

CHAPTER XC.

[H. B. No. 396.]

REALTING TO LIENS ON SAW LOGS, ETC.

AN ACT amending section 12 of an act entitled "An act providing liens upon saw logs, spars, piles or other timber, and upon lumber and shingles, and concerning the remedy to secure and obtain such liens, and the benefit thereof, and the manner and the procedure of obtaining the same," approved March 15, 1893.

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

SECTION 1. That section 12, chapter CXXXII. of the Amendment. laws of the State of Washington, approved March 15, 1893, being section 5941 of Ballinger's Codes and Statutes, be and the same is hereby amended to read as follows: "Section 12. The sheriff of the county wherein the lien is filed shall be the receiver when one is appointed, and the superior court upon a showing made shall appoint such receiver without notice, who shall be allowed such fees as may seem just to the court, which fees shall be accounted for by such sheriff as other fees collected by him in his official capacity: *Provided*, That at any time when any property is in the custody of such sheriff under the provisions of this act, and any person claiming any interest therein, may deposit with the clerk of the court in which such action is pending, a sum of money in an amount equal to the claim sued upon, together with one hundred (\$100) dollars, to cover costs and interest, (unless the court shall make an order fixing a different amount to cover such costs and interest, then such an amount as the court shall fix to secure such costs and interest, which such action is being prosecuted) and shall have the right to demand and receive forthwith from such sheriff the possession and custody of such property: *Provided*, That in no action brought under the provisions of this act shall costs be allowed to lien holders unless a demand has been made for payment of his lien claim before commencement of suit, unless the court shall find the claimants at time of bringing action had reason-

able ground to believe that the owner or the person having control of the property upon which such lien is claimed was attempting to defraud such claimant, or prevent the collection of such lien.

Passed the House February 27, 1899.

Passed the Senate March 9, 1899.

Approved March 13, 1899.

CHAPTER XCI.

[H. B. No. 95.]

APPOINTMENT GUARDIAN AD LITEM OF INSANE PERSONS.

AN ACT relating to the appointment of guardian *ad litem* of insane persons.

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

SECTION 1. When an insane person is a party to an action in the superior courts he shall appear by guardian, or if he has no guardian, or in the opinion of the court the guardian is an improper person, the court shall appoint one to act as guardian *ad litem*. Said guardian shall be appointed as follows :

1. When the insane person is plaintiff, upon the application of a relative or friend of the insane person.

2. When the insane person is defendant, upon the application of a relative or friend of such insane person, such application shall be made within thirty days after the service of summons if served in the State of Washington, and if served out of the state or service is made by publication, then such application shall be made within sixty days after the first publication of summons or within sixty days after the service out of the state. If no such application be made within the time above limited, application may be made by any party to the action.

Passed the House February 2, 1899.

Passed the Senate March 9, 1899.

Approved March 13, 1899.