

## CHAPTER XXXV.

[S. B. No. 298.]

TO PREVENT THE CREATION OF DEFICIENCIES IN  
PUBLIC INSTITUTIONS.

AN ACT relating to deficiencies in public institutions and departments of this state, and providing a penalty for the violation thereof, and declaring an emergency.

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

Deficiencies  
unlawful.

SECTION 1. That it shall be unlawful for any of the state officers or trustees, managers, directors, superintendents or boards of commissioners of any of the public institutions of the State of Washington, or for the officers of any of the departments of the State of Washington, to create a deficiency, incur liability, or to expend a greater sum of money than is appropriated by the legislature for the use of said public institution or department.

Individual  
liability.

SEC. 2. Any officer, trustee, manager, director, superintendent or commissioner, enumerated in section one of this act, who shall violate the provisions of this act by creating a deficiency, incurring a liability, or expending a greater sum than is appropriated by the legislature for any public institution or department of this state in any one year, shall be individually liable for the same, and shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding one thousand dollars.

Liability  
on bond.

SEC. 3. Any person, co-partnership or corporation with whom a liability is attempted to be incurred or debt contracted by such officers, trustees, managers, directors, superintendents or commissioners in violation of the provisions of this act shall have a cause of action against such officers, trustees, managers, directors, superintendents or commissioners so violating the provisions of this act, and against the sureties on their official bonds for the full amount of such liability incurred or debt contracted.

Exceptions.

SEC. 4. In case of an emergency requiring an expenditure of a greater sum than the amount appropriated by the legislature for the insane asylum, reform school, sol-

diers' home, school for defective youth, and penitentiary in any one year, the trustees, managers, directors, superintendents or commissioners of said institutions may, on written advice and consent of the governor, state auditor, secretary of state, treasurer and attorney general, incur such liability for maintenance only, as circumstances may require.

SEC. 5. An act entitled "An act to prevent the making of deficiencies in the public institutions and departments in the State of Washington, and providing for an emergency board," approved March 8, 1893, is hereby repealed.

SEC. 6. An emergency exists for the immediate operation of this act: therefore, this act shall take effect and be in force from and after its passage and approval by the governor.

Passed the senate February 26, 1895.

Passed the house March 2, 1895.

Approved March 7, 1895.

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## CHAPTER XXXVI.

[H. B. No. 25.]

### RELATING TO VERDICTS IN CIVIL CASES.

AN ACT providing for the finding and return of verdicts in civil cases by ten or more jurors.

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

SECTION 1. That in all trials by juries of twelve in the superior court, except criminal trials, when ten of the jurors agree upon a verdict, the verdict so agreed upon shall be signed by the foreman, and the verdict shall stand as the verdict of the whole jury, and have all the force and effect of a verdict agreed to by twelve jurors.

SEC. 2. That when the verdict is returned into court either party may poll the jury, and if ten of the jurors answer that it is the verdict said verdict shall stand. In