

and fixing their compensation," approved February 4, 1886, the same being section 231 of volume 1 of Hill's Annotated Statutes and Codes of Washington, be and the same hereby is amended so as to read as follows: Section 14 (231). When any prosecuting attorney fails, from sickness or other cause, to attend a session of the superior court of the county for which he was elected or is unable to perform his duties at such session, the court or judge may appoint some qualified person to discharge the duties of such session, and the person so appointed shall receive a compensation to be fixed by the court, to be deducted out of the stated salary of such prosecuting attorney, not exceeding, however, one-fourth of the quarterly salary of such prosecuting attorney: *Provided*, That in counties wherein there is no person qualified for the position of prosecuting attorney, or wherein no qualified person will consent to perform the duties of that office, the judge of the superior court of that county shall appoint some suitable person, a duly admitted and practicing attorney at law and resident of the State of Washington, to perform the duties of prosecuting attorney for such county, and he shall receive such reasonable compensation for his services as shall be fixed and ordered by the court, the same to be paid by the county for which such services are performed.

Approved March 7, 1893.

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## CHAPTER LIII.

[H. B. No. 285.]

### MEASUREMENT OF LOGS.

AN ACT to amend section 2650 of the Code of Washington of 1881, relating to the scalement and measurement of logs, and declaring an emergency.

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

SECTION 1. That section 2650 of the Code of Washington of 1881, as amended by an act of the legislative assem-

bly of the Territory of Washington, approved November 26, 1883, entitled "An act to amend chapter 207 of the code of said territory relative to the inspection and measurement of logs, and the formation of lumber districts," the same being section 2356 of volume 1 of Hill's Annotated Statutes and Code[s] of the State of Washington, be amended to read as follows: Sec. 2650. When any logs cut, boomed or rafted, in any of the lumber districts herein designated, shall have been scaled or measured as herein provided, the scale bill of such measurement made and certified as herein provided, shall be delivered to the owner of the logs scaled or measured, and it shall constitute the basis by which the quantity of such logs shall be determined, and unless the purchaser shall dispute the correctness of such scale bill so certified as provided by section 2647 of the code of 1881, and cause such boom or raft to be again scaled and the quantity agreed upon before such boom or raft has been removed from the place where the logs were boomed or rafted, said purchaser shall be estopped from disputing the quantity contained in said boom or raft, as shown by such scale bill and certificate.

SEC. 2. Whereas, an emergency exists: therefore, this act shall take effect and be in force from and after its approval by the governor.

Approved March 7, 1893.