

L A W S

OF THE

TERRITORY OF WASHINGTON,

ENACTED BY THE

LEGISLATIVE ASSEMBLY,

IN THE YEAR 1883.

Printed by Authority.

OLYMPIA

O. B. BAGLEY, PUBLIC PRINTER

1883.

AN ACT

TO CREATE AND LOCATE THE COUNTY OF KITITASS AND TO DEFINE THE BOUNDARIES THEREOF.

SECTION 1. *Be it enacted by the Legislative Assembly of the Territory of Washington:* That all that portion of Yakima county situated within Washington Territory and included within the following limits be, and the same shall be known as the county of Kittitass, viz: Commencing at a point where the main channel of the Columbia river crosses the township line between township fourteen and fifteen north, range twenty-three east, Willamette Meridian, and running west on said township, to the range line between townships eighteen and nineteen east; thence north on said line, six miles to the township line between townships fifteen and sixteen north; thence west on said township line to the Naches river; thence northerly along the main channel of said river, to the summit of the Cascade mountains, or southwest corner of said river, to the summit of the Cascade mountains, or southwest corner of Pierce county; thence north along the eastern boundaries of Pierce, King and Snohomish counties to the main channel of the Wenatchee river; thence down said river to the Columbia river; thence down the main channel of the Columbia to the place of beginning.

SEC. 2. That Robert N. Canaday, Samuel T. Packwood and C. P. Cooke are hereby appointed a board of county commissioners for the county of Kittitass, with all the powers as if regularly elected, who

shall hold their offices until the next general election and until their successors are elected and qualified; and said board of commissioners shall have power to select and appoint the remaining county officers, who shall serve until the next general election and until their successors are elected and qualified, for which purpose the county commissioners herein appointed shall meet at the county seat of Kittitass county, within forty days after the approval of this act, and appoint the necessary officers for said county, and perform such other duties and things necessary for a complete organization of the county of Kittitass.

Sec. 3. That the justices of the peace and constables who are now elected as such in the precincts of the county of Kittitass be, and the same are hereby declared justices of the peace and constables of, and for the said county of Kittitass.

Sec. 4. That the county seat of said county of Kittitass is hereby temporarily located at Ellensburg, at which place it shall remain until located permanently elsewhere in said county by a majority of qualified electors thereof, and for which purpose a vote shall be taken at the next general election provided for by statute; and the officers of election shall receive said vote and make return thereof, to the commissioners, who shall canvass the same and announce the result in like manner as the result of the vote for county officers: *Provided*, That if there be not a majority vote in favor of such location of county seat at any one place at such general election, the qualified electors of the county shall continue to vote on that question at the next and each subsequent general election until some place receive such majority, and the place so receiving a majority of all the votes cast shall be declared the permanent county seat of said Kittitass county.

Sec. 5. That all laws applicable to the county of Yakima shall be applicable to the county of Kittitass.

Sec. 6. That all taxes levied and assessed by the board of county commissioners of the county of Yakima for the year A. D., 1883, upon persons or property within the boundaries of the said county of Kittitass, and all delinquent taxes heretofore due said county of Yakima, shall be collected by its proper officers and paid into the treasury of said Yakima county, for the use of said county of Yakima: *Provided*, That the said county of Yakima shall pay all the just indebtedness of said Yakima county: *And Provided further*, That the county of Kittitass shall pay to the county of Yakima a just proportion of the net indebtedness of said Yakima county, the same to be determined as hereinafter provided.

Sec. 7. That the auditors of the counties of Kittitass and Yakima are hereby constituted a board of appraisers and adjusters of the real estate and other property of Yakima county; and if they can not agree, the auditor of Klickitat county shall act as umpire, and for this purpose shall meet at Yakima city on the second Tuesday in January, A. D., 1884; then and there they shall appraise the value of all public property, both real and personal, belonging to the county of Yakima, and said board of appraisers and adjusters shall then proceed to ascertain the net indebtedness of said county of Yakima, which shall be done as follows, viz.: Ascertain all the county justly owes in warrants, scrip or other

just debts, which amount shall constitute the gross indebtedness of said county, from which deduct the amount of the unpaid portion of the assessment roll of 1883, and the amount of all delinquent assessment rolls which are considered collectible up to that date, and the amount of all moneys and other credits due the county, also the value of all public property belonging to the said county of Yakima, and the balance so found shall constitute the net indebtedness of said county of Yakima: *Provided*, The real and personal property thus deducted shall be the property of Yakima county after division.

Sec. 8. That the net indebtedness of the said county of Yakima, as found above, be divided equally between the counties of Yakima and Kittitass, in proportion to the taxable property of said counties as it legally appears on the assessment roll for the year 1883, and the said county of Kittitass shall cause a warrant or warrants to be drawn upon its treasurer, payable to the county of Yakima out of any funds not otherwise appropriated, for its full share of such indebtedness: *Provided*, That if from any cause either or both of the above mentioned adjusters and appraisers fail or refuse to act as such, then, and in that case, the county auditors of the respective counties shall constitute a board of arbitrators and appraisers, and shall proceed as herein directed.

Sec. 9. That if the board of appraisers and adjusters as herein appointed shall not agree on any subject of value or settlement as herein stated, they shall choose a third man from an adjoining county to settle their differences, and their decision shall be final.

Sec. 10. That the compensation of the said board of appraisers and adjusters shall be four dollars per day each, for each and every day necessarily employed therein, and the counties of Yakima and Kittitass shall pay the same equally.

Sec. 11. That the county auditor of Kittitass county shall have access to the records of Yakima county, without cost, for the purpose of transcribing and indexing such portion of the records of property as belongs to the county of Kittitass, and his certificate of the correctness thereof shall have the same force and effect as if made by the auditor of Yakima county; it is hereby provided, however, that nothing in this section shall permit the record books of Yakima county to be removed from the office of its auditor.

Sec. 12. That the county auditor, for transcribing and indexing the records of Kittitass county, shall receive the sum of three dollars per day for each and every day so employed, to be paid by the county of Kittitass, and in addition to his yearly salary as hereinafter provided.

Sec. 13. That the county of Kittitass shall be attached to the county of Yakima for legislative purposes, and to the second judicial district for judicial purposes.

PAY OF COUNTY OFFICERS.

Sec. 14. That the county commissioners of the county of Kittitass shall receive the sum of four dollars per day each for each and every day necessarily employed in the service of said county, and ten cents per mile for each mile necessarily traveled to attend said county business. The auditor shall receive a yearly salary of three hundred dollars per

year, payable quarterly. The treasurer shall receive a yearly salary of one hundred and fifty dollars per year, payable quarterly. The sheriff shall receive the same fees as are allowed to sheriffs of other counties by the statutes of Washington Territory. The probate judge shall receive the regular fees of his office as prescribed by the laws of Washington Territory. The superintendent of public schools shall receive a yearly salary of forty dollars per annum, payable quarterly, and all other officers of the county shall receive the regular fees of their respective offices as prescribed by statute.

SEC. 15. That nothing in this act shall be so construed as to affect the just proportion of the school fund for the said county of Kittitas.

SEC. 16. That all acts or parts of acts in conflict with the provisions of this act are hereby repealed.

SEC. 17. This act shall take effect and be in force from and after its passage and approval by the governor.

Approved November 24, 1883.