

any encumbrance which may have attached previously to that time, but which was not filed or recorded so as to create constructive notice thereof prior to that time, and of which the lien claimant had no notice.

Passed the House February 5, 1953.

Passed the Senate March 10, 1953.

Approved by the Governor March 19, 1953.

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CHAPTER 206.

[ Sub. H. B. 169. ]

JUSTICES OF THE PEACE.

AN ACT relating to justices of the peace, justice court districts, and police judges in certain cities; relating to salaries and civil and criminal venue; amending sections 3.14.010, 3.14-.040, 3.16.002 and 3.20.060, RCW; adding a new section to chapter 3.20, RCW; and repealing section 3.20.130, RCW.

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

Amendment.

SECTION 1. Section 3.14.010, RCW, as derived from section 8, chapter 156, Laws of 1951, is amended to read as follows:

Justice court district committee; established, composition.

There is established in each county a committee which shall be known as the justice court district committee. The following persons shall be members: The presiding judge of the superior court, the members of the board of county commissioners, the prosecuting attorney, one justice of the peace to be selected by the county commissioners, and the county auditor.

Formation of districts; precincts outside cities of 5,000 population or more.

It shall be the duty of the committee to meet prior to January 1, 1954, and again within one year from the date of any official federal or county census, for the purpose of grouping the precincts of the county, other than those lying within or partly within cities of five thousand or more population, into one

or more justice court districts: *Provided*, That incorporated cities or towns having a population of not more than five thousand, together with the adjoining precincts, if any, lying partly within and partly without such cities or towns, may be combined by the district committee with county precincts, and with each other, to form a justice court district.

Incorporated cities under 5,000 population.

Justice court districts shall be established in each county by resolution of the board of county commissioners, in accordance with the findings and recommendations of the committee, before July 1, 1954, and again subsequent to the meetings held pursuant to a federal or county census.

Resolution of board of county commissioners.

When the precincts of one or more cities or towns of less than five thousand population are grouped within one justice court district, the justice of the peace for that district may be appointed the police judge of any such city or town within the district by the proper appointing authority of any such city, regardless of the place of residence, and, in such case, shall have exclusive jurisdiction over violations of the ordinances of said cities or towns.

Police judge in cities under 5,000 population.

SEC. 2. Section 3.20.060, RCW, as derived from section 1, chapter 40, Laws of 1899, as last amended by section 3, chapter 89, Laws of 1941, is amended to read as follows:

Amendment.

All civil actions commenced in a justice court against a defendant, or defendants, residing in a city or town of five thousand or more population shall be brought before a justice of the peace of the city or town in which one or more of the defendants reside. In all other cases the action shall be commenced before either of the nearest two justices of the peace of justice court districts or incorporated cities or towns of the county, or before a justice of the peace of the county seat.

Jurisdiction and venue in civil actions.

SEC. 3. Section 3.20.130, RCW, as derived from section 16, chapter 156, Laws of 1951, is repealed.

Repealing clause.

New section.

SEC. 4. Chapter 3.20, RCW, shall contain a new section to read as follows:

Jurisdiction and venue in criminal actions.

All criminal actions before justices of the peace shall be brought before either of the nearest two justices of the peace to the place where the alleged violation occurred, or upon request of the defendant before a justice of the peace of the county seat.

Amendment.

SEC. 5. Section 3.16.002, RCW, as derived from section 3, chapter 156, Laws of 1951, is amended to read as follows:

Cities of 5,000—20,000 population; salaries.

The salaries of justices of the peace in cities having a population of five thousand but less than twenty thousand shall be two thousand four hundred dollars each per annum, and such justices of the peace may engage in private practice of law: *Provided*,

Practice of law.

Salary raises.

That the county commissioners shall have the power to raise the salaries of such justices of the peace to an amount not to exceed three thousand six hundred dollars each per annum.

Amendment.

SEC. 6. Section 3.14.040, RCW, as derived from section 12, chapter 156, Laws of 1951, is amended to read as follows:

District justices; salaries.

The salary of the district justice of the peace shall be two thousand four hundred dollars per year: *Provided*,

Raises.

That the county commissioners shall have the power to raise the salary of the district justice of the peace to an amount not to exceed three thousand six hundred dollars per annum: *Provided further*,

Counties of 6th and 7th class; salary reduction.

That in counties of the sixth and seventh classes, the county commissioners shall have the power to reduce the salary of the district justice of the peace to an amount not less than one thousand two hundred dol-

Counties of 8th and 9th class; salary reduction.

lars per annum: *Provided further*, That in counties of the eighth and ninth classes, the county commissioners shall have the power to reduce the salary of the district justice of the peace to an amount of not

Fees.

less than six hundred dollars per annum. No justice of the peace of a justice court district shall receive

to his own use fees arising from any legal action in his court, but may engage in another profession, business, or other means of livelihood. Other activities.

Passed the House February 26, 1953.

Passed the Senate March 10, 1953.

Approved by the Governor March 19, 1953.

## CHAPTER 207.

[ Sub. H. B. 331. ]

### FOOD FISH AND SHELLFISH.

AN ACT relating to the department of fisheries, food fish and shellfish; prescribing the licensing and fees therefor; amending sections of chapters 43.25, 75.08, 75.28, and 75.32, RCW; adding new sections; repealing sections 43.25.050 and 75.32-.075, RCW; and declaring an emergency.

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

SECTION 1. Section 75.28.080, RCW, as derived from section 66, chapter 112, Laws of 1949, as last amended by section 1, chapter 7, Laws of 1951, first extraordinary session, is amended to read as follows: Amendment.

A personal commercial fishing license shall be obtained by each and every person who takes or assists in taking any fish or shellfish, except razor and hard shell clams, from the waters or beaches of the state for commercial purposes. Personal commercial fishing license.

The fee for such license is ten dollars per annum. Fee.

The personal license shall be carried on the person whenever such person is engaged in the taking, landing, or selling of any fish or shellfish: *Provided*, That this section does not apply to those persons engaged solely as employees of any person holding a valid oyster or clam farm license. Carried on person.  
Employees of licensed oyster or clam farms excepted.

SEC. 2. Section 75.28.030, RCW, as derived from section 65, chapter 112, Laws of 1949, is amended to read as follows: Amendment.