

Bond.

double the value of such property, conditioned that he will appear in the superior court of the county in which the property was seized, within ten days after the bond is accepted by the sheriff or other officer, and make good his title to the same, or that he will return the property or pay its value to the said sheriff or other officer.

SEC. 2. Section 352 of said code of 1881 is amended to read as follows: The officer shall return the affidavit, bond and justification, if any, to the office of the clerk of the superior court, and this case shall stand for trial in said court.

Approved February 25, 1891.

CHAPTER XLI.

[S. B. No. 114.]

LEGAL HOLIDAYS.

AN ACT in relation to legal holidays.

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

SECTION 1. The following days are legal holidays, namely: Sunday; the first day of January, commonly called New Year's day; the fourth day of July; the twenty-second day of February; the twenty-fifth day of December, commonly called Christmas day; and any day designated by public proclamation of the chief executive of the state as a legal holiday, or as a day of thanksgiving; the day known and observed as Memorial or Decoration day; and the day on which a general election is held throughout the state.

SEC. 2. No court shall be open, nor shall any judicial business be transacted on a legal holiday, except—1. To give, upon their request, instructions to a jury when deliberating of their verdict. 2. To receive the verdict of a jury. 3. For the exercise of the powers of a magistrate in a criminal action or in a proceeding of a criminal nature.

Limit of judicial action.

4. For hearing an application for writs of habeas corpus, injunction, prohibition and attachment.

SEC. 3. If any legal holiday happen to be a day appointed for the sitting of a court, or to which it is adjourned, such sitting shall be deemed appointed for or adjourned to the next day which is not a legal holiday.

SEC. 4. All prior acts upon the subject of legal holidays are repealed, excepting an act entitled "An act declaring labor day a legal holiday."

Approved February 25, 1891.

CHAPTER XLII.

[S. B. No. 87.]

PROCEEDINGS IN THE NATURE OF *NE EXECAT*.

AN ACT in relation to proceedings in the nature of *ne execat*, and amending sections 637, 638 and 642 of the Code of Washington of 1881.

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

SECTION 1. Section 637 of the code of Washington of 1881 is amended to read as follows: At the time of filing the affidavit the plaintiff shall also file his complaint in the action, and thenceforth the action shall proceed as other actions at law, except as otherwise provided in this chapter.

SEC. 2. Upon such affidavit and complaint being filed, the clerk shall issue an order of arrest and bail, directed to the sheriff, which shall be issued, served and returned in all respects as such orders in other cases; before such order shall issue the plaintiff shall file in the office of the clerk a bond, with sufficient surety, to be approved by the clerk, conditioned that the plaintiff will pay the defendant such damages and costs as he shall wrongfully sustain by reason of the action, which sureties shall justify as bail upon an arrest.

SEC. 3. Section 638 of said code of 1881 is amended to read as follows: The sheriff shall require the defendant to