

## CHAPTER XCV.

[H. B. No. 529.]

## AUTHORIZING ACTIONS AGAINST THE STATE.

AN ACT authorizing actions against the state.

*Be it enacted by the Legislature of the State of Washington:*Claims, man-  
ner of col-  
lecting.

SECTION 1. Any person or corporation having any claim against the State of Washington shall have the right to begin an action against the state in the superior court of Thurston county. Such action shall be begun against the State of Washington by filing a complaint in such superior court, setting forth the nature of such claim, and containing a direction to the defendant to appear within twenty days after service of the complaint exclusive of the day of service, and defend the action, and a notice that in case of failure so to do, judgment will be rendered against the state according to the prayer of the complaint. The plaintiff in such action shall, at the time of filing his complaint, file a bond or undertaking with two or more sureties to be approved by the clerk of the court to the effect that such party will indemnify the state against all costs that may accrue in such action, and will pay to the clerk of said court all costs in case the plaintiff shall fail to prosecute his action or to obtain a judgment against the state.

Bond filed.

Service.

SEC. 2. Service of the complaint shall be made by the sheriff of the county in which such action is brought, or by any of his deputies, by delivering an attested copy thereof to the attorney general, or by leaving such copy in his office, and by delivering another like copy to the secretary of state, or by leaving such copy in his office.

Attorney  
general.

SEC. 3. The attorney general or his assistant shall appear and act as counsel for the state. The action shall proceed in all respects as other actions. Appeals may be taken to the supreme court of the state as in other actions or proceedings, but in case an appeal shall be taken on behalf of the state, no bond shall be required of the appellant.

Execution.

SEC. 4. No execution shall issue against the state on any judgment, but whenever a final judgment against the state

shall have been obtained in any such action, the clerk shall make and furnish to the auditor of state a duly certified transcript of such judgment; and the auditor of state shall thereupon audit the amount of damages and costs therein awarded, and the same shall be paid out of the state treasury.

SEC. 5. All provisions of law relating to the limitations of personal actions shall apply to claims against the state, but the computation of time thereunder shall not begin until this act shall have become a law.

Passed the house March 12, 1895.

Passed the senate March 14, 1895.

Approved March 20, 1895.

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## CHAPTER XCVI.

[H. B. No. 432.]

### AMENDING THE ACT RELATIVE TO ATTENDANCE OF WITNESSES.

AN ACT to amend section 165-2 [1652] of volume 2 of Hill's Annotated Statutes and Codes of Washington, relating to the manner of compelling the attendance of witnesses, and declaring an emergency.

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

SECTION 1. That section 165-2 [1652] of volume 2 of Hill's Annotated Statutes and Codes of Washington be and the same is hereby amended to read as follows:

Sec. 165-2 [1652]. The subpœna shall be issued as follows: Subpœnas.

1. To require attendance before a court of record or at the trial of an issue therein, such subpœna may be issued in the name of the State of Washington and be under the seal of the court before which the attendance is required or in which the issue is pending: *Provided*, That such subpœna may be issued with like effect by the attorney of record of the party to the action in whose behalf the wit-