

CHAPTER X.—COUNTIES.

FEES AND SALARIES OF COUNTY OFFICERS.

AN ACT classifying the counties according to population, enumerating the county officers, fixing the salaries thereof, providing for deputies, collection of fees and payment of salaries.

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

CLASSIFICATION OF COUNTIES.

SECTION 1. For the purpose of regulating the compensation of county officers herein provided for, the several counties of this state are hereby classified according to their population as will be ascertained by the federal census of 1890, and thereafter every two years by the county or precinct assessors' enumeration of the census of the different counties of this state as follows, to-wit: Counties containing a population of eighty thousand and under ninety thousand shall belong to and be known as counties of the first class. Counties containing a population of seventy thousand and under eighty thousand shall belong to and be known as counties of the second class. Counties containing a population of sixty thousand and under seventy thousand shall belong to and be known as counties of the third class. Counties containing a population of fifty thousand and under sixty thousand shall belong to and be known as counties of the fourth class. Counties containing a population of forty-five thousand and under fifty thousand shall belong to and be known as counties of the fifth class. Counties containing a population of forty thousand and under forty-five thousand shall belong to and be known as counties of the sixth class. Counties containing a population of thirty-five thousand and under forty thousand shall belong to and be known

Classified by
population.

as counties of the seventh class. Counties containing a population of thirty thousand and under thirty-five thousand shall belong to and be known as counties of the eighth class. Counties containing a population of twenty-five thousand and under thirty thousand shall belong to and be known as counties of the ninth class. Counties containing a population of twenty thousand and under twenty-five thousand shall belong to and be known as counties of the tenth class. Counties containing a population of eighteen thousand and under twenty thousand shall belong to and be known as counties of the eleventh class. Counties containing a population of sixteen thousand and under eighteen thousand shall belong to and be known as counties of the twelfth class. Counties containing a population of fourteen thousand and under sixteen thousand shall belong to and be known as counties of the thirteenth class. Counties containing a population of twelve thousand and under fourteen thousand shall belong to and be known as counties of the fourteenth class. Counties containing a population of ten thousand and under twelve thousand shall belong to and be known as counties of the fifteenth class. Counties containing a population of nine thousand and under ten thousand shall belong to and be known as counties of the sixteenth class. Counties containing a population of eight thousand and under nine thousand shall belong to and be known as counties of the seventeenth class. Counties containing a population of seven thousand and under eight thousand shall belong to and be known as counties of the eighteenth class. Counties containing a population of six thousand and under seven thousand shall belong to and be known as counties of the nineteenth class. Counties containing a population of five thousand five hundred and under six thousand shall belong to and be known as counties of the twentieth class. Counties containing a population of five thousand and under five thousand five hundred shall belong to and be known as counties of the twenty-first class. Counties containing a population of four thousand five hundred and under five thousand shall belong to and be known as counties of the twenty-second class. Counties containing a population of

four thousand and under four thousand five hundred shall belong to and be known as counties of the twenty-third class. Counties containing a population of three thousand five hundred and under four thousand shall belong to and be known as counties of the twenty-fourth class. Counties containing a population of three thousand and under three thousand five hundred shall belong to and be known as counties of the twenty-fifth class. Counties containing a population of two thousand five hundred and under three thousand shall belong to and be known as counties of the twenty-sixth class. Counties containing a population of two thousand and under two thousand five hundred shall belong to and be known as counties of the twenty-seventh class. Counties containing a population of one thousand five hundred and under two thousand shall belong to and be known as counties of the twenty-eighth class. Counties containing a population of one thousand or less and under one thousand five hundred shall belong to and be known as counties of the twenty-ninth class.

SEC. 2. The officers of the county shall be: One county sheriff, one county clerk, one county auditor, one county treasurer, one county attorney, one county assessor, one county superintendent of public [common] schools, one county surveyor, one county coroner, and three county commissioners, but in the counties with a population of three thousand or less, whenever the county commissioners, at the regular August term prior to any general state election, shall so order and enter said order on their journal, any two or more offices which do not conflict so far as the duties are concerned, may be combined, and one person elected to fill the offices thus combined. The officers in the different counties in this state shall each receive the salary hereinafter set forth, and in cases where one officer perform[s] the duties of one or more offices he shall receive the combined salaries thereof. And in all cases where the duties of any office are greater than can be performed by the person elected to fill the same, said officer may employ, with the consent of the county commissioners, the necessary help, who shall receive a just and reasonable pay for services. The officer appointing such deputies or

clerks shall be responsible for the acts of such appointees upon his official bond. In all counties from the eighth to the first class inclusive, the assessor shall receive an annual salary as hereinafter set forth; and [in] all counties from the ninth to the twenty-ninth class inclusive, the assessor shall receive five dollars per day for each day actually employed. The county commissioners in all counties shall receive five dollars per day for each day employed in performance of their duties. The county surveyor shall also receive five dollars per day for each day actually engaged in his duties as such officer; and the coroner shall receive such fees as are now prescribed by law.

COUNTIES OF THE FIRST CLASS.

SEC. 3. County auditor, three thousand three hundred dollars; county clerk, three thousand one hundred dollars; county treasurer, three thousand one hundred dollars; county sheriff, three thousand three hundred dollars; county attorney, three thousand dollars; county superintendent [ot] common schools, one thousand eight hundred dollars; county commissioners, five dollars per day; county assessor, two thousand dollars; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE SECOND CLASS.

SEC. 4. County auditor, three thousand two hundred dollars; county clerk, three thousand dollars; county treasurer, three thousand dollars; county sheriff, three thousand two hundred dollars; county attorney, three thousand dollars; county superintendent [of] common schools, one thousand seven hundred dollars; county commissioners, five dollars per day; county assessor, one thousand nine hundred fifty dollars; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE THIRD CLASS.

SEC. 5. County auditor, three thousand one hundred dollars; county clerk, two thousand nine hundred dollars; county treasurer, two thousand nine hundred dollars; county sheriff, three thousand one hundred dollars; county attorney, two thousand nine hundred dollars; county su-

perintendent [of] common schools, one thousand six hundred dollars; county assessor, one thousand nine hundred dollars.

COUNTIES OF THE FOURTH CLASS.

SEC. 6. County auditor, three thousand dollars; county clerk, two thousand eight hundred dollars; county treasurer, two thousand eight hundred dollars; county sheriff, three thousand dollars; county attorney, two thousand eight hundred dollars; county superintendent [of] common schools, one thousand five hundred fifty dollars; county assessor, one thousand eight hundred fifty dollars.

COUNTIES OF THE FIFTH CLASS.

SEC. 7. County auditor, two thousand nine hundred dollars; county clerk, two thousand seven hundred dollars; county treasurer, two thousand seven hundred dollars; county sheriff, two thousand nine hundred dollars; county attorney, two thousand seven hundred dollars; county superintendent of common schools, one thousand five hundred dollars; county assessor, one thousand eight hundred dollars.

COUNTIES OF THE SIXTH CLASS.

SEC. 8. County auditor, two thousand eight hundred dollars; county clerk, two thousand six hundred dollars; county treasurer, two thousand six hundred dollars; county sheriff, two thousand eight hundred dollars; county attorney, two thousand six hundred dollars; county superintendent of common schools, one thousand four hundred fifty dollars, county commissioners, five dollars per day; county assessor, one thousand seven hundred fifty dollars; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE SEVENTH CLASS.

SEC. 9. County auditor, twenty-seven hundred dollars; county clerk, twenty-five hundred dollars; county treasurer, twenty-five hundred dollars; county sheriff, twenty-seven hundred dollars; county attorney, twenty-five hundred dollars; county superintendent of common schools, fourteen hundred dollars; county commissioners, five dollars per

day; county assessor, seventeen hundred dollars; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE EIGHTH CLASS.

SEC. 10. County auditor, twenty-six hundred dollars; county clerk, twenty-four hundred dollars; county treasurer, twenty-four hundred dollars; county sheriff, twenty-six hundred dollars; county attorney, twenty-four hundred dollars; county superintendent of common schools, thirteen hundred fifty dollars; county commissioners, five dollars per day; county assessor, sixteen hundred fifty dollars; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE NINTH CLASS.

SEC. 11. County auditor, twenty-five hundred dollars; county clerk, twenty-three hundred dollars; county treasurer, twenty-three hundred dollars; county sheriff, twenty-five hundred dollars; county attorney, twenty-three hundred dollars; county superintendent of common schools, thirteen hundred dollars; county commissioners, five dollars per day; county assessor, sixteen hundred dollars; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE TENTH CLASS.

SEC. 12. County auditor, twenty-four hundred dollars; county clerk, twenty-two hundred dollars; county treasurer, twenty-two hundred dollars; county sheriff, twenty-four hundred dollars; county attorney, twenty-two hundred dollars; county superintendent of common schools, twelve hundred fifty dollars; county commissioners, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE ELEVENTH CLASS.

SEC. 13. County auditor, twenty-three hundred dollars; county clerk, twenty-one hundred dollars; county treasurer, twenty-one hundred dollars; county sheriff, twenty-three hundred dollars; county attorney, twenty-one

hundred dollars; county superintendent of common schools, twelve hundred dollars; county commissioners, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE TWELFTH CLASS.

SEC. 14. County auditor, twenty-two hundred dollars; county clerk, two thousand dollars; county treasurer, two thousand dollars; county sheriff, twenty-two hundred dollars; county attorney, two thousand dollars; county superintendent of common schools, eleven hundred dollars; county commissioners, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE THIRTEENTH CLASS.

SEC. 15. County auditor, two thousand dollars; county clerk, eighteen hundred dollars; county treasurer, eighteen hundred dollars; county sheriff, two thousand dollars; county attorney, eighteen hundred dollars; county superintendent of common schools, one thousand dollars; county commissioners, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE FOURTEENTH CLASS.

SEC. 16. County auditor, nineteen hundred dollars; county clerk, seventeen hundred dollars; county treasurer, seventeen hundred dollars; county sheriff, nineteen hundred dollars; county attorney, sixteen hundred dollars; county superintendent of common schools, eight hundred dollars; county commissioners, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE FIFTEENTH CLASS.

SEC. 17. County auditor, eighteen hundred dollars; county clerk, sixteen hundred dollars; county treasurer, sixteen hundred dollars; county sheriff, eighteen hundred dollars; county attorney, fourteen hundred dollars; county

superintendent of common schools, seven hundred dollars; county commissioners, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE SIXTEENTH CLASS.

SEC. 18. County auditor, eighteen hundred dollars; county clerk, sixteen hundred dollars; county treasurer, sixteen hundred dollars; county sheriff, eighteen hundred dollars; county attorney, thirteen hundred dollars; county superintendent of common schools, seven hundred dollars; county commissioners, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE SEVENTEENTH CLASS.

SEC. 19. County auditor, seventeen hundred dollars; county clerk, fifteen hundred dollars; county treasurer, fifteen hundred dollars; county sheriff, seventeen hundred dollars; county attorney, twelve hundred dollars; county superintendent of common schools, six hundred and fifty dollars; county commissioners, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE EIGHTEENTH CLASS.

SEC. 20. County auditor, sixteen hundred and fifty dollars; county clerk, fifteen hundred dollars; county treasurer, fifteen hundred dollars; county sheriff, sixteen hundred and fifty dollars; county attorney, eleven hundred dollars; county superintendent of common schools, six hundred dollars; county commissioners, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE NINETEENTH CLASS.

SEC. 21. County auditor, sixteen hundred dollars; county clerk, fourteen hundred dollars; county treasurer, fourteen hundred dollars; county sheriff, sixteen hundred dollars; county attorney, nine hundred dollars; county superintendent of common schools, five hundred dollars; county commissioners, five dollars per day; county assessor, five

dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE TWENTIETH CLASS.

SEC. 22. County auditor, fifteen hundred and fifty dollars; county clerk, thirteen hundred and fifty dollars; county treasurer, thirteen hundred and fifty dollars; county sheriff, fifteen hundred and fifty dollars; county attorney, eight hundred dollars; county superintendent of common schools, four hundred and fifty dollars; county commissioners, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE TWENTY-FIRST CLASS.

SEC. 23. County auditor, fifteen hundred dollars; county clerk, thirteen hundred dollars; county treasurer, thirteen hundred dollars; county sheriff, fifteen hundred dollars; county attorney, seven hundred dollars; county superintendent of common schools, four hundred dollars; county commissioner, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE TWENTY-SECOND CLASS.

SEC. 24. County auditor, fourteen hundred dollars, county clerk, twelve hundred dollars; county treasurer, twelve hundred dollars; county sheriff, fourteen hundred dollars; county attorney, six hundred dollars; county superintendent of common schools, four hundred dollars; county commissioners, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE TWENTY-THIRD CLASS.

SEC. 25. County auditor, twelve hundred dollars, county clerk, one thousand dollars; county treasurer, eight hundred dollars; county sheriff, twelve hundred dollars; county attorney, four hundred dollars; county superintendent of common schools, three hundred and fifty dollars; county commissioners, five dollars per day; county assessor, five

dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE TWENTY-FOURTH CLASS.

SEC. 26. County auditor, one thousand dollars; county clerk, eight hundred dollars; county treasurer, eight hundred dollars; county sheriff, one thousand dollars; county attorney, four hundred dollars; county superintendent of common schools, three hundred dollars; county commissioners, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE TWENTY-FIFTH CLASS.

SEC. 27. County auditor, eight hundred dollars; county clerk, six hundred dollars; county treasurer, six hundred dollars; county sheriff, eight hundred dollars; county attorney, two hundred and fifty dollars; county superintendent of common schools, two hundred dollars; county commissioners, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE TWENTY-SIXTH CLASS.

SEC. 28. County auditor, seven hundred dollars; county clerk, five hundred dollars; county treasurer, six hundred dollars; county sheriff, seven hundred dollars; county attorney, two hundred dollars; county superintendent of common schools, two hundred dollars; county commissioners, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE TWENTY-SEVENTH CLASS.

SEC. 29. County auditor, seven hundred dollars; county clerk, four hundred dollars; county treasurer, six hundred dollars; county sheriff, six hundred dollars; county attorney, one hundred and fifty dollars; county superintendent of common schools, one hundred and fifty dollars; county commissioners, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE TWENTY-EIGHTH CLASS.

SEC. 30. County auditor, six hundred dollars; county clerk, four hundred dollars; county treasurer, six hundred dollars; county sheriff, six hundred dollars; county attorney, one hundred and fifty dollars; county superintendent of common schools, one hundred and fifty dollars; county commissioners, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

COUNTIES OF THE TWENTY-NINTH CLASS.

SEC. 31. County auditor, four hundred dollars; county clerk, two hundred and fifty dollars; county treasurer, two hundred and fifty dollars; county sheriff, two hundred dollars; county attorney, fifty dollars; county superintendent of common schools, fifty dollars; county commissioners, five dollars per day; county assessor, five dollars per day; county surveyor, five dollars per day; county coroner, such fees as are allowed by law.

SEC. 32. In accordance with the classification herein made, the county officers of the counties of this state, according to their class, shall receive as a salary for the services required of them by law, or by virtue of their office, which salary shall be full compensation for all services of every kind and description rendered by the officers named herein; *Provided*, That in case the salaries herein provided for are, in the judgment of the board of county commissioners, inadequate for the services required of the officers named herein, then the said board of county commissioners may allow such officer a deputy, or such number of deputies as, in their judgment, may be required to do the business of such office in connection with the principal for such time as may be necessary, and at such salary as they may designate; the said deputies shall be paid in the same manner and time as their principals: *Provided*, That the county commissioners shall pay the actual traveling expenses of the sheriff while on official duties, to be audited by the board of county commissioners.

County commissioners may allow additional clerks.

FEES.

SEC. 33. All salaried officers of the several counties of this state shall charge and collect for the use of their respective counties, and pay into the county treasury on the first Monday in each month, all the fees now or hereafter allowed by law, paid or chargeable in all cases except such fees as are a charge against the county or state.

FEE-BOOK.

SEC. 34. Each of the officers authorized to receive fees under the provisions of this act shall keep a fee-book, open to public inspection during office hours, in which must be entered at once and detailed all fees or compensation of whatever nature, kind or description, collected or chargeable. On the first Monday of each and every month the officer must add up each column in his fee-book to the first of the month, and set down the totals. On the expiration of the term of such officer he must deliver to the county auditor all fee-books kept by him.

AFFIDAVIT.

SEC. 35. The fees and compensation collected and chargeable for the county in each month shall be paid to the county treasurer on the first Monday of the following month, and must be accompanied by a statement and copy of the fee-book for the month last passed, duly verified by the officer making such payment. The affidavit shall be in the following form:

STATE OF WASHINGTON, COUNTY OF _____, ss.

I, _____, county _____, do swear that the fee-book in my office contains a true statement in detail of all fees and compensations of every kind and nature, for official services rendered by me, paid or chargeable, my deputies or assistants, for the month of _____, A. D. 18—, and that said fee-book shows the full amount received or chargeable in said month, and since my last monthly payment; and neither myself, nor to my knowledge or belief, any of my deputies or assistants, have rendered any official services, except for the county or state, which is not fully set out in said fee-book; and that the foregoing statement thereof is a full, true and correct copy thereof. Subscribed and sworn to before me this _____ day of _____, 18—.

The treasurer shall file and preserve in his office said statements and affidavits, and shall issue to the officer

one original and one duplicate receipt therefor, and the officer receiving said receipts shall preserve one in his office and file the duplicate with the county auditor, whereupon the auditor shall charge the treasurer with the amount shown by the receipt.

SALARY FUND.

SEC. 36. For the purpose of paying the salaries provided for in this act, all fees directed to be paid into the county treasury shall be set apart therein as a separate fund, to be known as the salary fund, to be applied to the payment of said salaries; should the amount received from such source be insufficient, it shall be the duty of the county treasurer, from time to time, to transfer to said fund from the general county fund such sums as may be necessary to pay said salaries as they become due, notifying the county auditor of such transfer. At the regular term of county commissioners' court, they shall transfer any excess of the salary fund to the general county fund, should they deem it expedient so to do.

PAYMENT OF SALARIES.

SEC. 37. The salaries of such officers named in this act as are entitled to salaries shall be paid monthly out of the county treasury and from the funds hereinbefore provided, and it shall be the duty of the county auditor, on the first Monday of each and every month, to draw his warrant upon the county treasurer in favor of each of said officers for the amount of salary due him, under the provisions of this act, for the preceding month: *Provided*, The county commissioners shall have entered an order on the record journal empowering him so to do.

LIMITATION.

SEC. 38. The auditor shall not draw his warrant for the salary of any such officer for any month until the latter shall have first filed his duplicate receipt with the auditor, properly signed by the treasurer, showing that he has made the statement and settlement for that month required in this act.

SERVICES WITHOUT FEE.

SEC. 39. The officers mentioned in this act shall not, in any case, except for the state or county, perform any official services unless the fees prescribed for such service are paid in advance, and on such payment the officer must perform the services required. For every failure or refusal to perform official duty when the fees are tendered, the officer is liable on his official bond.

FOR RECEIPT.

SEC. 40. Every officer, upon receiving any fees for official duty, service or reward, may be required by the person paying the same to make out in writing, and deliver to such person, a particular account of such fees, specifying for what they accrued, respectively, and shall receipt the same, and if he refuse or neglect so to do when required, he shall be liable to the party paying the same in treble the amount so paid.

PUBLICATION OF LEGAL FEES.

SEC. 41. It shall be the duty of each county officer entitled to collect fees herein from the public to keep posted in his office a plain and legible statement of the fees allowed by law; a failure so to do shall subject the officer to a fine of one hundred dollars and costs, to be recovered in any court of competent jurisdiction.

VACANCY.

SEC. 42. The board of county commissioners of any county in this state, upon receiving a certified copy of the record of conviction of any officer for receiving illegal fees, or where the officer collects fees and fails to account for the same, upon proof thereof, must declare his office vacant and appoint his successor.

INCOMPLETE BUSINESS.

SEC. 43. It shall be the duty of all officers in this act named to complete the business of their respective offices, to the time of the expiration of their respective terms, and in case any officer, at the close of his term, shall leave to his successor official labor to be performed which it was

his duty to perform, he shall be liable to his successor for the full value of such services.

PRESENT INCUMBENTS NOT AFFECTED.

SEC. 44. The provisions of this act shall not affect present incumbents of the various county offices of this state during their present term of office.

SEC. 45. The clerks of the superior courts in the various counties shall be entitled to the fees of their respective offices which they may have received prior to the date this act takes effect: *Provided*, That the same shall be in lieu of any salary herein provided.

SEC. 46. Any and all officers of a county, or their deputies, who shall collect fees for the county and neglect to turn the money into the county treasury as herein provided, shall be guilty of a misdemeanor, and on conviction, shall be fined in any sum not exceeding two hundred dollars for each offense.

COUNTY COMMISSIONERS TO NAME CLASS.

SEC. 47. Counties created or organized after the passage and approval of this act shall immediately come under and be governed by its provisions, so far as the same are applicable thereto: *Provided*, That when the population of any existing county shall have been reduced, by reason of the creation of any new county from the territory thereof, below the class and rank to which it was first entitled hereunder, it shall then be the duty of the county commissioners to designate, by order, the class to which said county has been reduced by reason thereof, and such county shall then enter the list of such class: *Provided further*, That the salary of county officers shall in no way be affected by reason of such division for the time for which they were elected.

Duty of commissioners.

SEC. 48. All laws or parts of laws in conflict with this act are hereby repealed.

Received by the governor March 26, 1890.

[*Note by the Secretary of State.*—The foregoing act having been presented to the governor of the state for his approval, and not having been filed in the office of the secretary of state within the time prescribed by the constitution of the state, with his objections thereto, has become a law under the provisions of the constitution.]

COMMISSIONER DISTRICTS.

AN ACT providing for the dividing the counties of this state into commissioner districts.

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

SECTION 1. Each county in the state, not heretofore divided by law, shall be divided into three districts, and all counties heretofore divided into three districts may be re-districted and re-divided into three districts by the county commissioners thereof at their first session after this law goes into effect. Said districts shall comprise not less than two voting precincts or townships of compact and contiguous territory, and shall embrace, as near as may be possible, one-third of the population of the county, and shall be designated and known as districts Nos. 1, 2 and 3: *Provided*, That any county that contains less than six voting precincts shall be divided into districts as nearly as possible according to population.

Manner of dividing counties.

SEC. 2. The lines of the districts provided for by this act shall not be changed oftener than once in four years, and only when a full board of county commissioners is present.

Changing lines of districts.

SEC. 3. One county commissioner shall be elected from among the qualified electors of each of said districts by the qualified electors of the county, and the person receiving the highest number of votes for the office of commissioner for the district in which he resides shall be declared duly elected for that district.

SEC. 4. All laws or parts of laws of a general or local nature providing for creating county commissioner districts, passed by the legislature of the late Territory of Washington, be and the same are hereby repealed.

Approved March 26, 1890.

COUNTY SEATS; REMOVAL OF.

AN ACT for the removal and location of county seats.

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

Petition to commissioners.

SECTION 1. Whenever the inhabitants of any county of this state desire to remove the county seat of the county from the place where it is fixed by law or otherwise, they shall present a petition to the board of county commissioners of their county, praying such removal, and that an election be held to determine to what place such removal must be made: *Provided*, That the petition for removal shall set forth the names of the towns or cities to which such county seat is proposed to be removed.

Must be submitted to vote.

SEC. 2. If the petition is signed by qualified electors of the county equal in number to at least one-third of all the votes cast in the county at the last preceding general election, the board must, at the next general election of county officers, submit the question of removal to the electors of the county.

Notice of election.

SEC. 3. Notice of such election, clearly stating the object, shall be given, and the election must be held and conducted and the returns made in all respects in the manner prescribed by law in regard to elections for county officers.

SEC. 4. In voting on the question, each elector must vote for or against the place named in the petition, plainly designating same on his ballot.

Three-fifths vote.

SEC. 5. When the returns have been received and compared, and the results ascertained by the board, if three-fifths of the legal votes cast by those voting on the proposition are in favor of any particular place, the board must give notice of the result by posting notices thereof in all the election precincts in the county.

SEC. 6. In the notice provided for in section 5 of this act, the place selected to be the county seat of the county must be so declared from a day specified in the notice not more than ninety days after the election. After the day

named in the notice the place chosen is the seat of the county; and it shall be the duty of the several county officers whose offices are required by law to be kept at the county seat, to remove their respective offices, files, records, office fixtures, furniture, and all public property pertaining to their respective offices, to said county seat.

Removal of offices.

SEC. 7. Whenever any election has been held as provided for in the preceding sections of this act, the statement made by the board of county commissioners showing the result thereof must be deposited in the office of the county clerk, and whenever the board gives the notice prescribed by section 6 of this act they must transmit a certified copy thereof to the secretary of state.

Copy of notice to secretary of state.

SEC. 8. When an election has been held and no one place receives three-fifths of all the votes cast at such election on such question, the former county seat shall remain the county seat, and no second election must be held within four years thereafter.

Limit of time for second election.

SEC. 9. When the county seat of a county has been removed by a popular vote of the people of the county, it may be again removed, from time to time, in the manner provided by this act: *Provided*, No two elections to effect such removal be held within four years.

Approved March 26, 1890.