

SEC. 3. When any stock shall be killed or injured by collision with a railroad train or with a railroad engine it shall be the duty of the engineer and fireman of the engine, within forty-eight hours thereafter, to report the accident to the division superintendent of the road, stating the manner of the accident, place of its occurrence and the name of the owner of the stock killed or injured, if known, and immediately upon the receipt of such report it shall be the duty of such division superintendent to transmit the same to the owner of the stock, if known, and if not known to cause the said report to be filed with the agent of the company nearest the place of the accident, to be by him kept at his office for the inspection of the public. Failure on the part of the officers or agents in this section mentioned to comply with the requirements of this section, shall subject the person or corporation owning or operating the railway to a penalty of double the market value of the stock injured or killed, to be recovered by the owner thereof in an action in the superior court of the county.

Engineer and fireman to report killing of stock.

Penalty.

SEC. 4. In all actions for injury to stock by collision with moving railway trains where the plaintiff shall recover, and in actions to recover a penalty under this act in which the plaintiff shall recover judgment, the judge shall allow a reasonable attorney's fee to be taxed as a part of the costs.

Attorney's fee.

Approved March 15, 1893.

CHAPTER CXXIX.

[S. B. No. 261.]

RELATING TO THE FILING AND CANCELLATION OF PLATS.

AN ACT amending section 2331, Code of 1881, laws of the State of Washington, relating to the filing and cancellation of plats, and declaring an emergency.

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

SECTION 1. Section 2331, Code of 1881, is hereby amended so as to read as follows: Section 2331. Every

person whose duty it may be to comply with the foregoing regulations shall at or before the time of offering such plat for record, acknowledge the same before the auditor of the proper county, or any other officer who is authorized by law to take acknowledgments of deeds, a certificate of which acknowledgment shall be indorsed on or annexed to such plat and recorded therewith. In all cases where any person or persons, corporation or corporations shall desire to file a plat, map, subdivision or re-plat of any property, or shall desire to vacate the whole or any portion of any existing plat, map, subdivision or re-plat, such person or persons, corporation or corporations must, at the time of filing the same for record or of filing a petition for vacation thereof, file therewith a certificate from the proper officer or officers who may be in charge of the collection of taxes for which the property affected may be liable at that date, that all taxes and assessments which have been levied and become chargeable against such property at such date have been fully paid, satisfied and discharged.

Deposit.

SEC. 2. That any person filing a plat subsequent to April 1st in any year and prior to the date of the collection of taxes, the said party shall deposit with the county treasurer a sum equal to an increase of twenty-five per cent. of the amount of the tax for the previous year on the property platted. The treasurer's receipt for said amount shall be taken by the auditor as evidence of the payment of the tax. The treasurer shall appropriate so much of said deposit as will pay the taxes on the said property when the tax rolls are placed in his hands for collection, and in case the sum deposited is in excess of the amount necessary for the payment of the said taxes, the treasurer shall return, to the party depositing, the amount of said excess, taking his receipt therefor, which receipt shall be accepted for its face value on the treasurer's quarterly settlement with the county auditor.

Appropriation
of part of
deposit for
payment
of taxes.

SEC. 3. All acts or parts of acts in conflict with this act shall be and the same are hereby repealed.

Emergency.

SEC. 4. An emergency is hereby declared to exist and this act shall be in force from and after its passage.

Approved March 15, 1893.