

Penalty.

to place and keep in repair such head gate or measuring box, or, when locked by the commissioner or his authorized assistant for the measurement or apportionment of water, any interference with or disturbance of same, shall be a misdemeanor and shall be punishable by a fine not exceeding \$100, nor less than \$20, or by imprisonment, not to exceed six months, or by both such fine and imprisonment, and the use of water through such device after having been interfered with, disturbed or changed shall be *prima facie* evidence of the guilt of the person benefited by such interference, disturbance or change.

Federal  
government  
may avail  
itself  
of act.

SEC. 6. The Federal government is hereby authorized to avail itself of all the provisions of this act.

Passed the House February 28th, 1907.

Passed the Senate March 6th, 1907.

Approved by the Governor March 13th, 1907.

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## CHAPTER 145.

[H. B. 64.]

### PROVIDING FOR FILING OF NAMES WHEN BUSINESS IS CONDUCTED UNDER AN ASSUMED NAME.

AN ACT providing that when any business, other than a corporation or a limited partnership, is conducted under an assumed name, a certificate showing the real parties in interest shall be filed with the county clerk, and fixing a penalty.

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

Carrying  
on business  
under as-  
sumed  
name, true  
names to  
be filed.

SECTION 1. That no person or persons shall hereafter carry on, conduct or transact business in this State under any assumed name or under any designation, name or style, corporate or otherwise, other than the true and real name or names of the person or persons conducting such business or having an interest therein, unless such person, or all of such persons, conducting said business, or having an interest therein, shall file a certificate in the office of the county clerk of the county or counties in which said business is to be conducted, which certificate shall set forth

the designation, name or style under which said business is to be conducted, and the true and real name or names of the party or parties conducting, or intending to conduct, the same, or having an interest therein, together with the postoffice address or addresses of said person or persons. Such certificate shall be executed and acknowledged by the party or parties conducting, or intending to conduct, said business, or having an interest therein, before an officer authorized to take acknowledgment of deeds.

SEC. 2. Any person or persons now conducting any business under such assumed name, or under any designation, name or style other than the true and real name or names of all of the parties having an interest therein, shall file a certificate as provided for in section one hereof within thirty days after this act shall take effect, and persons hereafter conducting, or intending to conduct, any business, as set forth in section one above, shall, before commencing business, file such certificate in the manner hereinbefore prescribed.

Certificate to be filed, when.

SEC. 3. Whenever any business is being conducted under any assumed name, or under any designation, name or style other [than] the true and real name or names of all of the parties having an interest therein, and there shall be any change in the ownership or interest therein, then the party or parties who are to conduct such business, or have an interest therein after such change in interest, shall file a certificate as provided in section one hereof, before conducting or transacting any business whatsoever.

Change in ownership.

SEC. 4. This act shall in no way affect or apply to any corporation duly organized under the laws of this State, or to any corporation organized under the laws of another state and lawfully doing business in this State; nor shall this act be deemed or construed to prevent the lawful use of a partnership designation, name or style: *Provided*, That such partnership designation, name or style shall include the true and real name or names of all of the parties conducting such business or having an interest therein;

Act not to affect use of corporate or full partnership names.

nor shall this act affect or apply to any limited partnership now legally organized or to be organized within this State.

Effect of failure to file certificate.

SEC. 5. No person or persons carrying on, conducting or transacting business as aforesaid, or having an interest therein, shall hereafter be entitled to maintain any suit in any of the courts of this State without alleging and proving that such person or persons have filed a certificate as provided for in section one hereof, and failure to file such certificate shall be *prima facie* evidence of fraud in securing credit.

Passed the House February 25th, 1907.

Passed the Senate March 8th, 1907.

Approved by the Governor March 13th, 1907.

## CHAPTER 146.

[H. B. 492.]

### BOARD OF STATE LAND COMMISSIONERS.

AN ACT relating to board of state land commissioners and amending section 2130 of Ballinger's Annotated Codes and Statutes of Washington, relating to the creation of a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the state constitution, which shall be generally known as the board of state land commissioners, and defining its duties.

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

SECTION 1. That section 2130 of Ballinger's Annotated Codes and Statutes of Washington, be, and the same is, hereby amended to read as follows: Section 2130. The Commissioner of Public Lands, the State Fire Warden and Forester, and the State Board of Tax Commissioners shall constitute the Board of Appraisers, Harbor Line Commission, and for the purpose of selection, appraisal, sale or lease of school, granted and other lands, the establishment of harbor lines, lease of harbor area and selection and which have been granted, or may hereafter be granted to the State of Washington by the United States, and who,

Personnel of Board.