

SEC. 4. At the general election to be held in the State of Washington in the year 1904 there shall be elected in the counties of Chelan, Douglas, Okanogan and Ferry one Superior Court Judge who shall succeed the Superior Court Judge mentioned in section three of this act and whose term of office shall commence on the second Monday of January, 1905, and who shall hold his office for four years and until his successor is elected and qualified. After the appointment and qualification of a person to serve as judge for the counties of Chelan, Douglas, Okanogan and Ferry under the provisions of this act, the judge elected at the November election of 1900 for said counties of Lincoln, Adams, Okanogan, Douglas, Ferry and Chelan shall, during the remainder of his term of office, and until the election and qualification of his successor remain the judge in and for the counties of Adams and Lincoln.

Election of
judge in 1904
for term of
four years.

Judge for
Adams and
Lincoln
counties.

SEC. 5. An emergency is hereby declared to exist, and this act shall take effect immediately.

Emergency.

Passed the House February 26, 1903.

Passed the Senate February 27, 1903.

Approved by the Governor March 6, 1903.

CHAPTER 41.

[S. B. No. 49.]

AMENDING ACT RELATIVE TO ATTACHMENTS AND GARNISHMENTS.

AN ACT to amend section 6 of an act entitled "An act in relation to attachments and garnishments," approved February 3rd, 1886, the same being section 515 of Pierce's Washington Code, section 5355 of Ballinger's Annotated Statutes and Codes of Washington, and section 293 of volume two of Hill's Annotated Statutes and Codes of Washington.

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

SECTION 1. That section 6 of an act entitled "An act in relation to attachments and garnishments," approved February 3rd, 1886, the same being section 515

Sec. 515
Pierce's Code,
Sec. 5355 Bal-
linger's Code,
Sec. 293, Vol.
2, Hill's Code.

of Pierce's Washington code, section 5355 of Ballinger's Annotated Statutes and Codes of Washington, and section 293 of volume two of Hill's Annotated Statutes and Codes of Washington, be, and the same hereby is amended to read as follows, to-wit: Section 6. Before the writ of attachment shall issue the plaintiff, or some one in his behalf, shall execute and file with the clerk a bond or undertaking, with two or more sureties, in the sum in no case less than three hundred dollars, in the Superior Court, nor less than fifty dollars in the justice court, and double the amount for which plaintiff demands judgment, conditional that the plaintiff will prosecute his action without delay and will pay all costs that may be adjudged to the defendant, and all damages which he may sustain by reason of the attachment, not exceeding the amount specified in such bond or undertaking, as the penalty thereof, should the same be wrongfully, oppressively or maliciously sued out. With said bond or undertaking there shall also be filed the affidavit of the sureties, from which it must appear that such sureties are qualified and that they are, taken together, worth the sum specified in the bond or undertaking, over and above all debts and liabilities, and property exempt from execution. No person not qualified to become bail upon arrest shall be qualified to become surety upon a bond or undertaking for an attachment: *Provided*, That when it is desired to attach real estate only, and such fact is stated in the affidavit for attachment and the ground of attachment is that the defendant is a foreign corporation or is not a resident of the state, or conceals himself so that the ordinary process of law cannot be served upon him, or has absconded or absented himself from his usual place of abode, so that the ordinary process of law cannot be served upon him, the writ of attachment shall issue without bond or undertaking by or on behalf of the plaintiff: *And provided further*, That when the claim, debt or obligation, whether in contract or tort, upon which plaintiff's cause of action is based, shall have been assigned to him, and his immediate or any other assignor thereof retains or has any interest therein, then the plaintiff and every assignor of said claim, debt or obligation who retains or has any interest therein, shall be jointly and severally liable to the defendant for all costs that may be adjudged to him and for

Bond to be
filed before
writ shall
issue.

Proviso as to
real estate.

Proviso as to
assignor.

all damages which he may sustain by reason of the attachment, should the same be wrongfully, oppressively or maliciously sued out.

Passed the Senate February 4, 1903.

Passed the House February 27, 1903.

Approved by the Governor March 6, 1903.

CHAPTER 42.

[S. B. No. 108.]

CREATING A STANDARD SIZE OF CERTAIN FRUIT BOXES.

AN ACT to create and establish a standard size of certain fruit boxes for the State of Washington.

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

SECTION 1. There is hereby created and established a standard size for apple boxes and pear boxes for the State of Washington.

SEC. 2. The standard size of an apple box shall be eighteen inches long, eleven and one half inches wide, ten and one-half inches deep, inside measurement. The standard size of a pear box shall be eighteen inches long, eleven and one-half inches wide, eight inches deep, inside measurement.

Passed the Senate February 10, 1903.

Passed the House March 4, 1903.

Approved by the Governor March 6, 1903.