

real estate hereinafter described, which real estate was attempted to be conveyed to the State of Washington by deed on the 18th day of November, 1935, and was recorded in volume 547 on page 413 of deeds, in the office of the auditor of Pierce county, Washington, on November 21, 1935, but for which deed no consideration has ever been paid by the State of Washington due to the fact that said deed was made in error and the same now constitutes a cloud upon the title to said land. Said land contains five (5) acres more or less and is described as follows:

Beginning at a point 1924.80 feet due west from the section corner between sections 20, 19, 29 and 30; thence south 523.55 feet; thence east 416.0 feet; thence north 523.55 feet; thence west 416.0 feet to the point of beginning, in section 29, township 22 North, Range 1 E. W. M., all being situated in Pierce county, State of Washington.

Passed the Senate March 4, 1937.

Passed the House March 10, 1937.

Approved by the Governor March 13, 1937.

CHAPTER 127.

[S. B. 84.]

LIMITATION OF ACTIONS.

AN ACT relating to limitation of actions, and amending section 159, Remington's Revised Statutes.

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

SECTION 1. That section 159, Remington's Revised Statutes, be and the same is hereby amended to read as follows:

Section 159. *Within Three Years.*

Within three years:

1. An action for waste or trespass upon real property;

Amends
§ 159 Rem.
Rev. Stat.
(§ 8166 P. C.)

Within
three
years.

Waste and
trespass.

2. An action for taking, detaining, or injuring personal property, including an action for the specific recovery thereof, or for any other injury to the person or rights of another not hereinafter enumerated;

Personal property.

3. An action upon a contract or liability, express or implied, which is not in writing, and does not arise out of any written instrument;

Contract not in writing.

4. An action for relief upon the ground of fraud, the cause of action in such case not to be deemed to have accrued until the discovery by the aggrieved party of the facts constituting the fraud;

Fraud.

5. An action against a sheriff, coroner, or constable upon a liability incurred by the doing of an act in his official capacity and by virtue of his office, or by the omission of an official duty, including the nonpayment of money collected upon an execution; but this subdivision shall not apply to action for an escape;

Sheriff, coroner, constable.

6. An action against an officer charged with misappropriation or a failure to properly account for public funds intrusted to his custody; an action upon a statute for penalty or forfeiture, where an action is given to the party aggrieved, or to such party and the state, except when the statute imposing it prescribed a different limitation: *Provided, however,* The cause of action for such misappropriation, penalty or forfeiture, whether for acts heretofore or hereafter done, and regardless of lapse of time or existing statutes of limitations, or the bar thereof, even though complete, shall not be deemed to accrue or to have accrued until discovery by the aggrieved party of the act or acts from which such liability has arisen or shall arise, and such liability, whether for acts heretofore or hereafter done, and regardless of lapse of time or existing statute of limitation, or the bar thereof, even though complete, shall exist and be enforceable for three years after

Penalty or forfeiture.

discovery by aggrieved party of the act or acts from which such liability has arisen or shall arise: *Provided, further,* That no action heretofore barred under the provisions of this paragraph shall be commenced after ninety days from the time this act becomes effective;

Seduction or
breach of
promise.

7. An action for seduction and breach of promise to marriage.

Passed the Senate February 16, 1937.

Passed the House March 8, 1937.

Approved by the Governor March 15, 1937.

CHAPTER 128.

[S. B. 236.]

REHABILITATION SERVICE FOR DISABLED WAR VETERANS.

AN ACT relating to the relief of soldiers, sailors and marines of the disabled American veterans and their families; and making appropriation therefor; and declaring an emergency.

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

Appropriation.

SECTION 1. There is hereby appropriated from the general fund of the State of Washington the sum of five thousand dollars (\$5,000) to be turned over to the Disabled American Veterans of the World War organization for the maintenance of the rehabilitation service to assist war veterans in the prosecution of their equitable claims for compensation on the basis of disabilities of service origin.

Funds expended for
rehabilitation
work only.

SEC. 2. That no elective or appointed officer of said veterans' organization or department officer shall receive any compensation and that no financial aid shall be allowed for the operation of their department office. All funds herein appropriated must be expended for rehabilitation work only.