

Emergency. SEC. 3. An emergency exists and this act shall take effect immediately.

Passed the House February 9, 1903.

Passed the Senate March 12, 1903.

(Note by the Secretary of State).—The above act was filed in this office on the 16th day of March, 1903, without the approval or disapproval of the Governor thereof.

SAM H. NICHOLS,  
Secretary of State.

## CHAPTER 130.

[S. B. No. 188.]

### PROVIDING FOR NOTICE OF APPLICATION FOR APPOINTMENT OF GUARDIANS FOR MINORS, INSANE, AND MENTALLY INCOMPETENT PERSONS.

AN ACT providing for the giving of notice of applications for the appointment of guardians of minors under the age of fourteen years, insane persons and persons mentally incompetent to manage their property.

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

Application  
for appoint-  
ment of  
guardian—  
hearing.

SECTION 1. When it is represented to the superior court upon verified petition of any relative or friend that any person, resident of the county, is a minor or is insane or is mentally incompetent to manage his property, and that such person has property needing care and attention, coupled with an application for appointment of a guardian for such person, such court must cause a notice to be given to such minor, insane or mentally incompetent person, of the time and place of hearing the application for the appointment of a guardian to manage the estate of such person, not less than ten days before the time so appointed.

Service of  
notice on  
custodian.

SEC. 2. If such minor, insane or mentally incompetent person is in the care, custody or control of any person, officer, or body, then notice must be served also on such person, officer or body in charge of such person; and such

person for whom a guardian is sought, if able to attend, must be produced on the hearing.

SEC. 3. Personal service must be made on such minor, <sup>Personal service.</sup> insane or mentally incompetent person, if possible, and the laws of the State of Washington relating to the manner of service of summons shall apply to the service of the notice provided herein, as nearly as said statutes can apply.

SEC. 4. It shall be the duty of any person, officer or <sup>Serving of notice reported to court.</sup> body in the custody, charge or control of any minor under the age of fourteen years, insane person or mentally incompetent person, when so served with notice of such application, to forthwith report the service of said notice to the court of the county in which said application is to be heard. It shall be the duty of the prosecuting attorney of said <sup>Duty of Prosecuting Attorney.</sup> county in all cases to appear for such minor, insane or mentally incompetent person at the hearing of said application, and in case of the disability of the prosecuting attorney the court shall appoint a suitable person to represent the said minor, insane or mentally incompetent person at said hearing: *Provided*, Nothing herein shall prevent said <sup>Provide as to attorney.</sup> minor, insane, or mentally incompetent person, or the person, officer, or body having such person in custody, charge and control, from appearing by attorney of his own, and in such event it is not the duty of the prosecuting attorney to appear for such person.

SEC. 5. When a minor under the age of fourteen years, <sup>Service on non-residents.</sup> insane person or mentally incompetent person having property in the State of Washington for whom a guardian is sought to be appointed resides out of the State of Washington, then the service of the notice aforesaid shall be had against said minor, insane person or mentally incompetent person by publishing said notice for the period of six weeks in some suitable newspaper of general circulation published in the county in which the application is to be heard and service shall be deemed to be had at the expiration of ten days from the completion [completion] of such publication of notice, whereupon such proceedings shall take place as hereinbefore provided herein.

Passed the Senate March 6, 1903.

Passed the House March 12, 1903.

Approved by the Governor March 16, 1903.