

Commissioners provide office.

nated by the County Commissioners, and paid in the same manner and at the same time as said justices. The Board of County Commissioners may allow justices of the peace in cities of over 10,000 population and less than 100,000 population, one clerk, and the Board of County Commissioners shall furnish for the use of each of the justices provided for in this chapter a suitable office room; and also, they shall furnish to each of the said justices and constables all necessary books, blanks and stationery for conducting the public business of his office; said office room, books, blanks, and stationery to be paid for on the warrant of the Auditor out of the general fund of the county.

Passed the House February 1, 1943.

Passed the Senate February 17, 1943.

Approved by the Governor February 23, 1943.

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## CHAPTER 22.

[ H. B. 52. ]

### ACTIONS COVERING DAMAGES TO REAL PROPERTY.

AN ACT relating to actions against guardian or tenant, for damages, forfeiture and eviction for committing waste on real property; and amending section 601, Code of Washington Territory, 1881 (section 938, Remington's Revised Statutes; section 8556, Pierce's Code).

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

Amendments.

SECTION 1. Section 601, Code of Washington Territory, 1881 (section 938, Remington's Revised Statutes; section 8556, Pierce's Code) is hereby amended to read as follows:

Action for committing waste.

Section 601. If a guardian, tenant in severalty or in common, for life or for years, or by sufferance, or at will, or a sub-tenant, of real property commit waste thereon, any person injured thereby may

maintain an action at law for damages therefor against such guardian or tenant or sub-tenant; in which action, if the plaintiff prevails, there shall be judgment for treble damages, or for fifty dollars (\$50), whichever is greater, and the court, in addition may decree forfeiture of the estate of the party committing or permitting the waste, and of eviction from the property. The judgment, in any event, shall include as part of the costs of the prevailing party, a reasonable attorney's fee to be fixed by the court. But judgment of forfeiture and eviction shall only be given in favor of the person entitled to the reversion against the tenant in possession, when the injury to the estate in reversion is determined in the action to be equal to the value of the tenant's estate or unexpired term, or to have been done or suffered in malice.

Treble damages.

Forfeiture and eviction.

Attorney fee.

Passed the House February 5, 1943.

Passed the Senate February 17, 1943.

Approved by the Governor February 23, 1943.

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## CHAPTER 23.

[ H. B. 60. ]

### RECORDING OF INSTRUMENTS CONCERNING REAL PROPERTY.

AN Act relating to the recording of instruments concerning real property and amending section 10 of chapter 278 of the Laws of 1927 (section 10596-10 of Remington's Revised Statutes).

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

SECTION 1. That section 10 of chapter 278 of the Laws of 1927, being section 10596-10 of Remington's Revised Statutes, be amended to read as follows:

Amendments.

Section 10. A recording officer, upon payment or tender to him of the lawful fees therefor, shall record in his office any instrument authorized or

Officer shall record.