

penitentiary, and such salary shall be fixed with a view of equalizing the same with the salaries paid in this state to the superintendents of other institutions having equally responsible duties to perform: *Provided*, That said salary shall not be more than eighteen hundred dollars per year.

SEC. 2. All acts and parts of acts in conflict with this act are hereby repealed.

Passed the Senate March 9, 1899.

Passed the House March 9, 1899.

Approved March 13, 1899.

## CHAPTER LXXIX.

[S. B. No. 210.]

### DEFINING BOUNDARIES OF CERTAIN TOWNS AND CITIES.

AN ACT providing for making definite and certain, the boundaries of incorporated towns or cities, of the fourth class the boundaries of which are indefinite or uncertain, and declaring an emergency.

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

Petition.

SECTION 1. That whenever a petition shall be presented to the council of any incorporated town or city of the fourth class in this state, signed by not less than five electors of such town or city, setting forth that in the belief of said petitioners, the boundaries of said town or city of the fourth class are indefinite or uncertain and that on account of such indefiniteness and uncertainty the legality of the taxes levied within such town or city are in danger of being affected, and setting forth the particular causes or reasons of such alleged indefiniteness or uncertainty, it shall be the duty of the town or city council of such town or city, to cause said petition to be filed and recorded by the clerk, and to cause a copy of the same to be made and

Duty mayor.

certified by the clerk and the corporate seal of such town or city to be attached to said certificate, and the mayor of such town or city shall forthwith present said certified copy of said petition to the board of county commissioners of the county wherein said town or city is situate, with a written request to be signed by him as such mayor that the said board of county commissioners proceed to examine the boundaries of such town or city, and make the same definite and certain.

SEC. 2. It shall be and is hereby made the duty of said board of county commissioners upon receipt of said certified copy of said petition, and the request aforesaid, to cause the same to be filed in the office of the auditor of said county, and to forthwith proceed to examine the boundaries of such town or city, and to make the same definite and certain. For this purpose they may employ a competent surveyor, and shall commence at some recognized and undisputed point on the boundary line of such town or city, if such there be and in case there be no such recognized and undisputed point, they shall establish a starting point from the best data at their command and from such starting point they shall run a boundary line by courses and distances around such town or city, in one tract or body.

SEC. 3. It shall be and is hereby made the duty of the said board of county commissioners, without unnecessary delay, to make and file a report of their doings in the premises in the office of the auditor of said county, who shall transmit a certified copy thereof under the seal of the county, to the clerk of said town or city, and the said clerk shall record the same in the records of said town or city, and keep the said copy on file in his office. Said report shall contain the description of the boundary of said town or city, as fixed by said board, written in plain words and figures and the boundaries so made and fixed shall be the boundaries of such town or city, and all the territory included within the boundary lines so established shall be in-

cluded in the said town or city, and be a part thereof.

**Expenses.**

SEC. 4. The expense of such proceedings shall be paid by the town or city at whose request the same shall be incurred. The said commissioners shall each receive as compensation, an amount not exceeding the amount allowed by law for their usual services as commissioners, and, any surveyor or other assistants employed by them, a reasonable compensation to be fixed and certified by said commissioners.

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

Passed the Senate March 8, 1899.

Passed the House March 9, 1899.

Approved March 13, 1899.

## CHAPTER LXXX.

[S. B. No. 22.]

### ESTABLISHING A LEGAL RATE OF INTEREST.

AN ACT to establish the legal rate of interest in the State of Washington, to prevent usury, and to provide for the establishment of the rate of interest on public warrants.

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

SECTION 1. Every loan or forbearance of money, goods, or thing in action shall bear interest at the rate of six per centum per annum where no different rate is agreed to in writing between the parties. The discounting of commercial paper, where the borrower makes himself liable as maker, guarantor or indorser, shall be considered as a loan for the purposes of this act.

SEC. 2. Any rate of interest not exceeding twelve (12) per centum per annum agreed to in writing by the parties to the contract, shall be legal, and no person shall directly or indirectly take or receive in money,

Interest not  
to exceed 12  
per cent.