

Immigration  
agent.

for deputy and other incidental expenses of the bureau shall not exceed the sum of three thousand (\$3,000) dollars any one year. The commissioner shall have the authority to employ one person to act as immigration agent, which agent shall reside in such city as said commissioner may designate, and he shall be provided with such literature and incidental accessories as in his judgment may be necessary.

Appropriation.

SEC. 8. The sum of four thousand (\$4,000) dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated for the expenses of the bureau for the first two years after its organization.

SEC. 9. An emergency is declared to exist: therefore, this act shall take effect and be in force from and after the date of its passage and approval by the governor.

Passed the house March 14, 1895.

Passed the senate March 14, 1895.

Approved March 19, 1895.

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## CHAPTER LXXXVI.

[H. B. No. 112.]

### AMENDING ACT PROVIDING FOR COMMENCEMENT OF CIVIL ACTIONS.

AN ACT to amend sections 1, 10, 11 and 15 of "An act to provide for the manner of commencing civil actions in the superior courts, and to bring the same to trial," approved March 15, 1893.

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

Summons,  
how served.

SECTION 1. That section one of an act entitled "An act to provide for the manner of commencing civil actions in the superior courts, and to bring the same to trial," approved March 15, 1893, be and the same is hereby amended to read as follows: Civil actions in the several superior courts of this state shall be commenced by the service of a summons, as hereinafter provided, or by filing a complaint

with the county clerk as clerk of the court: *Provided*, That unless service has been had on the defendant prior to the filing of the complaint, the plaintiff shall cause one or more of the defendants to be served personally, or commence service by publication within ninety days from the date of filing the complaint.

SEC. 2. That section ten of an act entitled "An act to provide for the manner of commencing civil actions in the superior courts, and to bring the same to trial," approved March 15, 1893, be and the same hereby is amended to read as follows: The publication shall be made in a newspaper printed and published in the county where the action is brought (and if there be no newspaper in the county, then in a newspaper printed and published in an adjoining county, and if there is no such newspaper in an adjoining county, then in a newspaper printed and published at the capital of the state) once a week for six consecutive weeks: *Provided*, That publication of summons shall not be had until after the filing of the complaint, and the service of the summons shall be deemed complete at the expiration of the time prescribed for publication as aforesaid. The summons must be subscribed by the plaintiff or his attorney or attorneys. The summons shall contain the date of the first publication, and shall require the defendant or defendants upon whom service by publication is desired, to appear and answer the complaint within sixty days from the date of the first publication of such summons; and said summons for publication shall also contain a brief statement of the object of the action. Said summons for publication shall be substantially as follows:

Notice by publication.

*In the superior court of the State of Washington for the county of.....*

.....; *Plaintiff*,

*vs.*

No.....

....., *Defendant*.

The State of Washington to the said (naming the defendant or defendants to be served by publication):

Summons, form of.

You are hereby summoned to appear within sixty days after the date of the first publication of this summons, to wit, within sixty days after the..... day of....., 1.....,

and defend the above entitled action in the above entitled court, and answer the complaint of the plaintiff....., and serve a copy of your answer upon the undersigned attorneys for plaintiff....., at his (or their) office below stated; and in case of your failure so to do, judgment will be rendered against you according to the demand of the complaint, which has been filed with the clerk of said court. (Insert here a brief statement of the object of the action.)

..... ,  
*Plaintiff's Attorneys.*

P. O. address.....

County .....

Washington.

Personal  
 service.

SEC. 3. That section 11 of "An act to provide for the manner of commencing civil actions in the superior courts, and to bring the same to trial," approved March 15, 1893, be and the same is hereby amended to read as follows: Personal service on the defendant out of the state shall be equivalent to service by publication, and the summons upon the defendant out of the state shall contain the same as personal summons within the state, except it shall require the defendant to appear and answer within sixty days after such personal service out of the state.

Jurisdiction.

SEC. 4. That section 15 of "An act to provide for the manner of commencing civil actions in the superior courts, and to bring the same to trial," approved March 15, 1893, be and the same is hereby amended to read as follows: From the time of the commencement of the action by service of summons, or by the filing of a complaint, or as otherwise provided, the court is deemed to have acquired jurisdiction and to have control of all subsequent proceedings. A voluntary appearance of a defendant is equivalent to a personal service of the summons upon him.

Passed the house March 1, 1895.

Passed the senate March 14, 1895.

Approved March 19, 1895.