

CHAPTER 50.

[Sub. H. B. 81.]

RELATING TO THE SALE OF PROPERTY OF RESIDENT
INSANE PERSONS.

AN ACT amending sections 6434, 6435 and 6437 of Ballinger's Annotated Codes and Statutes of Washington, relating to the duties of guardian and the sale of the property of resident insane persons.

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

SECTION 1. That section 6434 of Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows: Sec. 6434. The superior court shall have power to make orders for the restraint, support and safe-keeping of such person, for the management of his estate, and the support and maintenance of his family, and education of his children, out of the proceeds of his estate; to set apart and reserve, for the use of such family, all property, real or personal, not necessary to be sold for the payment of debts; and to let, sell or mortgage any part of such estate, real or personal, when necessary for the payment of debts, the maintenance of such insane person or his family, or the education of his children; and to order the sale of any property when a better investment can be made of the proceeds.

Power of
court.

SEC. 2. That section 6435 of Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows: Section 6435. When cause shall exist therefor it shall be the duty of such guardian to lay the same before the superior court by whom he was appointed, setting forth the particulars relative to the estate, real and personal, of such person, and all the debts by him owing, or the reasons why a better investment can be made accompanied by a correct and true account of his doings therewith; whereupon, if the court shall find in the exercise of its sound discretion that it is necessary for the payment of debts to dispose of such estate, real or personal, or a portion thereof, or that a better investment of such estate or a portion thereof can be made, it shall be the duty of such court to make an order directing the mort-

Duty of
guardian.

gage, lease or sale at his discretion, of the whole or such part of the real estate as may be necessary.

SEC. 3. That section 6437 of Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows: Section 6437. When any such sale, mortgage or lease is approved by the court ordering the same, as having been executed according to law, and not under such circumstances as to operate prejudicially to the interest of such ward, it shall be the duty of the guardian to execute a deed, mortgage or other instrument of writing, which shall be as valid and effective in law as if executed by such ward when of sound mind and discretion. In case of the sale of community property the sane member of the community may either join in the conveyance by the guardian or execute a separate conveyance for the property.

Passed the House February 5th, 1907.

Passed the Senate February 13th, 1907.

Approved by the Governor February 28th, 1907.

CHAPTER 51.

[H. B. 90.]

COUNTY DEPOSITARIES.

AN ACT relating to the deposit of public funds in banks by the several county treasurers of this state.

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

Designation
of deposi-
tary.

SECTION 1. Each county treasurer in this state shall on the first day of July, 1907, and annually on the second Monday in January thereafter, and at such other times as he may deem necessary, designate one or more banks in the state as depository or depositories of all public funds held and required to be kept by him as such Treasurer, and such designation or designations shall be in writing, and the same shall be filed with the board of county commissioners of his county, and no county treasurer shall deposit any public money in banks except as herein provided.