

the Juvenile Court shall be subject to the other provisions of this act and may at any time, by order of the School Directors be returned to the Juvenile Court and shall not thereafter be returned to the Parental school without the consent of the Directors of such School District.

SEC. 2. [Vetoed.]

Passed the House, March 9, 1919.

Passed the Senate, March 12, 1919.

Section 1 approved by the Governor March 22, 1919.

Section 2 vetoed by the Governor March 22, 1919.

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## CHAPTER 203.

[S. H. B. 19.]

### PROVISIONS FOR MAINTENANCE OF CHILD BORN OUT OF WEDLOCK.

AN ACT relating to filiation proceedings, providing for the institution, trial, procedure, and judgment and enforcement thereof, in actions to determine the paternity of a child of an unmarried mother and providing for the maintenance of such child and certain expenses of the mother thereof, and providing for the prosecution and punishment of such person.

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

SECTION 1. When an unmarried woman shall be pregnant or delivered of a child which shall not be the issue of lawful wedlock, complaint may be made in writing by said unmarried woman, her father, mother or guardian, to any justice of the peace in the county of which she has been a resident for thirty days last past and where she may be so pregnant or delivered, or where the person accused may be found, accusing, under oath, a person with being the father of such child, and it shall be the duty of such justice forthwith to issue a warrant against the person so

Complaint  
against  
putative  
father.

accused and cause him to be brought forthwith before such justice.

Hearing  
before  
justice of  
peace.

SEC. 2. Upon the appearance of the accused, it shall be the duty of such justice to examine the woman, if then present, under oath, in the presence of the man alleged to be the father of the child, touching the charge against him, or, if the woman be not then present, to fix a date for such examination not more than ten days thereafter and to require the accused to give a bond with sufficient surety conditioned that he will appear to answer such charge upon such date, or upon any other date to which such examination may be continued; and in default of the giving of such bond such justice shall cause the accused to be committed to the county jail. The accused shall have the right to controvert such charge and evidence may be heard as in the case of trial of civil actions before such justice. If such justice shall be of the opinion that sufficient cause appears, it shall be his duty to bind the person so accused in bond with sufficient surety payable to the state of Washington and conditioned that he will appear in the superior court of such county, at such time or times as the judge thereof may fix or order, to answer such complaint, and abide the judgment and orders of the court; or failing therein, that he will pay such sums of money and to such person as may be adjudged by such court; and the justice shall transmit such bond, together with the transcript of his proceedings, the complaint and the other papers in the case, without delay to the clerk of the superior court of such county. And if the accused shall fail to give a bond as required, such justice shall commit him to jail until discharged by law. Such bond, or any bond given by said accused on any continuance or arrest, may be put in suit by any person in whose favor the court may adjudge any sum of money in such proceeding.

Accused  
bound over  
to superior  
court.

Action  
on bond.

SEC. 3. Such proceeding shall be entitled in the name of the state of Washington, and shall be prosecuted in both justice court and the superior court by the prosecuting attorney of the county where brought, and shall not be dismissed except by such prosecuting attorney upon a showing to the court that the provisions herein contemplated to be made for the maintenance, care, education and support of the child have been made.

Duty of prosecuting attorney.

SEC. 4. Any person committed to jail for failure to give such bond may be discharged from custody by filing at any time after his commitment, with the clerk of the superior court such bond, to the satisfaction of the said clerk; and a certificate of the clerk to the sheriff shall be sufficient to authorize him to discharge the accused from custody.

Discharge on recognizance bond.

SEC. 5. The testimony of the mother, or mother to be, shall be by such justice reduced to writing, read carefully to such witness and be by her signed, and shall, by such justice, be returned to the superior court with the other papers in the proceeding, to be used by either party thereto.

Mother's testimony reduced to writing.

SEC. 6. Upon the filing of the transcript, complaint and other papers in the superior court, the clerk thereof shall docket the same, and said complaint shall stand as the complaint therein, and issue shall be joined thereon as now provided in civil actions.

Docketing in superior court.

SEC. 7. If the accused in the superior court denies the charge, the issue may be tried by the court or by jury if demanded by either party.

Trial.

SEC. 8. If on the trial of the issue joined, the finding or verdict shall be that the child is not the child of the accused, then the judgment of the court shall be that he be discharged: *Provided, however,* that no court costs shall be required of the com-

Judgment of discharge.

plainant for the proceeding before such justice or the superior court.

Judgment ordering support of child.

SEC. 9. In the event the issue be found against the accused, or whenever he shall, in open court, have confessed the truth of the accusation against him, he shall be charged by the order and judgment of the court to pay a sum to be therein specified, during each year of the life of such child, until such child shall have reached the age of sixteen years, for the care, education and support of such child, and shall also be charged thereby to pay the expenses of the mother incurred during her sickness and confinement, together with all costs of the suit, for which costs execution shall issue as in other cases. And the accused shall be required by said court to give bond, with sufficient surety, to be approved by the judge of said court, for the payment of such sums of money as shall be so ordered by said court. Said bond shall be made payable to the people of the state of Washington, and conditioned for the true and faithful payment of such yearly sums, in equal quarterly installments, to the clerk of said court, which said bond shall be filed and preserved by the clerk of said court.

Bond securing payment in quarterly instalments.

Act cumulative with criminal proceedings.

SEC. 10. In addition to the proceedings for enforcing the support of the child heretofore provided for, the accused may be prosecuted in any criminal proceeding now or hereafter to be provided for by the laws of the state of Washington, relating to the support of minor children by parents or other persons upon whom such children may be dependent for care, education or support.

Execution in absence of security bond.

SEC. 11. If the accused shall fail or refuse to give such a bond as may be required by such superior court by virtue of the provisions of section nine, such court shall at any time thereafter, upon application of the mother or guardian, render judgment

against the accused for any sum or sums then due and unpaid under the terms of such order and judgment, and execution thereon shall issue from said court; *Provided*, That the rendition and collection of judgment as aforesaid shall not be construed to bar or hinder the taking of similar proceedings for the collection of judgment for the nonpayment of any sum or sums becoming due and unpaid thereafter.

SEC. 12. If the accused shall refuse and neglect to give such security as may be ordered by the court, under the provisions of section nine, he shall be committed to the county jail for contempt of court, there to remain until he shall comply with such order, or until otherwise discharged by due course of law. Any person so committed may at any time petition the court for a hearing as to his inability to comply with the order of the court and the court shall thereupon fix a time for the hearing of such petition which hearing shall be not less than ten days after the date of service of said petition on the prosecuting attorney. The prosecuting attorney may however waive the said ten day period in whole or in part. At the hearing the defendant shall be examined on oath in reference to the facts set forth in such petition and his ability to comply with such judgment and order, and any other legal evidence in reference to such matters may be produced by any of the parties interested. If it appears that the defendant is unable to comply with such judgment and order, the court may direct his discharge from custody, upon his making affidavit that he has not in his own name any property, real or personal, and has no such property conveyed or concealed, or in any manner disposed of with design to secure the same to his use or to avoid in any manner compliance with such judgment and order. If upon such hearing it appears that the defendant has property, but

Commitment for contempt.

Hearing upon question of inability to support.

not sufficient to comply with such judgment and order, the court may make such order concerning the same, in connection with such discharge, as justice may require.

Disposition  
of judgment  
money.

SEC. 13. The judgment money, when received by said clerk either by payment by the accused or by execution against the accused or against the sureties, shall be paid to the mother or guardian of such child, if a guardian therefor be appointed, and shall be laid out for the support, care and education of such child in such manner as shall be directed by the court.

Default in  
paying in-  
stalments.

SEC. 14. Whenever default shall be made in the payment of the quarterly installments, or any part thereof, specified in the bond provided for in section nine, the superior court of the county wherein such bond is filed shall, at the request of the mother, guardian, or any person interested in the support of such child, issue a citation to the principal or sureties in such bond requiring them to appear on some day in said citation mentioned and show cause, if any there be, why execution should not issue against them for the amount of the installment or installments due and unpaid on said bond. And if the amount due on such installment or installments shall not be paid at or before the time mentioned for showing cause, as aforesaid, such court shall render judgment in favor of the people of the state of Washington, and the complainant or guardian, against the principal and sureties who have been served with such citation for the amount unpaid of the installment or installments on the bond, and the cost of such proceeding, and execution shall issue in due form from said court upon said judgment.

Judgment  
against de-  
fendant and  
sureties.

Committ-  
ment for  
contempt.

SEC. 15. Such court shall also have the power, in case the accused does not obey the order thereof, and in case of default in the payment when due, of any installment or installments, or any part thereof,

in the conditions of the said bond mentioned, to adjudge the accused guilty of contempt of court by reason of the nonpayment as aforesaid, and order him to be committed to the county jail in such county until the amount of said installment or installments so due shall be fully paid, together with all the costs of such commitment, but the commitment of the accused shall not operate to stay or defeat the obtaining of judgment and collection thereof by execution: *Provided*, that the rendition and collection of judgment, as aforesaid, shall not be construed to bar or hinder the taking of similar proceedings for the collection of subsequent installments on said bond as they shall become due or remain unpaid. *Provided further*, that any judgment entered herein may be modified at any time upon proper showing to the court.

Modification  
of judg-  
ments.

SEC. 16. No prosecution under this act shall be brought after two years from the birth of the child: *Provided*, the time during which any person accused shall be absent from the state shall not be computed.

Limitation  
on prosecu-  
tion.

SEC. 17. The death of the mother shall not abate the proceeding, if the child be living; but a suggestion of record of the fact shall be made, and the testimony of the mother taken in writing before aforesaid justice may be read in evidence by either party, and shall have the same force as though she were living and had testified to the same in court.

Mother's  
death not  
to abate  
action.

SEC. 18. The death of such child shall not cause the abatement or bar to any prosecution hereunder; but the court trying the same, on conviction, shall give judgment for such sum as shall be deemed just.

Judgment in  
case of  
child's death.

SEC. 19. If the mother be a suitable person she shall be awarded the custody and control of said child; if she be not a suitable person, the court may deliver the care and custody of said child to any

Custody  
of child.

reputable person, including the accused, charitable or state institution. Such order and judgment may further provide, in the discretion of the court, that the surname of the accused shall henceforth be the lawful surname of such child.

Passed the House, February 17, 1919.

Passed the Senate, March 11, 1919.

Approved by the Governor March 25, 1919.

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## CHAPTER 204.

[H. B. 260.]

### LICENSING AND BONDING OF ELECTRICIANS.

AN ACT providing for the licensing and bonding of persons, firms or corporations engaged in or carrying on the business of installing wires to convey electric current, or electric apparatus to be operated by such current, prescribing the conditions of bonds and the rights of recovery thereof, and providing penalties for violations of this act.

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

License re-  
quired for  
electric in-  
stallations.

SECTION 1. It shall be unlawful for any persons, firm or corporation to engage in, conduct or carry on the business of installing wires to convey electric current, in any first, second or third class city, or electric apparatus to be operated by such current, without first having obtained in the manner herein-after provided and having in force a license so to do.

Application  
for license.

SEC. 2. Every person, firm or corporation desiring to engage in or engaged in and desiring to continue the business of installing wires to convey electric current, or electric apparatus to be operated by such current, shall on or before the first day of July of each and every year file with the Secretary of State, an application in writing for a license so to do, which application shall state the name and ad-