

defendant's entry thereupon, but it shall be sufficient to allege that he is the legal owner and entitled to the immediate possession thereof: *Provided*, That if the defendant shall, by his answer, deny such ownership and shall state facts showing that he has a lawful claim to the possession thereof, the cause shall thereupon be entered for trial upon the docket of the court in all respects as if the action were brought under the provisions of chapter XLVI of the code of eighteen hundred and eighty-one.

Allegation of ownership sufficient.

SEC. 4. All persons in actual possession of any portion of the several subdivisions of any section of land, according to the government surveys thereof, may be made defendants in one action: *Provided*, That they may, in their discretion, make separate answers to the complaint, and if separate issues are joined thereupon, the same shall nevertheless be tried as one action, but the verdict, if tried by jury, shall find separately upon the issues so joined, and judgment shall be rendered according thereto.

Defendants.

Separate issues joined.

SEC. 5. There being no law now in force adequately providing for the removal of persons unlawfully entering upon the unoccupied lands of another, an emergency is declared to exist, and this act shall take effect from and after its approval by the governor.

Emergency.

Approved March 7, 1891.

CHAPTER CXVI.

[S. B. No. 206.]

TO AMEND AN ACT RELATING TO CORPORATIONS.

AN ACT to amend section 2421 of chapter CLXXXV of the Code of 1881, relating to corporations, as amended by an act approved February 3, 1886.

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

SECTION 1. That section 2421 of chapter CLXXXV of the code of 1881, relating to corporations, as amended by an act approved February 3, 1886, be amended to read as

Proceedings to
condemn land.

follows: Corporations for manufacturing, mining, milling, wharfing and docking, mechanical, banking, mercantile, improvement and building purposes, or for the building, equipping and managing water flumes for the transportation of wood and lumber, or for the purpose of building, equipping and running railroads, or constructing canals, or engaging in any other species of trade or business, may be formed according to the provisions of this chapter; such corporations and the members thereof being subject to all the conditions and liabilities herein imposed, and to none others: *Provided*, That no such corporation shall commence business or institute proceedings to condemn land for corporate purposes until the whole amount of its capital stock has been subscribed: *And provided further*, That the provisions of the foregoing proviso shall not apply to corporations engaged exclusively in loaning money on real estate.

Approved March 7, 1891.

CHAPTER CXVII.

[H. B. No. 227.]

TO AMEND AN ACT TO PROVIDE FOR PROSECUTIONS BY INFORMATION.

AN ACT to amend section one of an act entitled "An act to provide for prosecuting public offenses on information," approved January 29, 1890.

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

SECTION 1. That section one of an act entitled "An act to provide for prosecuting public offenses on information," be and the same is hereby amended to read as follows: "All public offenses may be prosecuted in the superior courts by information in the following cases: 1. Whenever any person is in custody or on bail on charge of felony or misdemeanor, and the court is in session and the grand jury is not in session or has been discharged. 2. Whenever