

the taking or damaging of any power plant constructed or being constructed for the creation or utilization of water power.

Passed the House February 1, 1905.

Passed the Senate February 17, 1905.

Approved by the Governor March 3, 1905.

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## CHAPTER 58.

(H. B. No. 248)

### CERTAIN CONTRACTS VOID UNLESS IN WRITING.

AN ACT amending Section 4576 of Ballinger's Annotated Codes and Statutes of Washington (same being Section 5343 of Pierce's Washington Code), relating to contracts and providing that certain contracts shall be void unless in writing.

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

4576 Bal-  
lenger's Code.  
5343 Pierce's  
Code.

Amendment.

SECTION I. That section 4576 of Ballinger's Annotated Codes and Statutes of Washington (same being section 5343 of Pierce's Washington Code), relating to contracts and providing that certain contracts shall be void unless in writing, be amended to read as follows: Section 4576. In the following cases, specified in this section, any agreement, contract and promise shall be void, unless such agreement, contract or promise, or some note or memorandum thereof, be in writing, and signed by the party to be charged therewith, or by some person thereunto by him lawfully authorized, that is to say: (1) Every agreement that by its terms is not to be performed in one year from the making thereof; (2) Every special promise to answer for the debt, default, or misdoings of another person; (3) Every agreement, promise or undertaking made upon consideration of marriage, except mutual promises to marry; (4) Every special promise made by an executor or administrator to answer damages out of his own estate; (5) An agreement authorizing or employing an agent or broker to sell or purchase real estate for compensation or a commission.

Passed by the House February 21, 1905.

Passed by the Senate February 28, 1905.

Approved by the Governor March 3, 1905.