

## CHAPTER CXXV.

[S. B. No. 160½.]

## CREATING THE STATE BOARD OF LAND COMMISSIONERS.

AN ACT to provide for the creation of a state board of land commissioners for the management and disposition of the public lands of the state, making appropriations therefor, and declaring an emergency.

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

SECTION 1. That there be and is hereby created an executive board to be designated "Board of state land commissioners," which said board shall be composed of the commissioner of public lands as an *ex officio* member and chairman of said board, and three other members, not more than two of whom shall be members of any one political party thereof, to be appointed by the governor, to hold their office for the term of four (4) years; the said official term to begin on the first Monday of March after their appointment: *Provided*, That the first appointees under this act shall qualify and assume their official duties within thirty days after their appointment: *And provided further*, That two of the said first commissioners shall be appointed for two years and the other commissioner for the term of four years, and thereafter one commissioner shall be appointed every two years during the regular biennial session of the legislature, and shall continue in office until his successor is appointed and qualified. The said board shall choose its own secretary, who shall hold office during the pleasure of the board, and receive compensation as the board shall determine, not to exceed fifteen hundred (\$1,500) dollars.

SEC. 2. That each member of said board shall, before assuming his official duties, take and subscribe an oath to faithfully support the constitution and laws of the State of Washington, and also give a good and sufficient bond, with sureties, to be approved by the secretary of state and attorney general, in the penal sum of \$10,000 for the faith-

Board  
composed  
of whom.

Term of office.

Official oath  
and bond.

ful discharge of the duties of his said office, which said oath and approved bond shall be filed and remain in the office of the secretary.

SEC. 3. That the commissioner of public lands shall receive a salary of \$2,000 per annum and the other members of said board shall each receive a salary of \$2,000 per annum, and all the members of said board shall be repaid all expenses actually and necessarily incurred by them in the discharge of their duties as herein provided, to be paid monthly the same as the salaries and expenses of the other state officers are paid.

Salaries  
of commis-  
sioners.

SEC. 4. That the said board is hereby authorized to expend a sum of money not to exceed \$1,800 per annum for such clerical work as it may require in the performance of its official duties; and that the auditor of state is hereby authorized and required to issue his warrants for the amounts thus expended upon vouchers therefor properly authenticated by said board for the payment thereof, and also in like manner for the payment of the salaries of the members of the said board; and the treasurer of state is hereby directed to pay the same out of any moneys in the state treasury not otherwise appropriated.

Expenditures  
for clerical  
labor.

SEC. 5. That the said board of state land commissioners shall have full supervision and control, under the law, of all public lands granted to the State of Washington for common school, university and all other educational purposes; also including lands granted for charitable, reformatory and penal institutions, public buildings; and also all tide lands and harbor line areas, and all other public lands that are now or shall hereafter be owned by the State of Washington, so far as the same shall not have been disposed of, and not appropriated by law to any specific public use; and that the said board shall, from the date of its assumption of official duties, possess and exercise over all such lands and areas all the authority, power and functions, and shall perform all the duties which the state land commission, the state school land commission and the state board of equalization and appeal for the appraisalment of tide and shore lands, respectively, had and exercised, and which by law heretofore devolved upon and were the func-

Board to have  
control of all  
state and  
granted lands.

tions which they performed; and the said board of state land commissioners is hereby constituted their successor, and all the provisions of law heretofore applicable to the said state land commission, state school land commission and the state board of equalization and appeal, shall, so far as consistent with this act, be deemed, and is hereby made applicable to the said board of state land commissioners hereby created; that as soon as the said board assumes its official functions, the said "state land commission," the said "school land commission," and that the said "state board of equalization and appeal" shall, on demand, forthwith hand over to the said board of state land commission[ers] all books, records, abstracts, maps, plats, papers, accounts, implements, furniture, and all other state property in their possession or under their control, respectively, as well also as that in the office of the late harbor line commission; and that the said "state land commission," the "state school land commission," and the said "state board of equalization and appeal" shall thereupon and thenceforth cease to exist. And said board of state land commissioners shall have supervision of the selection of state and granted lands and shall provide necessary rules and regulations for the government of the selecting of such lands, and shall take all necessary steps for the confirmation and completion of the several grants to the state by the United States.

Authorization  
of the func-  
tions of the  
commis-  
sioners.

SEC. 6. That whenever there does not exist in this state any other commission authorized by law to exercise the functions of the commission mentioned and intended in article xv of the constitution of this state, the board of state land commissioners shall be such commission, and in all cases where harbor lines shall not previously have been established, shall have and exercise all powers necessary for the performance of the duties belonging to such commission, and the necessary and actual expenses of the said board, or any of its members in discharge of such duties, whether for traveling expenses or for materials, or for clerical, expert or other assistance, shall be audited by the state auditor on properly authenticated vouchers, and paid by the state treasurer on the warrant of the said auditor

out of any tide or shore land funds in the state treasury, and said board in the exercise of its functions, under said article xv of the constitution, shall be entitled to receive and have all maps, plats, books, papers, writings, accounts, vouchers, furniture, and other public property that have been heretofore in the possession of or under the control of any harbor line commission previously existing under the laws of this state. And said board of state land commissioners shall have full power and authority to expend the moneys appropriated under an act entitled "An act relating to the improvement of harbors and waterways of the State of Washington," approved March 10, '91. And all powers vested by the act last mentioned in the harbor line commission therein mentioned are hereby transferred to and devolved upon said board of state land commissioners hereby created, and said board are hereby authorized to draw warrants upon the state treasurer against the harbor improvement fund of the proper city for the amounts of all expenditures made by them in the improvement of harbors in pursuance of said act last mentioned, or of any law in force for the time being, and are hereby vested with all powers and authority necessary to carry into effect the full intent and purpose of said act and of all provisions of law relative to the improvement or leasing of harbor's areas.

SEC. 7. That in dealing with the various descriptions of land the supervision, control, management or disposition whereof is committed to said board of state land commissioners by the provisions of this act, said lands shall be dealt with according to the following classification: (1) Common school lands and lieu and indemnity lands therefor; (2) university lands and lieu and indemnity lands therefor; (3) overflowed lands and shore and tide lands; (4) harbor line areas or rims; (5) all other lands belonging to the state. And said board of state land commissioners, in dealing with said lands, shall deal with all matters and things respecting said classes separately, and shall not in any account, voucher, abstract, book or transaction intermingle matters or things pertaining to the one class with matters and things pertaining to another class: *Provided,*

Classification  
of lands.

Classes to be  
kept separate.

*however*, That the powers contemplated by this section shall be exercised subject to and in conformity with requirements of the state constitution and all applicable provisions of law in force for the time being.

Contracts  
for surveys.

SEC. 8. That the board of state land commissioners is hereby authorized to contract for any and all surveys of the lands now owned by the state, or the title to which may hereafter vest in the state, pursuant to appropriation first made by law, when surveys are necessary to divide lands in smaller tracts than government subdivisions or otherwise. All contracts for such surveys shall be let to the lowest responsible bidder, he being a competent surveyor; and the surveyor receiving such contract shall furnish a good and sufficient bond for the faithful execution of his duties in double the amount of such contract, such bond to be approved by the said board before such contract shall become binding upon the state. Surveys made under the provisions of this act shall be paid for only when the same shall have been examined and approved by the state board, and all field notes and plats of such surveys shall be filed and preserved in the office of the commissioner of public lands. All such surveys shall be made under such regulations as shall be prescribed by the said board of state land commissioners: *Provided*, That moneys heretofore paid into or deposited in the state treasury on account of surveys of tide lands shall be paid out to the persons who made the surveys, or their assigns, upon accounts approved by said state board of land commissioners, and audited by the state auditor as other bills are audited, and there is hereby appropriated for this purpose out of the fund created by such deposits in the state treasury the sum of twenty thousand dollars, or so much thereof as may be necessary, to be paid out upon warrants drawn by the state auditor.

Proviso.

Application for  
appraisalment  
and sale.

SEC. 9. That any person or company may make written application to said board for the appraisalment and sale of any of the lands of this state subject to sale. The said board of state land commissioners shall cause to be prepared blank applications containing such instructions as will inform and aid intending purchasers in making appli-

cations for the appraisalment and sale of any lands. Each application must be accompanied with a certificate of deposit or certified check upon any bank of this state, made payable to the state treasurer, and equal in amount to ten cents per acre for the land described in such application: *Provided*, That in no case shall such deposit be less than five dollars. In case the lands described in such application are sold at the time they are offered for sale, in accordance with such application, the amount of such deposit shall be returned to such applicant. If such lands be not sold at such sale, such deposit shall be forfeited to the state, and shall be so declared by the said board, and the state treasurer shall thereupon place the said forfeited money to the credit of the general fund.

SEC. 10. That when in the judgment of the board of state land commissioners a sufficient number of applications have been received for the appraisalment and sale of any of the public lands of the state, the said board shall cause any of said public land so applied for to be personally inspected as to its character, its topography, whether agricultural, timber, mineral, stone or rock quarry, or grazing; its distance from any city, town, railroad, river, irrigation ditch, or other waterways, and its location and character for irrigation purposes, when irrigation is required, and fully report the same to the said board, together with the inspector's judgment as to its present and prospective value; which said report shall be considered, and thereupon a price per acre fixed for each quarter section or subdivision thereof, which shall not be less than \$10 per acre. That the inspection of the land as provided in ~~this act~~ may be made by one of the said board, but when it is deemed advisable and for the best interest of the state, the said board may employ not to exceed two competent and trustworthy citizens, freeholders of the state, familiar with such work, to personally inspect the lands applied for as aforesaid, and report the same to the board, and if said land is timbered, the timber thereon to be reported as to quality, quantity and value. That the compensation of such inspectors shall not exceed \$5 per day for the time actually employed, and necessary expenses, which shall be

Inspection  
of lands.

Compensation  
of inspectors.

Assistant  
inspector.

submitted to the said board in an itemized and verified account to be approved by the board. That when deemed necessary an assistant inspector may be employed, who may be paid not to exceed \$3.00 per day and necessary expenses, submitted as aforesaid.

Inspectors'  
bond.

SEC. 11. That the said inspectors provided for in this act, before entering upon their duties, shall execute a bond to the State of Washington in the sum of \$5,000, conditioned to well and faithfully perform their duties as such, to be approved by the board of state land commissioners, and shall take and subscribe an oath before some officer authorized to administer oaths according to the laws of the state, as follows: "I, A B, do solemnly swear that I will well and truly perform the duties of agent of the State of Washington in inspecting and appraising lands belonging to said state, to the best of my knowledge and ability; that I will personally and carefully examine each parcel and tract of land to be listed by me, and make an appraisement and valuation of same and the timber thereon; that I am not, nor will I become, interested directly or indirectly in the sale or purchase of such lands, and that I will report every material fact connected with said lands directly to the state board of land commissioners, to enable it to determine the situation, value and character of the timber thereon, and the lands inspected by me."

Oath.

Certificate of  
appraisement.

SEC. 12. That immediately upon the appraisement as aforesaid being made of said land in any county of the state, the secretary of said board shall prepare in duplicate a certificate of such appraisement, showing the land appraised is [in] not more than quarter sections, by reference to the surveys thereof, as fixed by the said board, and certified by the commissioner of public lands; one copy of which certificate shall be forwarded by the commissioner of public lands to the auditor of the county in which said lands are situated, to be by him filed in his office as a public record for the inspection and information of the public; the other of which shall be filed and preserved in the office of the commissioner of public lands.

Notice.

SEC. 13. That upon receipt of such certificate it shall be the duty of the auditor of the county receiving the same to

immediately give notice that a certificate of such appraisal has been filed in the office of said auditor and is subject to the inspection of any person desiring to see the same. Such notice shall be given by conspicuously posting the same in a public place in the office of the county auditor.

SEC. 14. That no land granted to the state by the United States for educational purposes shall be sold otherwise than at public auction to the highest bidder, the value thereof having been, before any such sale, appraised by said board of state land commissioners, as hereinbefore provided, and no sale shall be valid unless the sum bid be equal to or more than the appraised value of the land. In estimating the value of lands, as hereinbefore provided, the value of the improvements thereon shall be excluded.

Granted lands to be sold at public auction.

SEC. 15. That at the time of making the inspection provided for in this act, the commissioner or inspectors shall note as to the land inspected every valuable growth of timber, or valuable deposit of stone or minerals, which might be advantageously sold separate and apart from the land, and every valuable deposit of coal, and shall, with such expert assistance as they shall find necessary, appraise the value of such coal, stone or mineral, and report the same to the board of state land commissioners in the report provided to be made by said section 10, and as soon as such timber shall have been inspected and reported upon to said board by the inspector, as hereinafter provided, the said board shall have power to determine that such stone or mineral or timber, or any part thereof, on any such tracts or tract shall be for sale, and the like further proceedings by said board shall be had for the appraisal of the value and for the sale of such stone or mineral or timber, as is provided in the case of appraisal or sale of the land.

Inspector to note character of land.

SEC. 16. That in every appraisal of land granted to this state for educational purposes, the board of state land commissioners shall be and serve as the board of appraisers mentioned in section 2 of article XVI of the state constitution, and in every appraisal under this act the said board shall appraise all improvements placed upon any land of the state, prior to the taking effect of this act, and found on such land at the time of the appraisal, and shall also

Improvements, waste and damages.



appraise all damages and waste done to the said land by the cutting and removal of timber, or the removal of stone or other materials by the person or persons claiming such improvements, or by his consent, and the damage to the land or materials thereon by reason of the use and occupancy of such lands, shall be considered in the appraisal; and the balance, after deducting such damages and waste appraised as aforesaid, shall be determined as the value of the improvements upon the land so appraised, and every such appraisal shall be recorded in the proceedings of the said board of state land commissioners: *Provided*, That this section shall not be considered to effect the right of the state to the value of such land: *And provided further*, That if the purchaser of such land from the state be not the owner of the improvements, he shall pay to the owner in cash, within thirty days from the day of sale of such land, the appraised value of such improvements determined in the manner hereinbefore provided. That in determining the value of such improvements, the board is hereby authorized to compel by subpoena the attendance, swear and examine witnesses as to the cost and value of such improvements, and the damage and waste as well.

Proviso.

Land may be re-advertised.

SEC. 17. That if any land offered for sale pursuant to the order of the board of state land commissioners be not bid off at the sale held thereunder, the same may again be advertised for sale as provided in section 19 [20] of this act, whenever, in the opinion of the board, it shall be expedient to do so; and such land shall be again advertised for sale, as provided in said section 20, whenever any person shall apply to said board, in writing, to have such land sold, and shall agree to bid the appraised price therefor, and shall deposit with the state treasurer at the time of making said application a sufficient sum of money to pay the cost of advertising for such sale.

SEC. 18. That all state lands excepting coal lands, tide lands and excepting such lands as shall be in whole or in part within the limits of any incorporated city, and appraised at no more than \$100 per acre, or within two miles of such limits, shall be sold on the following terms:

One-tenth to be paid on the day of sale; one-tenth on the first day of March next after the date of sale, and the balance within ten years from the date of sale: *Provided*, That any purchaser may make full payment at any time. All deferred payments shall draw interest at the rate of 6 per cent. per annum. The first installment of interest shall become due and payable on the first day of March next after the date of sale, and thereafter all interest shall become due and payable annually on the first day of March. All remittances for payment of either principal or interest must be forwarded to the commissioner of public lands and be made payable to the state treasurer. That coal lands not within said limits, or two miles thereof, shall be sold only in tracts of not less than one hundred and sixty acres, unless such land in a body is of less area, and only on the following terms: One-fifth cash, on the day of sale, and the balance of the purchase price within five days thereafter. Tracts of common school land, in whole or in part within the limits or within two miles of the limits of any incorporated city, shall be sold on the following terms: — One-fifth cash at the time of sale; one-fifth on the first day of March following said sale; one-fifth annually thereafter on the first day of March until the whole purchase price shall have been paid. All deferred payments shall draw interest at the rate of six per cent. per annum, the first installment of interest to be paid on the first day of March following the date of sale, and the balance annually on the first day of March. That all timber, stone or minerals, if sold separately from the land shall be sold for cash to the highest bidder, in lots not exceeding one hundred and sixty acres for timber, and not exceeding ten acres for stone or minerals: *Provided*, That in the judgment of the board it is for the interest of the state to sell the timber, stone or minerals separate from the land.

SEC. 19. That all purchasers of the timber, stone or minerals on state granted lands shall have power to enter upon said lands and remove such timber, stone or minerals therefrom, and shall complete such removal within a period of three years or less from the date of purchase, at the discretion of the board of state land commissioners, and if

Timber, stone  
or minerals  
removable by  
the purchaser.

not removed within the time fixed by said board, then all timber, stone or minerals sold under the provisions of this act and not so removed shall revert to the grant of lands to which they belong, and may be again sold, in like manner as provided for the original sale: *Provided*, That the timber, stone or minerals upon state land lying in or adjacent to any incorporated city, when sold, shall be removed within one year, or such less time as the board of state land commissioners shall fix, from the date of such purchase: *And provided further*, That no timber, stone or mineral shall be sold from any state land by a purchaser of any tract, until the whole purchase price of such tract shall have been paid therefor.

Notification to the auditor.

SEC. 20. That whenever the board of state land commissioners shall have determined any tract or tracts of state land, other than shore, tide or overflowed land, to be for sale, it shall, through its chairman, notify the auditor of the county in which said lands are situated, of that fact, specifying which of said lands are for sale, and order the sale thereof, and thereupon the said county auditor shall, under the direction of the said board, forthwith fix the date of sale and give notice thereof, by advertisement published once a week for six weeks next before the time he shall name in said notice, in at least one newspaper of general circulation published in said county, which notices shall specify the place and terms of sale, describing with particularity each parcel of land to be sold, and the appraiser's value thereof, and by conspicuously posting such notice in the office of the county auditor of the county wherein such lands are situated. Proof of publication shall be made by the affidavit of the publisher, or person in charge of the said paper, and by the affidavit of the person posting such notice as aforesaid, which shall be at once sent to and filed in the office of the board of state land commissioners, and the said board is hereby authorized to expend any sum of money not exceeding fifteen dollars in advertising such sale as the said board shall determine to be for the best interest of the state. Such sales shall take place on the day advertised between the hours of ten o'clock in the forenoon and four o'clock in the afternoon,

Auditor to fix date of sale and give notice thereof, by advertisement.

Proof of publication.

in front of the court house, or of the building in which the superior court is held in counties in which there is no court house, and shall be at public auction, to the highest bidder, and on the terms specified in the notice herebefore prescribed, and no land shall be sold for less than its appraised value; and that no more than two adjournments of such sale shall be had, nor any adjournment for more than one week. Such sale shall be conducted under the direction of the board of state land commissioners by the county auditor of the county in which the lands sold are situate, and such auditor shall, at once, deliver to the purchaser under his hand and seal, a memorandum of his purchase, containing a description of the land purchased, the price bid and the terms of sale, upon the delivery to such auditor, by the purchaser, of a certified check upon some bank, for an amount equal to one-tenth of the price of the land by him purchased, payable to the order of the treasurer of the State of Washington; and such auditor shall at once send to the commissioners such certified check and a copy of the memorandum delivered to the purchaser: *Provided, however,* That the powers and duties hereinbefore conferred or imposed upon county auditors may, any or all of them, be performed by any member of the board of state land commissioners when it is convenient, and is deemed advisable by said board; but the commissioner performing such or any of such duties shall not be entitled to make any charges or incur any expense in performing such duties other than in this act hereinbefore provided.

No land to be sold for less than appraised value.

SEC. 21. That the member of the said board of state land commissioners, or the county auditor, conducting the sale shall, upon making sale of any school land or stone, mineral or timber thereon, report such sale to the said board of state land commissioners, as provided in section 20 of this act, together with other information touching the same, as the said board shall have prescribed, and within thirty days from the date of the reception of such report, if no affidavit showing that the interests of the state in such sale were injuriously affected by fraud or collusion shall have [been] filed with said board, and if it shall appear from such report that the sale was fairly con-

Report of sale.

Confirmation  
of sale.

Patent.

Sale may be  
vacated, when.

ducted and that the purchaser was the highest bidder at such sale, and that his bid was not less than the appraised value of the property sold, and if the said board shall be satisfied that the land sold would not, upon being re-advertised and sold, sell for at least 25 per cent. more than the price at which it shall have been sold, and that the payment required by law to be made at the time of making sale has been made, the said board shall confirm the sale, and thereupon the chairman of the said board shall issue to the purchaser a contract of sale as in this act hereinafter provided. That when the entire purchase price of any land shall have been fully paid such fact shall be certified by the chairman of the said board to the governor, whereupon he shall cause a patent to be issued to the purchaser. Patents shall be signed by the governor and attested by the secretary of state with the seal of the state attached thereto; and need not be acknowledged, and shall be entitled to be recorded in the office of the county auditor of any county in which any land therein described is situated. That if it does not appear to the said board from the report of sale that the sale was fairly conducted, and the purchaser was the highest bidder, and that his bid was not less than the appraised value, and that proper payment has been made; or if within said thirty days an affidavit showing that the interests of the state in such sale were injuriously affected by fraud or collusion shall have been filed with the said board; or if the said board shall, within said time, be advised that the land sold would, upon being re-advertised and again sold, sell for a price 25 per cent. in excess of the price for which it shall have been sold, it shall be the duty of the said board to immediately inquire into and determine the facts in a summary manner, and thereupon confirm or vacate the said sale according as it may find the sale to have been fair and regular in all said particulars or otherwise: *Provided*, That any sale so vacated or set aside shall be so vacated or set aside within thirty days from the date of such sale; and, if it vacate the sale, it shall forthwith order a re-sale of said land. That the said re-sale shall take place in pursuance of like advertisement, as in the case of the original sale. That, whenever

a sale shall be vacated by the said board, it shall return the said certified check and also furnish a certificate of such vacation signed by the chairman thereof to the purchaser.

SEC. 22. That the time for making the payments provided for in this act, except in cases where this act prescribes cash payment, may be extended for one year by the board of state land commissioners on a satisfactory showing being made to said board, but no extension shall be granted for the payment of principal unless the interest on the whole sum due and unpaid be first paid. The purchaser of land under the provisions of this act, except in cases where this act prescribes cash payment, shall enter into and sign a contract with the state, to be signed by the commissioner of public lands, on behalf of the state, and in a form to be prescribed by the said board, in which he shall covenant that he will make the payment of principal and interest when due, and that he will pay all taxes and assessments that may be levied or assessed on such land, and that on a failure to make the payments prescribed by this act, when due and for six months thereafter, that he will, on demand of the said board or other authorized officer of the state, surrender the said premises, and upon such failure for six months all rights of the purchaser under the said contract may, at the election of said board of state land commissioners, acting for the state, and without notice to said purchaser, be declared to be forfeited, and when so declared forfeited the state shall be released from all obligation to convey the land. When the payments provided for in this act for land, stone, minerals or timber shall have been made in full the commissioner of public lands shall procure the proper deed of conveyance to be made to the purchaser, but in no case shall final deed of conveyance be issued until after all the purchaser's money has been paid. The contract provided for by this section shall be executed in duplicate, and one copy shall be retained by the purchaser and the other shall be filed in the office of the commissioner of public lands. All contracts provided for in this section shall be signed by the purchaser and also by the commissioner of public lands on the part of the state.

Extension of  
time for mak-  
ing payment.

Contract  
between  
purchaser  
and the state.

Deed.

Leasing  
of common  
school lands.

SEC. 23. The said board of state land commissioners shall have power to lease the common school lands of the state for a term not exceeding five years. That all applications therefor shall be made in writing to the said board and shall be accompanied with a certificate of deposit or certified check on some bank in this state, each made payable to the order of the state treasurer, equal in amount to the first year's rent of such land in accordance with such bid. All applications to rent such land shall be addressed to "Board of State Land Commissioners," and plainly marked thereon "Bid for the lease of school lands." Such lands shall be leased to the highest bidder: *Provided*, That the said board shall have the right to reject any and all bids when the interest of the state appears to justify it. That the commissioner of public lands shall issue all leases of such lands and shall return to the bidders all deposits received therefrom, with rejected applications, and shall deliver to the state treasurer all deposits received, with approved applications for lease of such lands. That no lease shall be so drawn as to interfere with the sale of lands ordered by the board of state land commissioners to be sold.

Commissioners to cause abstracts to be made of all land owned by the state.

SEC. 24. That the board of state land commissioners shall cause full and correct abstracts to be made and kept in the office of the commissioner of public lands of all the lands owned or that shall be owned by the state, which abstracts shall be in suitable and well bound books. Such abstracts shall show in proper columns and pages the section or part of section, township and range in which each tract is situated, whether timber or prairie, improved or unimproved, the appraised value per acre, the value of improvements, and the value of damages, and the total value, the several values of stone, minerals and timber thereon, the date of sale, date of lease, name of purchaser, name of lessee, price per acre, amount of lease per acre, amount of cash paid, amount unpaid and when due, amount of annual interest, and such other columns as may be necessary to show a full and complete abstract of the conditions and circumstances of each tract or parcel of land from the time

What abstracts to show.

title was acquired by the state until final payment by the purchasers, and the issuance of a deed by the state for the land.

SEC. 25. That whenever there shall be in the state school fund applicable to investment the sum of \$5,000 or more, the board of state land commissioners may invest the same in national, state or county bonds at par, of the United States, this state, or of the counties or school districts, bearing not less than five per cent. interest per annum. Upon such investment being made the bonds purchased shall be deposited with the state treasurer, and thereupon the duties and powers of the board of state land commissioners as to such funds or securities shall cease.

Investment  
of funds.

SEC. 26. That any person, corporation or association engaged in the business of logging shall have a right-of-way over public lands when necessary for the purpose of hauling or removing timber from other lands, but permission shall be first obtained in writing from the board of state land commissioners.

Right-of-way  
to loggers.

SEC. 27. The board of state land commissioners may make all necessary rules and regulations for carrying out the provisions of this act, not inconsistent with law.

Rules and  
regulations.

SEC. 28. All appraisements heretofore made under existing laws, where sales have not yet been made, are hereby annulled, and all such lands shall be appraised and sold, or leased, as herein provided: *Provided*, That lease may be made upon the basis of values heretofore fixed by county commissioners in said appraisements.

Prior ap-  
praisements  
annulled.

SEC. 29. The board of state land commissioners shall have the power to lease any and all portions of the areas within the harbor lines of the State of Washington for a term not exceeding thirty years, subject to and in conformity with any provisions of law regulating the making of such leases, in force at the time of the making thereof.

Lease of  
harbor lines.

SEC. 30. That all notices, orders, contracts, certificates, rules and regulations, and other documents or papers made and issued by or on behalf of the board of state land commissioners, or the commissioner of public lands shall be authenticated by a seal, whereon shall be the vignette of



Seal. Washington, with the words "Seal of the commissioner of public lands, State of Washington."

Appropriation  
for clerical aid.

SEC. 31. The commissioner of public lands is authorized to expend a sum not to exceed \$10,000 per annum for such clerical assistance as may be required in and about his office, and the state auditor is hereby authorized and required to draw a warrant for the amount so expended, upon the presentation of properly authenticated vouchers, and the state treasurer to pay the same out of any moneys not otherwise appropriated.

Fees.

SEC. 32. That the commissioner of public lands, for services performed by him as such, may charge and collect the following fees: (1) For a copy of any document or paper on file in his office, fifteen cents per folio. (2) For affixing a certificate and seal, fifty cents. (3) For each contract of sale or grant issued, if for one-quarter section or less, one dollar. (4) For each copy of the plat of township, or any portion thereof, one dollar. All transcripts under the hand and seal of the said commissioner, and otherwise duly authenticated, shall be received in evidence in any court of this state.

Fee book.

SEC. 33. That the commissioner of public lands shall keep a fee book, in which must be entered all fees received by him, with the date paid and the name of the person paying the same, and the nature of the services rendered for which the fee is charged, which book must be verified quarterly by his affidavit entered therein, and all fees so collected by him shall be paid into the state treasury quarterly, and the receipt of such treasurer taken, to be retained in the office of said commissioner of public lands as a voucher.

Repeal.

SEC. 34. An act entitled "An act to provide for the sale and leasing of school lands and declaring an emergency," approved March 28th, 1890, be and the same is hereby repealed; and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Emergency.

SEC. 35. Whereas, under existing laws the state is sustaining great and irreparable loss in the appraisalment, sale and disposition of its lands, an emergency is hereby

declared to exist, and this act shall take effect and be in force from and after its passage.

Approved March 15, 1893.

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CHAPTER CXXVI.

[S. B. No. 255.]

TO PROVIDE FOR A STATE ROAD THROUGH CASCADE MOUNTAINS.

AN ACT to provide for the establishment of a state road through the Cascade mountains, *via* pass north of Mount Baker, to connect Eastern and Western Washington, and providing an appropriation therefor.

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

SECTION 1. That there be laid out, established and maintained for the use of the public a state road, commencing on the road or trail up the north fork of the Nooksack river, at "Thompson's," where Glacier creek empties into the north fork of the Nooksack, said place of beginning being in township 39 north of range 7 east in the State of Washington; running thence by the best practicable route, *via* pass north of Mount Baker, to a point on the Columbia river opposite the town of Marcus, Stevens county.

SEC. 2. That a commission consisting of three members is hereby created, to be appointed by the governor and confirmed by the senate.

SEC. 3. That the commissioners provided for in section 2 of this act shall hold office until [the] first day of January, 1894, or until the road is completed, or the appropriation exhausted. Should a vacancy occur in said commission by death, resignation or otherwise, such vacancy shall be filled by appointment by the remaining members of said commission: *Provided*, That such person appointed to fill any vacancy in said commission shall continue as a member of said commission until the date specified in this section of this act.