such city or town, or at a special election to be called for that purpose, the electors may vote for or against the advancement, their ballots to contain the words "For advancement" or the words "Against advancement."

Passed the Senate March 4, 1899.

Passed the House March 9, 1899.

Approved March 13, 1899.

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## CHAPTER LXI.

[S. B. No. 124.]

### TO VALIDATE MUNICIPAL CORPORATIONS.

AN ACT to establish the validity of the organization of municipal corporations incorporated under existing laws of the state, and declaring an emergency.

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

SECTION 1. Any municipal corporation which has been incorporated under the existing laws of this state shall be a valid municipal corporation notwithstanding a failure to publish the notice of the election held