

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.

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## 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.

SEC. 2. Before any such designation or designations <sup>Bond.</sup> shall become effectual and entitle the said Treasurer to make deposits in such bank or banks, the bank or banks so designated shall within ten days after such designation or designations have been filed, file with the county clerk of such county a surety bond to such county treasurer, properly executed by some reliable surety company qualified under the laws of this state to do business therein, in the maximum amount of deposits designated by said Treasurer to be carried in such bank or banks, conditioned for the prompt and faithful payment thereof on checks duly drawn by such Treasurer, which bond must be approved by the chairman of the board of county commissioners, the prosecuting attorney and the county treasurer, or any two of such officers of said county, before being filed with the county clerk, and unless so approved the same shall not be received or filed by the county clerk: *Provided*, That said depository or depositaries may deposit with the county treasurer good and sufficient municipal, county, state or United States bonds in lieu of the surety bond herein provided for.

SEC. 3. Before any such designation or designations <sup>Interest on balances.</sup> shall become effectual and entitle said Treasurer to make deposits as hereinabove provided, the bank or banks so designated shall also enter into a written contract with the county whose treasurer is to make such deposits, to pay to said county, to be credited to the county expense fund thereof two per centum per annum on the average daily balances of all moneys so deposited by such county treasurer in said bank while acting as such depository; such payments to be made monthly to said county while such deposits continue in such depository; said contract shall be in such form as shall be approved by the board of county commissioners and the prosecuting attorney of said county.

SEC. 4. The county treasurer shall deposit with any <sup>Funds deemed to be in treasury.</sup> depository or depositaries which have fully complied with all requirements as herein provided, any county moneys in his hands or under his official control, and for the purpose of making the quarterly settlement and counting funds

in the hands of the treasurer any such sums so on deposit shall be deemed to be in the county treasury.

Liability of  
treasurer.

SEC. 5. The provisions of this act shall in no way relieve or release the county treasurer from any liability upon his official bond as such treasurer, or any surety upon such bond, and shall in no way affect the duty of the several county treasurers of this state to give the bond as such treasurer now required by law.

Bank  
defined.

SEC. 6. The word bank whenever it occurs in this act shall be construed to include all national, foreign, state and private banks and trust companies doing business in the state.

Passed the House January 31st, 1907.

Passed the Senate February 25th, 1907.

Approved by the Governor March 1st, 1907.

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## CHAPTER 52.

[H. B. 252.]

### RELATING TO BOOM COMPANIES.

AN ACT to amend section 2 of an act entitled: "An act to declare and regulate the powers, rights and duties of corporations organized to build booms and to catch logs and timber products therein," approved March 17, 1890.

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

SECTION 1. That section 2 of an act entitled "An Act to declare and regulate the powers, rights and duties of corporations organized to build booms and to catch logs and timber products therein," approved March 17, 1890, be and the same is hereby amended to read as follows:

Filing plat.

SEC. 2. Any corporation hereafter organized for the purpose mentioned in section one of this act, shall within ninety days after its articles of incorporation have been filed, proceed to file in the office of the Secretary of State a plat or survey of so much of the shore lines of the waters of the state and lands contiguous thereto as are proposed to be appropriated for said purpose by said