

ership or right of possession is substantially disputed by another person, the court may, if the person or persons claiming adversely be a party to the proceeding, adjudicate the respective interests of the parties in such real or personal property, and may determine such property to be wholly or in part the property of the judgment debtor. If the person claiming adversely to the judgment debtor be not a party to the proceeding, the court shall by show cause order or otherwise cause such person to be brought in and made a party thereto, and shall set such proceeding for hearing on the first open date in the trial calendar. Any person so made a party, or any party to the original proceeding, may have such issue determined by a jury upon demand therefor and payment of a jury fee as in other civil actions; *provided*, that such person would be entitled to a jury trial if the matter was adjudicated in a separate action.

Adjudication
of rights of
interested
parties.

Jury trial.

Passed the House March 2, 1923.

Passed the Senate March 6, 1923.

Permitted to become a law without the signature of the Governor.

J. GRANT HINKLE,
Secretary of State.

CHAPTER 161.

[H. B. 175.]

BONDS OF IRRIGATION DISTRICTS.

AN ACT providing for refunding irrigation district bonds.

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

SECTION 1. That all bonds heretofore issued by any irrigation district in this state may be refunded in the manner hereinafter provided.

Refunded.

SEC. 2. Whenever the board of directors of any irrigation district shall deem it for the best interest

Directors
determine.

of said district that any or all outstanding bonds of said district be refunded, they shall so declare by resolution duly adopted and recorded in the minutes of said board and shall, with the written approval of the state director of the department of conservation and development, submit the question to the legally qualified electors of said district at a general election or at a special election called for that purpose and if a majority of said electors voting at said election vote in favor thereof the directors of said district shall issue and exchange said bonds for those outstanding, or sell said bonds and retire said outstanding bonds.

Vote of
electors.

Form, denomi-
nations, ma-
turity, etc.

SEC. 3. Said bonds shall be issued in series and in denominations of not less than one hundred (\$100) dollars nor more than one thousand (\$1000) dollars. The first series shall mature not later than ten years and the last series not later than forty years. Each series shall be numbered from one, up consecutively, shall bear the date of their issue, and shall bear interest at any rate not exceeding six per cent per annum, payable semi-annually on the first day of January and July of each year, with interest coupons attached and the principal and interest shall be made payable at the office of the county treasurer of the county in which the office of the board of directors is situated, or at any fiscal agency of the State of Washington. Said bonds shall be negotiable in form and the bonds and interest coupons shall be signed by the president and secretary of the board of directors of said district and the seal of said district, affixed. The signatures of the president and secretary may, however, appear by lithographic fac simile.

Exchanged
for par.

SEC. 4. The bonds issued under and by virtue of this chapter shall not be exchanged for less than the par value of the bonds refunded or sold for less than ninety per cent of their par value and all money

derived from the sale of such bonds shall be applied to the redemption of outstanding bonds of said district and if such outstanding bonds shall be so refunded they shall be endorsed in red ink "Refunded Bonds," and filed and preserved for one year and then destroyed by the county treasurer in the presence of witnesses; and the secretary of said district and the county treasurer of said county shall keep a record of such bonds so refunded and shall note the date of the refunding and the date of the destruction of the refunded bonds and in whose presence they were destroyed.

Sold for
not less than
90% of par.

SEC. 5. Where the bonds to be refunded are serial bonds and not subject to call, the refunding bonds shall be issued in series only as necessary to take up the series next falling due, and shall be dated the same as the maturity of said series falling due, but the election aforesaid shall be sufficient authority for the directors to issue sufficient bonds to retire the entire outstanding issue of bonds to be refunded as they mature, but none of said refunding bonds shall be signed before the date of their issue, and until signed shall be deposited and kept in the office of the county treasurer.

Refunded
in series.

SEC. 6. The notice of election provided for in this chapter shall be given and said election held in all respects in accordance with section 7432 of Remington's Compiled Statutes, except in first class and class A counties, where the said notice and election shall be held in the manner provided by law for such counties.

Election, how
held.

See Rem.
Comp. Stat.
§ 7432;
Pierce's Code
§ 3211.

SEC. 7. The county treasurer shall keep a register of bonds, which register shall show the number, date, amount, interest, name of payee and when and where payable, of each and every bond executed, issued or sold under the provisions of this chapter.

Register.

Passed the House February 28, 1923.

Passed the Senate March 6, 1923.

Approved by the Governor March 19, 1923.