

appear to the supervisor of banking to be obsolete or unnecessary for future reference as part of the liquidation and files of this office.

Passed the House December 8, 1925.

Passed the Senate December 17, 1925.

Approved by the Governor December 23, 1925.

CHAPTER 56.

[H. B. 57.]

TRESPASSING ANIMALS.

AN ACT relating to damages by domestic animals and amending Sections 3090, 3092 and 3093 of Remington's Compiled Statutes of Washington, being Sections 1, 3 and 4 of Chapter XXXI, Laws of 1893.

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

Amends
Pierce's
Code § 1975.

SECTION 1. That Section 3090 of Remington's Compiled Statutes of Washington, being Section 1 of Chapter XXXI, Laws of 1893, be amended to read as follows:

May be
distrained.

Section 3090. Any person suffering damage done by any horses, mares, mules, asses, cattle, goats, sheep, swine, or any such animals, which shall trespass upon any cultivated land, inclosed by lawful fence or situated within any district created pursuant to Chapter 25, Laws of 1911 and Acts amendatory thereof, may retain and keep in custody such offending animals until the owner of such animals shall pay such damage and costs, or until good and sufficient security be given for the same.

Amends
Pierce's
Code § 1977.

SEC. 2. That Section 3092 of Remington's Compiled Statutes of Washington, being Section 3 of Chapter XXXI, Laws of 1893, be amended to read as follows:

Notice of
distrainment.

Section 3092. If the owner or the person having in charge or possession such animals is unknown to the person sustaining the damage, the notice pro-

vided in the last section shall be given by posting three notices, in three public places in the neighborhood where the animals are restrained.

SEC. 3. That Section 3093 of Remington's Compiled Statutes of Washington, being Section 4 of Chapter XXXI, Laws of 1893, be amended to read as follows:

Amends
Pierce's
Code § 1978.

Section 3093. If the owner or person having such animals in charge fails or refuses to pay the damages done by such animals, and the costs, or give satisfactory security for the same within twenty-four hours from the time the notice was served, if served personally, or in case of horses, mares, mules and asses, within twenty-four hours from the time such notice was posted, if served by posting the same, and in case of cattle, goats, sheep and swine within ten days from the time of such posting, the person damaged may commence a suit, before any court having jurisdiction thereof, against the owner of such animals, or against the persons having the same in charge, or possession, when the trespass was committed, if known; and if unknown the defendant shall be designated as John Doe, and the proceedings shall be the same in all respects as in other civil actions, except as modified in this chapter. If such suit is commenced in superior court the summons shall require the defendant to appear within five days from the date of service of such summons, if served personally.

Suit for
damages.

Appearance
within five
days.

Passed the House November 30, 1925.

Passed the Senate December 17, 1925.

Approved by the Governor December 23, 1925.