

## CHAPTER 165.

[H. B. 263.]

## AMENDING CRIMINAL CODE AS TO BARRATRY, INTOXICATION, AND LARCENY.

AN ACT relating to crimes and punishments and amending sections 2370, 2527 and 2601 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 2370 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 2370. *Barratry.*

Every person who shall bring on his own behalf, or instigate, incite or encourage another to bring, any false suit at law or in equity in any court of this state, with intent thereby to distress or harass a defendant therein; and every person, being an attorney or counsellor at law, who shall personally, or through the agency of another, solicit employment as such attorney, in any suit pending or prospective, or, with intent to obtain such employment shall, directly or indirectly, loan any money or give or promise to give any money, property or other consideration to the person from whom such employment is sought; and every person who shall serve or send any paper or document purporting to be or resembling a judicial process, not in fact a judicial process shall be guilty of a misdemeanor; and in case the person offending is an attorney, he may, in addition thereto be disbarred from practicing law within this state.

SEC. 2. That section 2527 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 2527. *Intoxication of Employees.*

Every person who, being employed upon any railway, as engineer, motorman, gripman, conductor, switch tender, fireman, bridge tender, flagman or signalman, or having charge of stations, starting, regulating or running trains

Amends Rem.-Bal. § 2370, by adding provision as to pseudo-judicial process.

Barratry.

Penalty.

Amends Rem.-Bal. § 2527, by including highways and public places with streets.

Intoxication while operating railways, steamers, or driving vehicles.

upon a railway, or being employed as captain, engineer or other officer of a vessel propelled by steam, or being the driver of any animal or vehicle upon any public highway, street, or other public place, shall be intoxicated while engaged in the discharge of any such duties, shall be guilty of a gross misdemeanor. Penalty.

SEC. 3. That section 2601 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Amends Rem.-Bal. § 2601, by specifying property as "real or personal," in subd. 2.

Section 2601. *Larceny.*

Every person who, with intent to deprive or defraud the owner thereof—

(1) Shall take, lead or drive away the property of another; or

(2) Shall obtain from the owner or another the possession of or title to any property, real or personal, by color or aid of any order for the payment or delivery of property or money or any check or draft, knowing that the maker or drawer of such order, check or draft was not authorized or entitled to make or draw the same, or by color or aid of any fraudulent or false representation, personation or pretense or by any false token or writing or by any trick, device, bunco game or fortune-telling; or

Larceny.

(3) Having any property in his possession, custody or control, as bailee, factor, pledgee, servant, attorney, agent, employee, trustee, executor, administrator, guardian or officer of any person, estate, association or corporation, or as a public officer, or a person authorized by agreement or by competent authority to take or hold such possession, custody or control, or as a finder thereof, shall secrete, withhold or appropriate the same to his own use or to the use of any person other than the true owner or person entitled thereto; or

(4) Having received any property by reason of a mistake, shall with knowledge of such mistake secrete, withhold or appropriate the same to his own use or to the use

of any person other than the true owner or person entitled thereto; and

(5) Every person who, knowing the same to have been so appropriated, shall bring into this state, or buy, sell, receive or aid in concealing or withholding any property wrongfully appropriated, whether within or outside of this state, in such manner as to constitute larceny under the provisions of this act—

Steals such property and shall be guilty of larceny.

Passed the House March 6, 1915.

Passed the Senate March 9, 1915.

Approved by the Governor March 19, 1915.

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## CHAPTER 166.

[H. B. 74.]

### RELATING TO HORTICULTURE.

Repeals Rem.-  
Bal. §§ 3075,  
3079, 3080,  
3083-3110,  
3113, 3115-  
3117, 3119,  
3120, 3122-  
3127, 3131,  
3134-3139.

AN ACT relating to horticulture and horticultural plants and products and the protection thereof, prescribing certain rules of evidence, requiring certain contracts to be in writing, authorizing the levy and collection of taxes for horticultural purposes, providing for the enforcement of the provisions hereof by writs of mandate and injunction, authorizing counties and municipalities to aid in the enforcement hereof, validating certain expenditures heretofore made for the protection of horticultural interests, providing penalties for violations of this act and methods of collecting the cost of enforcing the same in certain cases, repealing sections 3075, 3079, 3080, 3083 to 3110 inclusive; 3113, 3115, 3116, 3117, 3119, 3120, 3122 to 3127 inclusive; 3131 and 3134 to 3139 inclusive of Remington and Ballinger's Annotated Codes and Statutes of Washington, and declaring this act shall take effect immediately.

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

SECTION 1. That the term "Commissioner" whenever used in this act shall be held and construed to mean the commissioner of agriculture of the State of Washington, and the term "assistant commissioner" and "assistant" shall be held and construed to mean the assistant commis-

Definition  
of terms  
in act.