

CHAPTER FIFTEEN.

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- 467. Appointment of recorder.
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Appointment and duties of recorder.

- 14 Feb., 1863, c. 34, s. 1, v. 12, p. 651.
- 3 March, 1869, c. 151, s. 1, v. 15, p. 341.
- 3 March, 1861, c. 24, s. 5, v. 2, p. 115.

SEC. 467. There shall be a recorder of deeds of the District appointed by the President, who shall record all deeds and other instruments in writing authorized to be recorded, and perform all requisite services connected therewith, and who shall have charge and custody of all the records, papers, and property appertaining to his office. [See §§ 63, 90, 144, 440.]

Rooms to be appropriated.

- 14 Feb., 1863, c. 34, s. 2, v. 12, pp. 651, 652.

SEC. 468. The chief of engineers in charge of the public buildings and grounds is directed to appropriate such rooms in any of the public buildings under his charge for the use of the recorder as may be necessary for his accommodation. [See R. S. U. S., § 1797.]

Recorder may obtain rooms; where.

Ibid.

SEC. 469. When rooms cannot be so appropriated without interfering with the business of the departments, the recorder shall procure, with the approbation of the chief of engineers, such rooms, in the city of Washington, as may be necessary for the security of the records and the convenient transaction of the business of his office.

Fees.

- 3 March, 1869, c. 151, s. 2, v. 15, p. 341.

SEC. 470. The legal fees for the services of the recorder shall be as follows, namely :

For filing, recording, and indexing, or for making certified copy of any instrument containing two hundred words or less, fifty cents, and fifteen cents for each additional hundred words, to be collected at the time of filing, and when the copy is made.

For each certificate and seal, twenty-five cents.

For searching records extending back two years or less next preceding current date, twenty-five cents, and five cents for each additional year, to be paid by the party for whom the search may be made.

For recording a town-plat, three cents for each lot such plat may contain.

For recording a plat or survey, five cents for each course such survey may contain.

For filing and indexing any paper required by law to be filed in his office, fifteen cents.

For each examination of title by the party or his attorney, fifty cents.

For taking any acknowledgment, fifty cents.

Certain records made valid.

- Ibid., s. 3, pp. 341, 342.

SEC. 471. All deeds of conveyance, leases, powers of attorney, and other written instruments required by law to be filed and recorded, and all copies of instruments and records and certificates authorized by law, filed, recorded, made, and certified by William G. Flood, as acting register of deeds for the District since the death of Edward C. Eddie, a former register, up to the date of the appointment and qualification of his successor, are declared to be legally performed, the same as if the said William G. Flood had been legally appointed and qualified as register of deeds.

CHAPTER SIXTEEN.

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SEC. 472. The office of the surveyor of the District is the legal office of record of the plats of all property in the city of Washington, and all records of the division of squares and lots made between the public and original proprietors, or otherwise authorized by law, shall be kept in said office.

Legal office of record.

17 May, 1848, c. 42, s. 8, v. 9, p. 228.
 12 Jan., 1809, c. 8, s. 7, v. 2, pp. 512, 513.

SEC. 473. All transcripts from such records certified by the surveyor shall be evidence equally valid with certified transcripts from the land-records of the District.

Certified transcripts to be evidence.

Ibid.
 Oath of surveyor.
 12 Jan., 1809, c. 8, s. 9, v. 2, p. 513.

SEC. 474. The surveyor, before entering upon the discharge of his duties, shall take an oath or affirmation that he will faithfully and impartially perform the duties required of him by the provisions of this chapter.

SEC. 475. The plats of the squares in the city of Washington shall be drawn upon a uniform scale of not less than one inch to fifty feet, and shall show the lines of all subdivisions of the squares as the same existed at the date of the completion of each square.

Plats of square; how drawn.

17 May, 1848, c. 42, s. 8, v. 9, p. 228.

SEC. 476. The method of description provided for by section shall be such that the plats of the squares shall at all times show the lines of property as actually existing in the squares. [See § 439.]

What must be shown.

SEC. 477. Whenever the proprietor of any square or lot shall deem it necessary to subdivide the same into convenient building lots or portions for sale and occupancy, and alleys for their accommodation, he may cause a plat to be made, on which shall be expressed the dimensions and length of all the lines of such portions as are necessary for defining and laying off the same on the ground, and may certify such subdivision under his hand and seal, in the presence of two or more credible witnesses, upon the same plat, or on a paper or parchment attached thereto.

Ibid.
 Subdivision of squares.

12 Jan., 1809, c. 8, s. 1, v. 2, p. 511.

SEC. 478. At the request of the proprietor, the surveyor shall examine whether the lots or parcels into which any square or lot may be subdivided, as provided in the preceding section, agree in dimensions with the whole of the square or lot so intended to be subdivided, and whether the dimensions expressed on the plat of subdivision be the true dimensions of the parts so expressed; and if upon such examination he shall find the plat correct, he shall certify the same under his hand and seal, with such remarks as appear to him necessary, and shall record the plat as examined in a book to be kept by him for that purpose.

Examination of surveyor; certificate and record.

Ibid., s. 2, pp. 511, 512.

SEC. 479. When a subdivision of any square or lot shall be so certified, examined, and recorded, the purchaser of any part thereof, or any person interested therein, may refer to the plat and record for description, in the same manner as to squares and lots divided between the commissioners and original proprietors.

Reference to plat and record.

Ibid., s. 3, p. 512.

SEC. 480. The ways, alleys, or passages, laid out or expressed on any plat of subdivision, shall be and remain to the public, or subject to the uses declared by the person making such subdivision, at all times under the same police regulations as the alleys laid off by the commissioners on division with the original proprietors.

Alleys and passage-ways.

Ibid.

SEC. 481. Whenever the surveyor shall lay off any lot, or any of the parts into which a square or lot may be subdivided as provided in this chapter, he shall measure the whole of that front of the square on which such lot or part lies; and if, on such admeasurement, the whole front of the square exceeds or falls short of the aggregate of the fronts of the

Measurement of subdivisions; apportionment of deficiencies.

Ibid., s. 4, p. 512.

lots on that side of the square, as the same are recorded, he shall apportion such excess, or deficiency, among the lots or pieces on that front, agreeably to their respective dimensions.

Encroachment by wall upon adjoining lot.

12 Jan., 1809, c. 8, s. 4, v. 2, p. 512.

Party walls.

Ibid.

21 Feb., 1871, c. 62, s. 37, v. 16, p. 427.

Surveyor's certificate and record.

12 Jan., 1809, c. 8, s. 4, v. 2, p. 512.

Examination of foundations; certificates.

Ibid., s. 5, p. 512.

Surveyor's fees.

Ibid., s. 6, p. 512.

Subdivision of squares belonging to United States.

Ibid., s. 8, p. 513.

SEC. 482. Whenever, on such admeasurement, the wall of a house previously erected by any proprietor shall appear to stand on the adjoining lot of any other person in part less than seven inches in width thereon, such wall shall be considered as standing altogether on the land of such proprietor, who shall pay to the owner of the lot on which the wall may stand a reasonable price for the ground so occupied, to be decided by arbitrators or a jury, as the parties interested may agree.

SEC. 483. If the wall of any house, already erected, cover seven inches or more in width of the adjoining lot, it shall be deemed a party wall, according to the regulations for building in the District as made under the provisions of section seventy-nine, and the ground so occupied, more than seven inches in width, shall be paid for as provided in the preceding section.

SEC. 484. The surveyor shall ascertain and certify, and put on record at the request and expense of any person interested therein, the fact of the occupation of land by a party wall as mentioned in the preceding section.

SEC. 485. It shall be the duty of the surveyor to attend, when requested, and examine the foundation or walls of any house to be erected, when the same shall be level with the street or surface of the ground, for the purpose of adjusting the line of the front of such building to the line of the street, and correctly placing the party-wall on the line of division between that and the adjoining lot; and his certificate of the fact shall be admitted as evidence, and binding on the parties interested.

SEC. 486. The surveyor shall be authorized to receive from the persons for whom he shall perform the services required by this act the fees following, namely:

For examining the plat and calculations of any subdivision of a square or lot, twelve and a half cents for each of the lots or portions into which it may be subdivided; but no more shall be paid for the lots in one square than one dollar and fifty cents.

For examining any building and giving the certificate required by the preceding section, and recording the same, one dollar and fifty cents.

For recording any division or subdivision of any square or lots, for transcripts from records, and for searches in his office, the fees provided by law, but not in any case to exceed the fee allowed by this section for examination.

SEC. 487. Whenever the President shall deem it necessary to subdivide any square or lot belonging to the United States within the city of Washington, not reserved for public purposes, into convenient building-lots or portions for sale and occupancy, and alleys for their accommodation, he may cause a plat to be made by the surveyor in the manner prescribed in this chapter, which plat shall be recorded by the surveyor, and the provisions of this chapter shall extend to the lots, pieces, and parcels of ground contained in such plat as fully as to subdivisions made by individual proprietors.

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