

CHAPTER CIX.

[H. B. No. 176.]

PROVIDING FOR INSPECTION AND WEIGHING OF
GRAIN.

AN ACT to provide for state grain weighing and grading, creating the office of state grain inspector, establishing a state grain commission, and making an appropriation of \$2,000.

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

SECTION 1. There is hereby created the office of state grain inspector in the State of Washington. Within thirty days after this act shall have become a law, the governor shall appoint a suitable person, who shall be a qualified elector of the State of Washington, as state grain inspector, who shall be styled chief inspector. The said chief inspector shall be thoroughly familiar with the grains of Washington and contiguous states, and shall have had at least three years experience in handling said grain, and shall hold his office for the term of two years and until his successor is appointed and qualified, unless sooner removed by the governor, and shall, before entering upon the duties of his office, take an oath of office as in case of other state officers, and shall execute a bond to the State of Washington in the penal sum of \$10,000, with good and sufficient sureties, to be approved by the governor and attorney general, conditioned that he will faithfully and impartially discharge the duties of the office of chief inspector according to law. Any vacancy which may occur in the office of chief inspector shall be filled by the governor for the remainder of the term. Any chief inspector shall be eligible to reelection [reappointment]. He shall be required to give his entire time to the duties of the office.

Grain in-
spector, quali-
fications of.

Vacancies,
how filled.

SEC. 2. The first chief inspector appointed under this act shall have his headquarters in the city of Tacoma, and thereafter in that city in the state in which the receipts of grain in carload lots was greatest for the preceding year. He shall appoint such a number of deputy inspectors as may be necessary to properly and thoroughly inspect the grain as received, and carry out the provisions of this act,

Inspector,
location of.

Deputies.

one of whom shall be stationed in each of the cities provided with state inspection under this act, and styled chief deputies. The cities of Seattle, Tacoma and Spokane are hereby provided with state inspection under this act, and such other places in the state where grain is received in carload lots for milling or export may be designated as placès for state inspection by the state grain commission: *Provided*, That the expenditures for inspecting at such places so designated by the state grain commission shall not exceed the receipts of fees at such place or places.

Deputies, qualifications of.

SEC. 3. Said chief deputy inspectors shall be expert grain men with at least three years experience handling grain, and shall take an oath of office as in case of a chief inspector, and shall each give bonds to the State of Washington in the penal sum of \$5,000, with good and sufficient sureties, to be approved by the governor and attorney general, and conditioned as in case of the chief inspector.

Bonds, where filed.

SEC. 4. The bonds given by the chief inspector and chief deputy inspectors shall be filed in the office of the secretary of the State of Washington, and suit may be brought upon said bonds in any court having jurisdiction thereof for the use of any person or persons who may be injured by reason of a neglect or failure to comply with the law or the rules and regulations made thereunder.

Removals.

SEC. 5. The chief inspector shall have the power to remove any of the deputy inspectors at pleasure, and said deputy inspectors shall act under the immediate control and supervision of the said chief inspector.

Reports, to contain what.

SEC. 6. It shall be the duty of such chief deputies to make daily reports to the chief inspector, showing the number of cars weighed and graded [graded], the weight and grade of such cars, the amount of fees, fines and forfeitures collected and such other information as the chief inspector may require. He shall make remittances of all moneys collected under the provisions of this act as directed by the chief inspector.

Clerk, salary of.

SEC. 7. The chief inspector shall be allowed one clerk at a salary of ten hundred dollars per annum, to be paid monthly in the same manner and out of the same funds the chief inspector is paid.

SEC. 8. No chief inspector or deputy inspector shall, during his term of office, be interested directly or indirectly in handling, storing, shipping, purchasing or selling grain, nor shall he be in the employment of any person or corporation interested directly or indirectly in the handling, storing, shipping, purchasing or selling of grain.

Disqualifi-
cation.

SEC. 9. Any duly authorized chief inspector of grain who shall be guilty of any neglect of duty or who shall knowingly or carelessly inspect any grain improperly or who shall, directly or indirectly, accept any money or other consideration for any neglect of duty or any improper performance of duty as such inspector of grain, or any person, persons, corporation or agent who shall improperly influence or attempt to improperly influence any inspector of grain in the performance of his duty as such inspector shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than one hundred dollars nor more than five thousand dollars, in the discretion of the court.

Neglect of
duty, punish-
ment for.

Bribery,
penalty for.

SEC. 10. Appeal may be taken to the chief inspector from the decision of any of his deputies as to grade of grain, and in case of such appeal the decision of the chief inspector shall be final and binding on all parties concerned, except as hereinafter provided.

Appeals.

SEC. 11. The chief inspector and his deputies shall, at the places provided with state inspection under this act, supervise and have exclusive control of the weighing and grading of grain which may be subject to the inspection under the provisions of this act, and the action and certificate of such inspectors and his assistants in the discharge of the aforesaid duties shall be conclusive upon all parties at interest. They shall keep suitable books of record in their office, upon which shall be kept a faithful and true record of every car of grain inspected by them, showing the number and initial of such car, the kind of grain and its grade, and if graded below number one grade the reason for such grade, the amount of fees and forfeitures collected and disposition of same, and for each carload of grain inspected they shall give a certificate of inspection, showing the kind and grade of same and reason for all

Inspectors,
duties of.

grades below number one, the number of sacks, if sacked grain, with the grade or grades and weight of same, if requested to do so by the consignor or consignee. They shall also furnish the agent of the railroad company over which such grain was shipped a certificate showing the weight of the grain if requested to do so. They shall also keep a true record of all appeals, decisions, licenses granted or revoked, and a complete record of every official act, which books and records shall be kept in their office and open to any party in interest.

Reinspection,
when.

SEC. 12. In case any owner, consignee or shipper of grain or their agent or broker or any warehouse manager shall be aggrieved at the original grading of his or their grain, such aggrieved person or persons may, before or after unloading said grain, call upon the chief inspector or his resident chief deputy for a reinspection, whose duty it shall be to carefully reinspect it, and if, in his opinion, the grades should be changed he shall at once make the change; but any such reinspection shall be called for within thirty-six hours after the first inspection, not counting Sundays and legal holidays. A charge of one dollar a car, in addition to the regular charge for inspection fee, shall be paid the chief inspector or resident chief deputy by the person calling for the reinspection under this section before the case is taken up, which shall be returned to the person paying it if the decision is in his favor; otherwise it shall be paid into the state treasury by the chief inspector. Should any owner, consignee, shipper or warehouseman in charge of such grain mingle it with other grain before said reinspection, and thereby lose its identity, the person so mingling such grain shall accept and account for it as number one in grade: *Provided*, Notice has been given him that such grain is to be held.

Reinspection,
fees for same.

Arbitration.

SEC. 13. In case any owner, warehouse manager, consignor, consignee or shipper shall be satisfied [dissatisfied] with the reinspection of any lot of grain, as provided in the preceding section of this set [act], and desires to appeal the same from the decision of the chief inspector or resident chief deputy inspector, such dissatisfied person shall choose a competent and disinterested party to act with the chief

inspector or resident chief deputy, and the two shall choose a third competent and disinterested party, and these three shall then decide the appeal, and their decision shall be final and binding on all parties concerned: *Provided, however,* That the party thus appealing shall enter his appeal at the time of reinspection and the decision shall be made within twenty-four hours, and the person or persons making the appeal shall, before it is taken up, pay the chief inspector or his deputy five dollars for each case, which sum shall be refunded to the party making the appeal in case the decision is in his favor, but if the decision is against him the said five dollars shall be paid to the chief inspector and by him paid into the state treasury.

SEC. 15 [14]. Every railroad company or common carrier delivering grain in cars at any of the places provided with state inspection under this act shall provide convenient and suitable side tracks on which all cars of grain delivered by them shall upon arrival be set and arranged conveniently for inspection, and after being inspected such railroad company or common carrier shall promptly distribute all such cars of grain and set them at the proper place or places to be unloaded, to be designated by the consignor or consignee: *Provided,* Their tracks extend to such places, for which no switching charge or other charge or charges shall be made by any such railroad company or common carrier. Any common carrier using steamboats or any water craft for delivering grain at any of the places having state inspection shall before the same is removed from the dock notify the chief inspector or his chief deputy of the delivery, and pay to him the inspection fees as provided under this act, or under the rules and regulations made by the board of state grain commissioners governing such cases as herein provided for, which charges may be collected from the consignee by the said common carrier before such grain is removed from the dock by him. In all cases the inspection charges may be charged to the grain and collected therefrom by the consignee, agent or broker.

SEC. 16 [15]. After cars are placed for inspection as required by this act the chief inspector or one of his deputy

Side tracks
provided,
when.

Inspection
fees, when
collected.

Inspection,
when.

inspectors shall promptly open them and carefully inspect and grade them according to the merits of the grain they contain and in accordance with the grades, rules and regulations provided by this act, and shall leave in each car a card showing the grade of such grain, and if graded below number one grade the reasons for such grade shall be noted in the margin of the card; the inspector shall then seal each car inspected with his official seal, keeping a correct memorandum of it. In all cases where no appeal is taken from any inspectors' decision within the time prescribed for making appeals as provided by this act, his decision thereon shall be final and binding on all concerned, and in all cases appealed as provided by this act the chief inspector or his chief deputy shall, after the final appeal is decided, issue an inspection certificate in accordance with the decision made on the appeal, which certificate shall be final and binding on all concerned as to the grade of the grain.

Certificates
to issue.

Fraud in
loading.

SEC. 17 [16]. After any grain has been duly inspected should any inspector, warehouseman, miller, wharfinger or other person who may be unloading it find that in any car there is concealed a poorer grain than is shown at the time of inspection and that it does not equal the grade given it by the inspector, he may upon such discovery set out the car or cars containing such grain and call for a reinspection, and the chief inspector or one of his deputies shall be called in and shall reinspect it and make a grade to conform to such rules for reinspection. No charge shall be made for such reinspection where it is shown that such poorer grade was concealed.

Interstate
shipments.

SEC. 18 [17]. Any grain originally consigned to a destination outside of the state shall not be subject to state inspection nor to the inspection fees provided for in this act, unless it is milled or stored, or passed through some mill or warehouse in transit within this state, in which case it shall pass the regular inspection and pay the regular charges.

Scales, when
tested.

SEC. 19 [18]. The chief inspector shall have full supervision of the inspection of all grain and the weighing of same at places provided with state inspection under this act, and at least twice each year he and his chief deputies

shall examine, test and correct all scales used in weighing grain at places provided with state inspection, one of which tests shall be made at the beginning of each season, and after such scale is tested, if it be found correct and in good condition, he or his chief deputy shall seal the weights and issue to the proprietor or proprietors of the place where such scales are found a license certificate authorizing such proprietor or proprietors to use the said scales for weighing grain, so long as they are kept correct and in good condition, which license shall be good for one year, unless sooner revoked by the chief inspector or his chief deputy. The party receiving such license shall pay the chief inspector or his chief deputy the sum of five dollars per annum, which sum shall be paid into the state treasury by the chief inspector and credited by the state treasurer to the state inspection fund. If such scales be found inaccurate or unfit for use, the chief inspector or his chief deputy shall notify the party operating or using them and the party thus notified shall, at his own expense, thoroughly repair the same before attempting to use them, and until the same is done to the satisfaction of the chief inspector or his chief deputy the license of such party or parties shall be suspended or revoked in the discretion of the chief inspector or his chief deputy, but no license fees shall be returned to any one by reason of any license being suspended or revoked.

License to weighers.

License fees.

SEC. 20 [19]. Every person, persons, corporation or agent operating any warehouse, mill, elevator, wharf, dock, commission house, feed store, or other place where grain is received and weighed, located at places where state inspection is provided for, shall, before weighing any grain after September first, 1895, procure of the chief inspector, or his chief deputy, a license as herein provided, which license shall show that his scales are correct and the weights duly sealed, and shall be posted in a conspicuous place in the office of the building where such scales are located. Any company, corporation, person, persons or agent, found guilty of using scales for weighing grain as provided for under this act, after they have been notified by the chief inspector or his chief deputy that such scales are incorrect,

General license.

Penalty for
tampering
with scales.

or any such person, persons, corporation or agent, who may refuse or prevent the chief inspector or his chief deputy from having free access to their scales in the regular performance of their duty, within the tenor and meaning of this act, or any such person, persons, corporation or agent, found guilty of tampering with any of such scales, or of rendering false weights, shall forfeit the sum of five hundred dollars for the first offense and one thousand dollars for each subsequent offense, to be recovered before any court having jurisdiction thereof, and shall also pay all costs of prosecution, and his license may be revoked, in the discretion of the chief inspector. The chief inspector shall pay all such forfeitures thus collected into the state treasury, and the same shall be credited to the state inspection fund.

Inspector to
procure, what.

SEC. 21 [20]. The chief inspector shall procure at the expense of the state, if not already provided, the necessary full set of weights and measures, stamps, scales and beams, which he shall cause to be tried, proved and sealed by the state standard, and certified by the state treasurer, by which he shall test and prove all scale beams, weights and measures within the purport of this act, and shall seal such, when found to be accurate, by stamping upon them the letters "Wash." with a seal provided for that purpose.

Weighers,
qualifica-
tions of.

SEC. 22 [21]. No person, persons or corporation operating any warehouse, elevator, mill, wharf, dock, feed store, commission house or other places where grain is received subject to state inspection, shall employ any person as weigher who is not competent and acceptable to the chief inspector, or his chief deputy, and who has not received from the chief inspector or his chief deputy a license to weigh grain, and who shall not have taken an oath to faithfully and honestly to perform his duties as such weigher in such form as the state grain commission may prescribe. No fee shall be charged for such license. The said person shall be in the employ and under the control of the person, persons or corporation operating any such warehouse, elevator, mill, wharf, dock, feed store, commission house or other place where grain is received and weighed, subject to state inspection, and shall receive no compensation from

the state for services rendered. The agent or manager of such warehouse, elevator, mill, wharf, dock, feed store or commission house or other place, as above specified, shall report daily to the chief inspector or his chief deputy the weight of grain in each car received, referring to the car by its initial and number, together with the number of sacks if it be sacked grain. Daily reports.

SEC. 23 [22]. In case appeal be taken from any inspector's decision, either while such grain is on the inspection track or after it has been placed at any mill, warehouse, elevator, wharf, dock, feed store, commission house or other place of unloading, no railroad company or common carrier shall, for the space of forty-eight hours after appeal has been made, charge any demurrage on any such cars by reason of not being unloaded, nor shall any switching charge or other charge or charges be put upon any such car by any railroad company or common carrier by reason of having to remove or re-switch them, provided they are ordered re-switched to the original place they were by order of consignor, consignee or agent set for unloading by such railroad company or common carrier. Demurrage, when charged.

SEC. 24 [23]. The charges for inspection shall be and constitute a lien on the grain so inspected; whenever such grain is in transit the said charges shall be treated as advance charges, to be paid by the common carrier in whose possession the grain is at the time of the inspection. Every railroad company or common carrier who handles or carries grain subject to the provisions of this act shall collect of the consignee or agent of the owner or consignor, the inspection charges as fixed by the state grain commissioners, and on the first day of each month the said railroad company or common carrier shall pay to the chief inspector or his chief deputy all moneys thus collected, and accompany the said moneys with a statement showing the number of cars handled by them, the numbers of cars, where unloaded, the initials of the cars and the amount of fees collected. The chief inspector shall pay all such moneys to the state treasurer, and said moneys shall be credited to the state grain inspection fund. Liens. Inspection fees.

SEC. 25 [24]. Any company, corporation, person or per-

Violations, and
punishment
therefor.

sons or agent found guilty of in any way tampering with the inspection of grain as herein provided for, or of switching or unloading the same before it is inspected, or of making false reports or false returns on the same, or of withholding or refusing to pay the prescribed inspection fee, shall be deemed guilty of a misdemeanor, and on conviction thereof in any court of competent jurisdiction shall be fined not less than five hundred dollars, nor more than five thousand dollars, in the discretion of the court.

Attorney
general.

SEC. 26 [25]. The attorney general of the State of Washington shall be *ex officio* attorney for the chief inspector and the state grain commission, hereinafter provided, and shall give them such counsel or advice as they may from time to time require, and he shall institute and prosecute any and all suits which the chief inspector may deem expedient and proper to institute, and he shall render to the chief inspector and state grain commission all counsel, advice and assistance necessary to carry out the provisions of this act according to the intent and meaning thereof. In all criminal prosecutions against any one for violations of any of the provisions of this act, it shall be the duty of the county attorney of the county in which such prosecution is brought to prosecute the same to a final issue.

State grain
commission.

SEC. 27 [26]. There is hereby created a commission to be styled "State Grain Commission," to consist of the chief inspector and two other qualified electors of the State of Washington; the decision of a majority of whom shall be considered to be the decision of the commission on all questions arising for their consideration, and the said additional members of said commission shall hold their office for a period of two years and until their successors are appointed and qualified, and who shall be appointed by the governor, one of whom shall be of opposite political party to the governor.

Commission,
how created.

SEC. 28 [27]. Within thirty days after this act shall take effect the governor shall appoint two qualified electors of the State of Washington who, with the chief inspector, shall constitute such commission and who shall hold their office for two years unless sooner removed by the governor. Both of said commissioners shall take an oath of office the

same as is required by other state officers, and both of them shall be competent and experienced grain men, one of whom shall be a resident of Eastern Washington and prominently identified with grain raising, and the other shall be a resident of Western Washington.

SEC. 29 [28]. The chief inspector shall be *ex officio* chairman of said commission, and before the 20th day of September of each year the said commission shall be called together by the chairman at some place within the state, and then and there establish standard grades of all grain bought or handled by any public warehouse within this state, which shall be known as "Washington grades." The said commission shall also establish the necessary rules and regulations for grading and weighing grain, and shall fix the charges for inspecting and grading grain, and shall make such other rules and regulations as may be necessary for enforcing the regulations of this act or any law of this state in regard to same.

Standards
established.

SEC. 30 [29]. The charge for inspecting grain in sacks shall not be more than seventy-five cents per car for one grade only, and the charge for inspecting grain in bulk shall not be more than fifty cents per car, and the said commission shall estimate the cost of carrying out the provisions of this act as nearly as possible and fix the charges accordingly, within the limits herein provided.

Inspection
rates.

SEC. 31 [30]. The said standard grades, charges, rules and regulations so made and established shall be published in some daily newspaper in each of the places provided with state inspection under this act each day for a period of seven days, beginning immediately after they are made or established, and it shall be the duty of every warehouseman within this state to apply to and receive of the chief inspector a placard copy of the said standard grades, charges, rules and regulations, which he shall keep posted in a conspicuous place in his office, and which the chief inspector shall furnish free of cost. Said commission may, on the recommendation of the chief inspector, modify such grades, rules and regulations, or establish new ones, and such changes shall be advertised the same as required for the original.

Published
notices to
contain. what.

Standard sam-
ples furnished.

SEC. 32 [31]. It shall be the duty of the chief inspector of grain to furnish any elevator or warehouse in this state, or adjoining states, standard samples of grain as established by the state grain commission, when requested to do so by the proprietor, lessee or manager thereof, at the actual cost of such samples. It shall also be the duty of the chief inspector to advertise the cost to the warehouseman of the said standard samples of grain at the time the said standard grades, charges, rules and regulations are advertised, as herein provided.

Inspector
to obtain
samples.

SEC. 33 [32]. For the purpose of maintaining the grade of wheat known abroad and in exporting as "fair, average quality Walla Walla," it shall be the duty of the chief inspector to procure from every part of the State of Washington each season, as soon as it can be done after harvest, samples of the crop of wheat, and after collecting such samples of wheat he shall call a meeting of the state grain commission and they shall make up and establish from the said samples the said grade, which shall be a fair, average mixture of all the club varieties grown in the different sections of this state. If the said state grain commission deems it expedient they may, in making up and establishing the said grade, meet and confer with like grain authorities in the State of Oregon, or in case there are no such authorities in the State of Oregon, then with the representatives of the leading handlers of grain in the city of Portland, Oregon, and make up and establish, as nearly as possible, the same fair, average quality Walla Walla, which shall be maintained in this state. This section shall not be so construed as to interfere with the standard grades of grain elsewhere provided for in this act.

Commission to
confer, when.

Inspection
certificate to
issue, when.

SEC. 34 [33]. In case grain is sold for delivery on Washington grades, or as "fair, average quality Walla Walla," and to be shipped from places provided with state inspection under this act, the buyer, seller or persons making the delivery may have it inspected out by notifying any duly authorized inspector, whose duty it shall be to inspect such grain, and after it is inspected to issue to the buyer, seller or person delivering it, on request, an inspection certificate showing the grade of said grain, and the said

inspection shall be final and binding on all concerned. The person or persons calling for the said inspection shall pay for the same inspection fees as follows, viz.: On lots from 10 ^{Fees.} to 50 tons of 2,000 pounds, 5 cents per ton; from 50 to 100 tons, 3 cents per ton; from 100 to 300 tons, 2 cents per ton; from 300 to 1,000 tons, 1 cent per ton; for 1,000 tons or more, one-half of one cent per ton: *Provided, however,* That the above scale of charges must be for a continuous delivery of the lot until completed, and that the chief inspector or the chief deputy may, in his discretion, make the charge for such inspection 50 cents per hour, without reference to the quantity of grain inspected, but in no case shall he make the said charges to exceed the actual cost of the inspectors' time while he is engaged in such work, nor shall any charge be less than one dollar.

SEC. 35 [34]. On all grain shipped by water to any of ^{Water} the places for which state inspection is provided under this ^{shipments.} act, ten tons shall be considered a carload, and the inspection charges shall be fixed accordingly, but no charge on any smaller parcel shall be less than the charge for a carload.

SEC. 35. The salary of the chief inspector shall be ^{Salaries.} eighteen hundred dollars per annum, payable in the same manner and out of the same funds that other state officers are paid, and the salary of each of his chief deputies shall be one thousand two hundred dollars per annum. The salary of other deputies shall be eighty-five dollars per month, payable monthly. The chief inspector shall be allowed all necessary transportation expenses incurred in the discharge of his duties under this act, which shall be paid monthly. He shall receive no additional salary for acting as *ex officio* chairman of the commission, but the other two commissioners shall receive fifty dollars each, and necessary traveling expenses, for each meeting of the commission which they attend, when such meeting was duly called by the chief inspector, but not more than four such meetings shall be held in any one year.

SEC. 36. All moneys collected by the chief inspector or his chief deputies as herein provided shall be paid into the state treasury by the chief inspector on or before the fif- ^{Fees, where deposited.}

teenth day of each month, accompanied with a statement showing from what source collected and the amount of such collections. It shall be the duty of the state treasurer to receive all moneys aforesaid, and to credit the same to the grain inspection fund, and said fund is hereby appropriated for the purpose of carrying out the provisions of this act.

Expenses,
how paid.

SEC. 37. All the expenditures and salaries not otherwise provided for under this act shall be paid out of the grain inspection fund only. No money shall be paid out of said fund except on a warrant issued by the state auditor. All bills must be approved by the chief inspector, and by him certified to be correct, and when presented to the state auditor he shall draw a warrant for such amount so certified to on the state treasurer, who shall pay the same out of the grain inspection fund. The expenditures under the provisions of this act shall not exceed the receipts, and it shall be the duty of the grain commission to see that this provision is observed.

Expenditures
not to exceed
income.

Appropriation.

SEC. 38. The sum of two thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated, which shall be credited to the grain inspection fund, and used to inaugurate and carry into effect the provisions of this act.

Expenses
allowed.

SEC. 39. The chief inspector and his chief deputies shall be allowed offices and office furniture and expenses incidental thereto, and also all necessary tools and appliances necessary to carry out the provisions of this act.

Violations,
and penalties
therefor.

SEC. 40. Any railroad company or common carrier and every officer, agent or employé of any railroad company or common carrier, and every person, persons, corporation, company or agent, who shall violate any of the provisions of this act for which penalties are not specifically provided in the various sections thereof, shall, upon conviction, be fined and pay a sum not less than three hundred dollars nor more than five thousand dollars for each offense.

Prosecutions,
how instituted.

SEC. 41. All such prosecutions shall be in the name of the State of Washington, and may be instituted in any county in this state where such violations occur. All suits to inflict penalties or to collect or recover fees, fines or

forfeitures under this act shall have precedence over all other business except criminal business, and if the chief inspector deems it expedient, he may employ counsel to assist the attorney general or county attorney in conducting such suit. All fees, fines and forfeitures recovered under the provisions of this act shall be paid to the chief inspector by the officer collecting the same, and by the chief inspector they shall be paid into the state treasury and credited to the grain inspection fund.

SEC. 42. The provisions of this act are not intended to apply to grain brought by farmers in wagons into any place provided with grain inspection, and the provisions of this act shall not affect or change the liabilities of any one on grain now in store.

Passed the house March 8, 1895.

Passed the senate March 14, 1895.

Approved March 19, 1895.

CHAPTER CX.

[H. B. No. 85.]

RELATING TO ELECTION OF COUNTY COMMISSIONERS.

AN ACT to amend section one of an act entitled "An act concerning the manner of electing county commissioners, and amending sections 272 and 266 of the first volume of Hill's Annotated Statutes and Codes of Washington" approved March 3, 1893.

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

SECTION 1. That section 1 of "An act concerning the manner of electing county commissioners and amending sections 272 and 266 of the first volume of Hill's Annotated Statutes and Codes of Washington" approved March 3, 1893, be amended to read as follows: One county commissioner shall be elected from among the qualified electors of each of said districts by the qualified electors of the county, and the person receiving the highest number of