

SEC. 2. An emergency is hereby declared to exist, and this act shall take effect immediately.

Passed the Senate March 11, 1897.

Passed the House March 11, 1897.

Approved by the Governor March 16, 1897.

CHAPTER LXXIX.

[S. B. No. 174.]

RELATING TO DISORGANIZATION OF IRRIGATION DISTRICTS.

AN ACT providing for the disorganization and liquidation of irrigation districts which have no bonded indebtedness, and the winding up of their affairs.

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

SECTION 1. Any irrigation district, organized and existing by virtue of the laws of this state, which has no bonded indebtedness outstanding, may be disorganized and its business and affairs liquidated and wound up in the manner hereinafter provided. Irrigation district may disorganize.

SEC. 2. A petition signed by one-third or more holders of title or evidence of title to lands within said district who shall be qualified electors thereof, reciting the fact that said district has no bonded indebtedness and praying that said district be disorganized under the provisions of this act, shall be delivered to the secretary of the board of directors of said district or to one of the directors thereof. Petition for.

SEC. 3. Upon the delivery of said petition the board of directors of said irrigation district shall, at their next succeeding regular monthly meeting, order an election, the date of which election shall be within twenty days from the date of said meeting of the board of directors and which election shall be conducted as other elections of irrigation districts are conducted. At said election the qualified electors of said irrigation district shall cast ballots which shall contain the words "Disorganize, Yes," or Election ordered. Ballots.

Electors. "Disorganize, No." No person shall be entitled to vote at any election held under the provisions of this act unless he is a qualified voter under the election laws of the state, and holds title or evidence of title to land in said district.

Three-fifths vote necessary. SEC. 4. If three-fifths of the votes cast at any election under the provisions of this act shall contain the words "Disorganize, Yes," then the board of directors shall present to the superior judge of the county in which said irrigation district is located an application for an order of said superior court that such irrigation district be declared disorganized and dissolved, and that its affairs be liquidated and wound up, as provided for in this act, and reciting that at an election of such irrigation district, held as provided in this act, three-fifths of the votes cast contained the words "Disorganize, Yes," and such petition shall be certified to by the directors of said district. They shall also file with said superior court a statement, sworn to by the directors of said irrigation district, showing all outstanding indebtedness of said irrigation district, or if there be no such indebtedness, then the directors shall make oath to that effect. Notice of said application shall be given by the clerk, which notice shall set forth the nature of the application, and shall specify the time and place at which it is to be heard, and shall be published in a newspaper of the county printed and published nearest to said irrigation district, once each week for four weeks, or if no newspaper is published in the county, by publication in the newspaper nearest thereto in the state. At the time and place appointed in the notice, or at any other time to which it may be postponed by the judge, he shall proceed to consider the application, and if satisfied that the provisions of this act have been complied with he shall enter an order declaring said irrigation district dissolved and disorganized.

Disposition of vote.

As to any indebtedness.

Publication notice.

Directors shall be trustees. SEC. 5. Upon the disorganization of any irrigation district under the provisions of this act, the board of directors at the time of the disorganization shall be trustees of the creditors and of the property holders of said district for the purpose of collecting and paying all indebtedness of said district, in which actual construction work has been done, and shall have the power to sue and be sued. It

shall be the duty of said board of directors, and they shall have the power and authority, to levy and collect a tax sufficient to pay all such indebtedness, which tax shall be levied and collected in the manner prescribed by law for the levying and collection of taxes of irrigation districts. Any balance of moneys of said district remaining over after all outstanding indebtedness and the cost of the proceedings under this act have been paid shall be divided and refunded to the assessment payers in said irrigation district, to each in proportion to the amount contributed by him to the total amount of assessments collected by said district. Said board of directors shall report to the court from time to time as the court may direct, and upon a showing to the court that all indebtedness has been paid, an order shall be entered discharging said board of directors. Upon the entry of such order said board of directors and all the officers of said district shall deliver over to the clerk of said court all books, papers, records and documents belonging to said district, or under their control as officers thereof: *Provided*, That nothing herein contained shall be construed to validate or authorize the payment of any indebtedness of said district exceeding the legal limitation of indebtedness specified by law for irrigation districts; or any indebtedness contracted by such irrigation district or its officers without lawful authority.

Tax may be levied.

Discharge.

Passed the Senate March 10, 1897.

Passed the House March 11, 1897.

Approved by the Governor March 16, 1897.