

CHAPTER CLII.

[H. B. No. 287.]

TO PROVIDE FOR APPOINTMENT OF AN AGENT OF THE STATE.

AN ACT to provide for the appointment of an agent to prosecute the claims of the State of Washington against the United States, and to procure payment of moneys due said state from the United States on account of public lands disposed of by the United States in the said State of Washington; also to present and prosecute the claims of the State of Washington for school lands due the said state from the United States; also to prosecute the claims of the State of Washington against the United States for moneys due the said state on account of expenses incurred in organizing troops for the military service of the United States, and for material and supplies furnished the same, and on account of Indian depredations.

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

Governor to appoint.

SECTION 1. That the governor of this state be and he is hereby authorized and empowered to appoint, with the advice and consent of the senate, an agent for the State of Washington, who shall be a citizen of said state, whose duty it shall be to prosecute to final decision in the proper departments of the government of the United States, or in any of the courts of the United States having jurisdiction, the claims of the State of Washington for the five per cent. due to said state from the United States for or on account of public lands within this state disposed of by the United States as Indian reservations, and by the location of military land warrants and land scrip issued for military services in the wars of the United States, and by the location of the agricultural college scrip, or by reason of any other disposal of the public lands of the United States within the State of Washington. It shall also be the duty of the said agent to prosecute to final decision all claims of the State of Washington against the United States arising out of depredations committed by the Indians, or occurring during the late war, together with all claims which this state may have against the United States for expenses incurred in organizing, equipping and maintaining troops for the public service, and for all school lands which may be due the said state from the United States on account of Indian reservations: *Provided*, That no part of the money that may be secured to the state from or on account of any of the mat-

Duty of agent.

ters mentioned in this act shall be paid such agent, but the same shall be paid to the treasurer of this state, and such agent shall have no authority to take or receive from the United States such money, or any part thereof.

SEC. 2. Before entering upon the duties of his agency ^{Bond.} such agent shall execute to the State of Washington a bond, with good and sufficient security, to be approved by the governor and auditor of state, and filed in the office of the secretary of state in the sum of twenty thousand dollars, conditioned for the faithful performance of every duty imposed by the provisions of this act.

SEC. 3. Such agent shall be allowed such compensation ^{Compensation.} for his services as may be agreed upon between the governor, auditor and attorney general of this state and himself, not to exceed ten per centum upon the amount secured to the state; and such compensation shall be paid only after the claims hereinbefore mentioned shall be paid over to the state treasurer, in whole or in part; and the amount so adjudged to be due said agent shall be paid by the treasurer on the warrant of the auditor of this state; but no part of such compensation shall be paid out of any other funds than the funds received from the claim or claims so collected; nor shall this state be otherwise liable for the payment of such compensation or any other expenses whatever attending or growing out of the prosecution of such claims.

SEC. 4. In case any lands are secured to the state for school purposes or otherwise by such agent, then he shall be paid for his services in that behalf a compensation upon the appraised valuation of such lands, such valuation to be determined by the state board of land commissioners, of not to exceed ten per centum of the valuation of the lands so secured by such agent.

Approved March 9, 1891.