

CHAPTER LXXXIII.

[H. B. No. 68.]

PROVIDING FOR THE APPOINTMENT OF COURT COMMISSIONERS.

AN ACT relating to the appointment, powers and duties of superior court commissioners, and declaring an emergency.

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

Commissioner,
when ap-
pointed.

SECTION 1. There may be appointed from each county of this state, where there is no resident judge, by the judge or judges of the superior court having jurisdiction therein, one court commissioner for said county. Such commissioner shall be a citizen of the United States and an elector of the county in which he may be appointed, and having some knowledge of law, and shall reside at the county seat of such county, and hold his office during the pleasure of the court or judge appointing him.

Commissioner,
powers of.

SEC. 2. Every court commissioner shall have power —

1. To hear and determine all probate matters and to issue all proper orders therein. To grant defaults, and after ten days from the entry of a default by the clerk of the court, to enter judgment thereon. To issue temporary restraining orders and to perform like duties as a judge of the superior court at chambers, subject to revision by the judge of the superior court of the county.

2. To take testimony and proofs in all cases where the same is required by law, and in all matters in which information is required by the court, and report in writing his findings of facts and conclusions of law thereon to the judge of the superior court of the county.

3. To grant adjournments, administer oaths, preserve order, compel the attendance of witnesses, and to punish them for non-attendance or refusal to be sworn or to testify in the hearing of any matter before him as fully as the court or judge.

4. To administer oaths and affirmations and take affidavits and depositions in any action or proceedings in any of the courts of this state, or in any manner of proceedings whatever, and to take acknowledgments and proofs of

deeds, mortgages and all other instruments requiring proof or acknowledgment for any purpose under the laws of this state.

5. To provide an official seal, upon which must be engraved the words "court commissioner" and the name of the county in which such commissioner resides.

6. To authenticate his official acts with his official seal.

7. To charge and collect, for his own use, the same fees for the official performance of official acts mentioned in the fourth subdivision herein as are now or may hereafter be allowed to notaries public in this state for like services.

SEC. 3. Each court commissioner appointed under the provisions of this act shall be allowed a salary, in addition to the fees herein provided for, in such sum as the board of county commissioners may designate, which sum shall not exceed the amount of fifty dollars per month for the time for which said commissioner is appointed, said salary to be paid at the same time and in the same manner as the salaries of other county officers are paid.

SEC. 4. Whereas, there is no law in force in this state relating to the appointment, powers or duties of court commissioners, for which there is present necessity: therefore, 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 February 25, 1895.

Passed the senate March 14, 1895.

Approved March 19, 1895.