

Section 5. At such first meeting, including any necessary or reasonable adjournment, an organization shall be effected by the choice by ballot of a temporary secretary, and by the adoption of by-laws, and the election of a president, secretary, treasurer and a board of trustees, not less than three nor more than twenty-five in number, and such other officers as may be provided for by the by-laws. At such first meeting no person shall be eligible as an officer or trustee who has not subscribed to the agreement of the association, but any corporation now or hereafter organized under this act, may, by a by-law, increase or diminish the number of trustees, within the limits hereinbefore provided. The temporary secretary shall make and attest a record of the proceedings until the secretary has been chosen.

Passed the Senate February 23, 1905.

Passed the House March 8, 1905.

Approved by the Governor March 9, 1905.

CHAPTER 126.

(S. B. No. 93)

REQUIRING WEIGHING OF CARS LOADED WITH LUMBER AT JUNCTION OR COMMON POINTS.

AN ACT requiring railroad companies to weigh cars loaded with lumber, shingles and other forest products at junction points, and at some common point or points, and fixing penalty; repealing Chapter CXLIV, Session Laws of 1901.

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

SECTION 1. That all railroad companies operating as common carriers within the limits of this State, shall hereafter be required to provide scales, and weigh at junction or at some common point within this State all cars loaded with lumber, shingles or other forest products for shipment.

Scales at junctions.

Charges—
how based.

SEC. 2. All charges for freight on said commodities, except where error is apparent, shall be based on the weights determined by the weighing stations within the limits of this State, and all bills of lading of railroad companies operating within the limits of this State shall specify these pro-

visions: *Provided*, This act shall not apply to switching charges or to the handling of logs where the charges is by the car or by the thousand feet.

SEC. 3. Any railroad company's employe acting as ^{Statement of railroad company.} weigher shall upon request of any shipper give him a statement showing gross and net weight of any shipment by him. Sworn count and weight of shipper shall be presumptive evidence of true weight where error in railroad weights is apparent.

SEC. 4. All cars shall be weighed on the scales separately, ^{Separate weighing.} and not attached to other cars, and at a stand-still.

SEC. 5. In case of violation of the provisions of this act by any railroad company, it shall pay a penalty of twenty dollars (\$20) for every car it shall neglect to weigh and bill within the State as above provided, to be recovered from such company in action where there is any agent of such railroad company who may be served with process, and the penalties recovered under this act shall be paid into the county treasury in such county where action is taken. ^{Penalty for violation.}

SEC. 6. Nothing contained in this bill shall interfere with the right of the shipper and carrier to enter into a private contract regarding weights when it is impracticable to weigh.

Passed the Senate February 27, 1905.

Passed the House March 9, 1905.

Approved by the Governor March 9, 1905.