

1891, to the twenty-eighth day of February, 1893, the sum of eleven thousand five hundred dollars (\$11,500); for shelving for state library and for other necessary state work, one thousand nine hundred and fifty dollars (\$1,950).

SEC. 3. Upon vouchers being properly audited and allowed by the commission, as provided in section one of this act, the state auditor is instructed to draw his warrant, and the state treasurer is instructed to pay the same, for rental and other expenses incidental to the proper carrying out of the purposes of this act: *Provided*, That the sum so expended shall not exceed the amount appropriated by this act: *Provided*, That the rent allowed the different state officers in the general appropriation bill shall be applied as a part of the appropriation here made: *Provided*, This shall not apply to the mining bureau.

Approved March 7, 1891.

---

## CHAPTER CXXXIV.

[S. B. No. 46.]

### TO REGULATE WAREHOUSE MEN, WHARFINGERS, COMMISSION MEN AND OTHERS.

AN ACT to regulate warehouse men, wharfingers, commission men and others of like character and employment, and to declare the effect of warehouse receipts, and providing penalties for violations of this act.

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

SECTION 1. That it shall be the duty of every person keeping, controlling, managing or operating, as owner or agent or superintendent of any company or corporation, any warehouse, commission house, forwarding house, mill, wharf or other place where grain, flour, pork, beef, wool or other produce or commodity is stored, to deliver to the owner of such grain, flour, pork, beef, wool or produce or commodity, a warehouse receipt therefor, bearing the full

name of those operating said houses, which receipt shall bear the date of its issuance, and shall state from whom received, the number of sacks, if sacked, the number of bushels or pounds, the condition or quality of the same, and the terms and conditions upon which it is stored.

SEC. 2. No person shall issue any receipt or other voucher, as provided for in section 1 of this act, for any grain, flour, wool, pork, beef or other produce or commodity, not actually in store at the time of issuing such receipt, or issue any receipt in any respect fraudulent in its character, either as to its date or the quantity, quality or grade of such property, or duplicate or issue a second receipt for the same, while any former receipt is outstanding for the same property, or any part thereof, without writing across the face thereof the word duplicate.

SEC. 3. No person operating any warehouse, commission house, forwarding house, mill, wharf or other place where grain, flour, pork, beef, wool or other produce or commodity is stored, shall mix any grain, flour, beef, pork, wool or other produce or commodity of different grades together, or deliver one grade for another, or in any way tamper with the same while in his possession or custody, with a view of securing any profit to himself or any other person, and in no case mix different grades together while in store: *Provided*, That nothing in this act shall be construed to prohibit any person operating any warehouse, commission house, forwarding house, mill, wharf or other place where grain, pork, wool or other produce or commodity is stored, from keeping, piling or storing any produce or commodity offered for storage separate and apart from other produce or commodity, by marking such produce or commodity in such a manner that it can be identified and delivered on presentation of the warehouse receipt or voucher which was given for same; in which case the receipt given shall designate the mark on the produce or commodity so stored.

Preserving  
identity of  
property.

SEC. 4. No person operating any warehouse, commission house, forwarding house, mill, wharf or other place of storage, shall sell, incumber, ship, transfer, or in any manner remove or permit to be shipped, transferred or removed from the place of storage at which the receipt is given, any

grain, flour, beef, pork, wool or other produce or commodity for which a receipt has been given by him as aforesaid, whether received for storing, shipping, grinding or manufacturing or other purposes, without the written consent of the holder of the receipt.

Written consent of owner.

Checks and receipts negotiable.

SEC. 5. That all checks or receipts given by any person operating any warehouse, commission house, forwarding house, mill, wharf or other place of storage, for any grain, flour, pork, beef, wool or other produce or commodity, stored or deposited, and all bills of lading, and transportation receipts of every kind, are hereby declared negotiable, and may be transferred by indorsement of the party to whose order such check or receipt was given or issued, and such indorsement shall be deemed a valid transfer of the commodity represented by such receipt, and may be made either in blank or to the order of another.

SEC. 6. That on the presentation of the receipt given by any person operating any warehouse, commission house, forwarding house, mill, wharf or other place of storage, for any grain, flour, beef, wool, pork or other produce or commodity, and on payment of all the charges due thereon, the owner shall be entitled to the immediate possession of the commodity named in such receipt, and it shall be the duty of such warehouse man, wharfinger, mill man or other person having the possession thereof, to deliver such commodity to the owner of such receipt without further expense to such owner, and without unnecessary delay.

Duty of agent.

Offense defined.

SEC. 7. That any person who shall violate any of the provisions of this act shall be liable to indictment, and upon conviction shall be fined in any sum not exceeding five thousand dollars, or imprisonment in the penitentiary of this state not exceeding five years, or both; and in case of a corporation the person acting for said corporation shall be liable for a like punishment upon indictment and conviction. And all and every person or persons aggrieved by a violation of this act may have and maintain an action at law against the person or persons, corporation or corporations violating any of the provisions of this act, to recover all damages, immediate or consequential, which he or they may have sustained by reason of such violation,

Penalty.

before any court of competent jurisdiction, whether such person shall have been convicted under this act or not.

SEC. 8. The receipt required in section 1 of this act shall be in form as follows:

Form of receipt.

No. \_\_\_\_\_ [Name of firm or company.] [Place and date.]

Received in store from [name of consignor], [quantity], gross, \_\_\_\_\_ lbs., tare, \_\_\_\_\_ lbs., net, \_\_\_\_\_ lbs. No. \_\_\_\_\_ [give here grade and name of commodity] at owner's risk of unavoidable damage, to be delivered at this warehouse, upon return of this receipt, properly endorsed, and payment of charges. This receipt negotiable when duly endorsed by consignor. Storage to [here give amount and date].

Signed, [Name of firm or company].  
[Name of agent] Agent.

Approved March 7, 1891.

## CHAPTER CXXXV.

[S. B. No. 59.]

### APPROPRIATION FOR DEFICIENCY FOR NATIONAL GUARD.

AN ACT appropriating eighteen thousand seven hundred and seventy-eight dollars and sixty-nine cents on account of a deficiency in the fund for the support of the National Guard of Washington, for the years 1889-90.

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

SECTION 1. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of "eight thousand three hundred and ninety-one dollars and fifty-five cents, and out of the military fund of any year the sum of ten thousand three hundred and eighty-seven dollars and fifty-five cents," to pay a deficiency now existing in the fund for the support and maintenance of the National Guard of Washington.

SEC. 2. Upon presentation of proper vouchers, duly audited and allowed by the board of military auditors, the