

CHAPTER 141.

[S. B. 167.]

FISHING LOCATIONS.

AN ACT relating to fisheries and amending Section 5679 of Remington's Compiled Statutes of the State of Washington, 1922, said Section 5679 being Section 27, of Chapter 31, of Session Laws of the State of Washington, for 1915, and which act is known as Fisheries Code.

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

SECTION 1. That section 5679 of Remington's Compiled Statutes of the State of Washington, 1922, and being section 27, chapter 31 of Fisheries Laws of the State of Washington, for 1915, known as the Fisheries Code, be, and the same hereby is amended to read as follows:

Amends
§ 5679, Rem.
Comp. Stat. ;
§ 27, ch. 31,
Laws of
1915.

Section 5679. Any person, firm or corporation occupying or desiring to occupy any fishing location where it may be lawful to construct a pound net, trap or set-net in the waters of the state, shall cause such location to be accurately surveyed by a competent civil engineer, unless a survey thereof has already been made, in which event such existing survey may be used, and shall cause a location map to be made of such location from the actual survey thereof, which shall contain a plat and description of said fishing location sufficient for its ascertainment and identification on the premises. It shall also contain a certificate by the claimant, or by his agent or attorney, stating that he claims the fishing location shown thereon, specifying the date and number of the license under which the same is held and containing the postoffice address of the claimant. Such map, with the certificate thereon, shall be filed in the office of the county auditor of the county in which such fishing location is situated, and a duplicate copy thereof in the office of the director of fisheries of the

Survey of
location.

Location
map.

Certificate
of claimant.

Filed.

Constitutes
notice of
occupancy.

State of Washington. From and after the date of filing in the office of the county auditor, such map shall constitute full and complete notice that such location is owned, held, occupied and claimed by the person, firm or corporation designated thereon as the claimant. It shall be the duty of the county auditor and the director of fisheries in whose offices any such map may be offered for filing to receive and keep the same on file. They shall also keep an index to all such maps, showing the hour and date of filing names of the claimants and serial number of the maps, in the order filed, all of which shall be indorsed on the maps when filed. No informality or omission on the part of such public officers shall impair or prejudice the right of any claimant of such fishing location.

Index to
filings.

Exclusive
right to
occupancy.

From and after filing such map the claimant of the location thereon shown, his heirs, administrators, successors and assigns shall have the exclusive right to hold, occupy and fish such location, to renew the license therefor, and to mortgage, sell and transfer the same during the time that he or they in other respects shall comply with the law pertaining thereto.

Location
under ex-
isting law.

It shall not be necessary to file any map or plat of any location heretofore made under existing laws in any case where any map has heretofore been filed: *Provided*, That all pound-nets, fish-trap, set-net, or other fishing locations heretofore made by locators or owners thereof in accordance with existing laws shall be unaffected and unimpaired by any of the provisions of this section, and any location legal when established shall continue valid under the provisions of this act, and the locators or owners of such previously established locations shall continue to occupy, own, hold and enjoy the same, and may mortgage, sell, transfer and lease the same, with the right to renew their licenses therefor in the same

manner and with the same legal effect as though said locations had been established under the provisions of this act. Any person, firm or corporation being the owner, holder or occupant of any trap or pound-net location in the Columbia River, Grays Harbor, or Willapa Harbor, shall, within ninety days after this act takes effect, file with the auditor of the county in which their said locations are situated, a location map as hereinbefore provided in this section, and a copy of the same in the office of the director of fisheries of the State of Washington.

Columbia
River, Grays
Harbor,
Willapa
Harbor.

From and after filing such map the claimant of the location thereon shown, his heirs, administrators, successors and assigns shall have the exclusive right to hold, occupy and fish such location, to renew the license therefor, and to mortgage, sell, lease and transfer the same during the time that he or they in other respects shall comply with the law pertaining thereto.

Exclusive
right.

Provided, however, That where a map or plat has been filed as hereinabove specified and the location has not been abandoned and is still occupied or used by the original owner, his heirs, administrators, executors, successors or assigns, the present owner and/or holder of said location, his heirs, administrators, executors, successors and assigns, may move the location of said pound net, trap or set net a distance of not to exceed one hundred feet in any direction from the original location: *Provided, however,* That in so doing the new location shall not interfere with the present lawful end or lateral passageway of any adjoining pound net, trap or set net in the same waters; and the new location shall leave at least an end passageway of at least 30 feet and a lateral passageway of at least 900 feet between the amended location and all other pound net traps, or set nets theretofore located in the same waters.

Location
moved.

That in order to move or change said location the original owner, his heirs, administrators, executors,

Change in
location.

Amended
map.

successors and/or assigns, may file an amended map or plat showing the new or amended location, and which amended map or plat shall be filed as is in this section hereinabove provided for the filing of a map or plat; and upon the filing of said amended map or plat it shall have the same force and effect as did and does the filing of the original location of a pound net, trap or set net, and shall have the same effect and have the same priority as the original map or plat of location.

Vetoed.

SEC. 2. This act is necessary for the immediate support of the state government, and for the immediate preservation of the public peace, health and safety, and shall take effect immediately.

Passed the Senate March 5, 1931.

Passed the House March 10, 1931.

Approved by the Governor, except section 2, which is vetoed, March 23, 1931.

CHAPTER 142.

[S. B. 163.]

INCORPORATION OF INSURANCE COMPANIES.

AN ACT relating to the incorporation of insurance companies, and amending Section 85 of Chapter 49 of the Laws of 1911.

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

SECTION 1. That section 85 of chapter 49 of the Laws of 1911, pages 223 to 226, as amended by section 1 of chapter 107 of the Laws of the Extraordinary Session of 1925, pages 161 to 164, (section 7130 of Remington's Compiled Statutes) be amended to read as follows:

Section 85. The following number of citizens of the United States, two-thirds of which number shall be residents of the State of Washington, may incorporate a company as follows: For a stock company,

Amends § 85,
ch. 49, Laws
of 1911; § 1,
ch. 107, Ex.
Laws of
1925; § 7130,
Rem. Comp.
Stat.

Incorporators,
number.