

paper of general circulation located nearest to property to be sold.

Passed the House February 13, 1933.

Passed the Senate March 1, 1933.

Approved by the Governor March 7, 1933.

CHAPTER 67.

[S. B. 153.]

COMMISSION MERCHANTS: AGRICULTURAL PRODUCTS.

AN ACT relating to merchants engaged in buying and selling any agricultural product except livestock, and amending sections 1, 2 and 3 of chapter 194, Laws Extra Session, 1925, said act being entitled: "An Act relating to commission merchants engaged in selling any agricultural product other than grain."

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

SECTION 1. That section 8292 of Remington's Compiled Statutes of Washington, 1927 Supplement, being section 1, chapter 194, of the Laws Extra Session, 1925, be amended to read as follows:

Section 8292. The term "agricultural product" whenever used in this act shall include any horticultural, viticultural, dairy, poultry, bee or farm product other than grain; the term "commission merchant" whenever used in this act shall include every person, firm or corporation who received any agricultural product to be sold on commission for the account of another, and/or who buys such product from the producer thereof for the purpose of resale, but shall not include nonprofit cooperative marketing organization, nor exclusively retail merchants having a fixed place of business; the term "consignor" whenever used in this act shall mean any person, firm or corporation forwarding, delivering, consigning or shipping any agricultural product other than grain to any commission merchant for sale on commission.

Amends
§ 8292, Rem.
1927 Supp.;
§ 1, ch. 194,
Ex. Laws
of 1925.

"Agricul-
tural
product."

"Commission
merchant."

"Consignor."

SEC. 2. That section 8293 of Remington's Compiled Statutes of Washington, 1927 Supplement, being section 2, chapter 194, of the Laws Extra Session, 1925, be amended to read as follows:

Amends
§ 8293, Rem.
1927 Supp.;
§ 2, ch. 194,
Ex. Laws
of 1925.

Section 8293. It shall be unlawful for any person, firm or corporation to act as a commission merchant without first obtaining a license as in this act provided. Applications for licenses under this act shall be in writing, signed and sworn to by the applicant and shall state the name of the city or town where the business of commission merchant is to be conducted, giving the street and number of building if practicable and the character of products which will be handled by the applicant; and if made by an individual, his full name; and if made by a co-partnership, the full names of each of the partners composing the co-partnership, together with the firm or trade name under which the business is to be conducted; and if made by a corporation, shall state whether a domestic or foreign corporation, the amount of its capital stock as provided in its articles of incorporation, and the amount of its capital stock fully paid in. All applications for licenses hereunder shall be filed with the director of agriculture and shall be accompanied by a good and sufficient bond in the penal sum of one thousand dollars (\$1,000.00) and upon a form to be approved by the attorney general, and shall be executed by the applicant as principal and by a surety company authorized to do business in the State of Washington as surety: *Provided, however,* That in the case of a commission merchant who receives any agricultural product to be sold on commission for the account of another, the surety bond provided for in this section shall be in the penal sum of five thousand dollars (\$5,000.00). Said bond shall be for the benefit of all consignors and/or producers having any cause

Commission
merchant:
License.

Bond.

Selling for
account of
another.

Bond.

of action against the commission merchant and shall be conditioned for the faithful performance by the applicant of all obligations as such commission merchant: *Provided*, That the liability of the surety upon the bond required to be given by such commission merchants as provided in this section shall be limited to the amount specified in the bond, and in case of recoveries had by two or more persons for violation of the conditions of such bond in excess of the amount of the bond, such recovery shall be prorated and the total recovery as against the surety shall not exceed the amount of the bond: *Provided*, That any livestock marketing agencies, operating on a commission basis under the act of Congress of the United States of August 15, 1921, known as the "Packers and Stockyards Act," and any amendments thereof, and rules, regulations and orders made by the secretary of agriculture of the United States thereunder shall not be required to furnish the bond provided for in this act.

Upon receipt by the department of agriculture of such application the director of agriculture shall cause to be prepared and issued to the applicant a license as commission merchant under this act which license shall be signed by the director of agriculture and attested by the secretary under the seal of the department of agriculture.

SEC. 3. That section 8294 of Remington's Compiled Statutes be amended to read as follows:

Section 8294. All applications shall be accompanied by a fee of ten dollars (\$10.00) which shall entitle the applicant to a license to expire on December 31st next following. Upon application and payment of a fee of ten dollars (\$10.00) on or before the first day of January following the date of expiration of any license issued hereunder the applicant shall be entitled to a renewal license to expire one year from the date of expiration of the

Surety,
liability of.

Operators
under
"Packers
and Stock-
yards Act."

Amends
§ 8294, Rem.
Comp. Stat.

Fee.

Renewal.

old license. All applications for renewal of licenses shall be made in the same manner as applications for original licenses. All sums received by the director of agriculture for license fees shall be paid into the state treasury and deposited in a special fund to be known as the commission merchant fund and shall be used solely for the purpose of carrying out the provisions of this act.

Disposition
of funds.

Passed the Senate February 11, 1933.

Passed the House February 27, 1933.

Approved by the Governor March 7, 1933.

CHAPTER 68.

[H. B. 207.]

FIRE WARDENS.

AN ACT relating to the forests of the state; defining the powers and duties of wardens, and amending section 6 of chapter 125, of the Laws of 1911.

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

SECTION 1. That section 6 of chapter 125 of the Laws of 1911 (section 5786, of Rem. Comp. Stat.; section 2563, Pierce's Code), be and is amended to read as follows:

Amends § 6,
ch. 125,
Laws of 1911.

Section 6. Each warden shall be at all times under the direction and control of the supervisor of forestry, and shall perform such other duties at such times and places as he may direct.

Fire
wardens,
powers and
duties.

It shall be the duty of wardens to post over the forest areas notices of warning giving the date of the closed season as provided for in section 8 of this act, and copies of all such laws and rules as they may be directed to post by the supervisor of forestry.

They shall investigate all fires and report all of a serious or threatening character to the super-