

CHAPTER LXXVI.

[H. B. No. 416.]

EXEMPTING CERTAIN MONEYS FROM EXECUTION.

AN ACT to exempt from execution and attachment certain insurance moneys.

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

SECTION 1. That whenever property, which by the laws of this state is exempt from execution or attachment, is insured and the same is destroyed by fire, then the insurance money coming to or belonging to the person thus insured, to an amount equal to the exempt property thus destroyed, shall be exempt from execution and attachment.

Passed the house March 4, 1895.

Passed the senate March 13, 1895.

Approved March 19, 1895.

CHAPTER LXXVII.

[H. B. No. 268.]

RELATING TO COUNTY SURVEYORS.

AN ACT relating to county surveyors, defining their powers and regulating their duties.

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

SECTION 1. The county surveyor of each organized county shall be elected at the general election for the term of two (2) years, and shall give bond to the people of this state in the penal sum of two thousand dollars, with two sureties to be approved by the county commissioners, conditioned for the faithful and impartial discharge of the duties of his office.

SEC. 2. The county surveyor shall appoint only such Appointment of deputies. deputies as he shall find necessary for the proper discharge of the duties of the office, which appointment and revoca-

tion thereof shall be in writing, under his hand, and filed with the county auditor; and such deputy shall take the constitutional oath of office; and for the faithful performance of the duties of their office by such deputies the county surveyor shall be responsible, and they shall receive the statutory compensation for surveyors.

Duty of surveyor and deputies.

SEC. 3. The certificate of the county surveyor, or his deputy, of any survey made by him of any lands in the county shall be presumptive evidence of the facts therein contained, unless such surveyor or deputy shall be interested therein. The county surveyor, in person or by deputy, shall make and execute all surveys, and shall be engineer in charge of all construction within his county required by the county commissioners, or by order of any court, or by application of any person therefor: *Provided*, That nothing contained in this section shall constrain the county commissioners to place the county surveyor in charge of engineering work if they, for any cause, believe him incompetent to take charge of such work.

Disqualification.

SEC. 4. Whenever a survey may be required of any land in which the county surveyor, or either of his deputies, shall be interested, or when, from any cause, there shall be no surveyor or deputy surveyor of the county to be found, or able to act, such survey may be made by any surveyor the county commissioners may appoint.

Records kept.

SEC. 5. Each county surveyor shall record in a suitable book all surveys made by him and his deputies, except such as are made for a temporary purpose, and surveys of highways and village plats; and he shall make a complete record of all construction notes, and shall also record the survey of any other surveyor, which shall be made in his county, whenever demanded by any person: *Provided*, The fees for recording the same shall be paid the same as provided for county auditors: *Provided further*, That such survey appears to have been made in accordance with the laws of the state. The record book shall be so constructed as to have one page for diagrams, to be numbered progressively, and the opposite page for notes and remarks; and no diagram shall be so constructed as to scale less than one inch to twenty chains. The course and distance of all

Diagrams, what to contain.

lines run, and the number of acres contained in each piece of land surveyed, shall be entered on the diagram of any section subdivided according to the survey thereof, and shall be considered part of the record. The record shall show in addition the time when, the name of any person by whom, and the person for whom such survey was made, a description of all witness trees marked on the survey, with their respective courses and distances, and the variation of the magnetic from the true meridian. He shall make an index to such record book, referring in suitable manner to each survey so recorded.

SEC. 6. When the term of office of any county surveyor shall expire, or he shall resign or be removed, he shall deliver over all the books and papers relating to his office to his successor therein; and any county surveyor who, on the expiration of his term of office, or on his resignation or removal, shall neglect for the space of one month after his successor shall be elected or appointed, and qualified, to deliver such books and papers as aforesaid, and any administrator of any deceased county surveyor who shall neglect for the space of one month to deliver to such successor all such books and papers which shall come to his hands, shall forfeit and pay a sum not less than ten nor more than fifty dollars, and a similar sum for every month thereafter during which he shall so neglect to deliver the same as aforesaid.

Books delivered to successor.

SEC. 7. Every chainman and marker employed in making surveys, pursuant to the provisions of this chapter, shall first take an oath that he will faithfully discharge his duties as such, which oath the county surveyor, or the deputy making the survey, is hereby authorized to administer.

Chainmen.

SEC. 8. All field notes, construction notes and plats of surveys heretofore executed for and now in possession of the county, and not heretofore recorded in the surveyor's office, shall be collected by the surveyor, perfected and recorded in his office in the same manner as records of surveys are required to be made by the provisions of this act.

Retroactive duties.

SEC. 9. Whenever a majority of the resident owners of any section or part or parts of any section of land in this

Location and relocation of corners.

state, after having given at least ten days' notice to all other persons, or to their agents, holding land in the same section or part or parts of the section, as the case may be, who reside in the township, shall desire to have their corners and lines, or any of them, established, re-located or perpetuated, such surveyor shall proceed to make the required surveys, and the expense thereof shall be borne by all the persons benefited in proportion to the amount of work done for each, to be determined by the surveyor; and if any person thus benefited, whether a non-resident or otherwise, shall refuse or neglect to pay his share of such expense, such surveyor shall certify the same, and to whom due, to the county assessor, who shall assess it upon the land of such person, to be collected in the same manner as other taxes, and held subject to the order of the person named in the surveyor's certificate as being entitled to the same.

Office, where
located.

SEC. 10. The county surveyor shall keep his office at the county seat in such room or rooms as are provided by the county, and he shall be furnished with all necessary cases and other suitable articles, and also with all blank books and blanks necessary to the proper discharge of his official duties. The records and books in the county surveyor's office shall be public records, and shall at all proper times be open to the inspection and examination of the public.

SEC. 11. Whereas, the laws defining the powers and regulating the duties of county surveyors are inadequate and incomplete, an emergency is declared to exist, and this act shall take effect and be in force from and after its passage and approval by the governor.

Passed the house March 2, 1895.

Passed the senate March 13, 1895.

Approved March 19, 1895.