

tion of such persons by medical personnel for the purpose of obtaining testimony as to the alleged mentally ill person's condition. Such observation period shall not exceed sixty days unless a jury trial has been demanded: *Provided*, That in all counties having no county hospital, the court may designate as a detention ward the nearest state hospital for the mentally ill or such other place of detention and treatment as it may deem suitable for the purpose of this chapter, and the superintendents of the state hospitals for the mentally ill so designated shall admit such persons committed thereto in accordance with the provisions of this section: *Provided further*, That liability for the cost of detention and observation in a state hospital and responsibility for transportation to the hospital and return of the patient to the court shall be upon the county of the committing court.

Mentally ill.
Examination
of patient,
county deten-
tion wards—
Duration.

Proviso.

Proviso.

Passed the Senate February 15, 1957.

Passed the House February 28, 1957.

Approved by the Governor March 8, 1957.

CHAPTER 50.

[S. B. 8.]

CIVIL PROCEDURE—EVIDENCE.

AN ACT relating to civil procedure; and repealing sections 306-310, pages 189-190, Laws of 1854, sections 399, 401-403, pages 106-107, Laws of 1869, sections 406, 408-410, pages 88-89, Laws of 1877, sections 404-408, Code 1881, sections 4-6, chapter 19, Laws of 1891, section 1, chapter 100, Laws of 1897 and RCW 5.04.020-5.04.060; repealing sections 315-320, 323, pages 192-193, Laws of 1854, sections 407, 415, pages 109, 111, Laws of 1869, section 412, page 114, Laws of 1873, sections 412, 415, 418-423, pages 90-91, Laws of 1877, sections 410, 413-421, Code 1881, sections 10-15, chapter 19, Laws of 1891, section 2, chapter 37, Laws of 1925 extraordinary session, section 1, chapter 96, Laws of 1927 and RCW 5.08.010-5.08.100 and 5.16.020; repealing sections 314, 321, pages 190, 192, Laws of 1854, sections 405, 412,

pages 108, 110, Laws of 1869, sections 413, 424, pages 90, 92, Laws of 1877, sections 411, 422, Code 1881, section 1, page 29, Laws of 1888, sections 7-9, chapter 19, Laws of 1891, sections 1-3, chapter 26, Laws of 1901, section 1, chapter 37, Laws of 1925 extraordinary session and RCW 5.12-.010-5.12.060; repealing section 322, page 193, Laws of 1854, section 413, page 111, Laws of 1869, section 414, page 90, Laws of 1877, section 412, Code 1881 and RCW 5.16.010; repealing sections 327-331, pages 193-194, Laws of 1854, sections 419-423, pages 113-114, Laws of 1869, sections 425-429, page 93, Laws of 1877, sections 423-427, Code 1881, sections 17, 18, chapter 19, Laws of 1891, section 1, chapter 26, Laws of 1905 and RCW 5.20.010-5.20.060; repealing section 1, chapter 63, Laws of 1915 and RCW 5.32.010; repealing section 332, page 195, Laws of 1854, section 424, page 114, Laws of 1869, section 430, page 94, Laws of 1877, section 428, Code 1881 and RCW 5.36.010; and declaring an emergency.

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

Repeal.

SECTION 1. The following sections are repealed:

(1) Section 306, page 189, Laws of 1854, section 399, page 107, Laws of 1869, section 406, page 89, Laws of 1877, section 404, Code 1881 and RCW 5.04-.020;

(2) Section 307, page 189, Laws of 1854, section 405, Code 1881, section 1, chapter 100, Laws of 1897 and RCW 5.04.030;

(3) Section 308, page 189, Laws of 1854, section 401, page 107, Laws of 1869, section 408, page 89, Laws of 1877, section 406, Code 1881, section 4, chapter 19, Laws of 1891 and RCW 5.04.040;

(4) Section 309, page 189, Laws of 1854, section 402, page 107, Laws of 1869, section 409, page 89, Laws of 1877, section 407, Code 1881, section 5, chapter 19, Laws of 1891 and RCW 5.04.050;

(5) Section 310, page 190, Laws of 1854, section 403, page 107, Laws of 1869, section 410, page 89, Laws of 1877, section 408, Code 1881, section 6, chapter 19, Laws of 1891 and RCW 5.04.060;

(6) Section 412, page 90, Laws of 1877, section

410, Code 1881, section 1, chapter 96, Laws of 1927 and RCW 5.08.010; Repeal.

(7) Section 323, page 193, Laws of 1854, section 415, page 111, Laws of 1869, section 412, page 114, Laws of 1873, section 415, page 90, Laws of 1877, sections 413, 414, Code 1881, section 10, chapter 19, Laws of 1891, section 2, chapter 37, Laws of 1925 extraordinary session and RCW 5.08.020 and 5.16.020;

(8) Section 415, Code of 1881, section 11, chapter 19, Laws of 1891 and RCW 5.08.030;

(9) Section 315, page 191, Laws of 1854, section 418, page 91, Laws of 1877, section 416, Code 1881, section 12, chapter 19, Laws of 1891 and RCW 5.08-.040;

(10) Section 317, page 191, Laws of 1854, section 420, page 91, Laws of 1877, section 418, Code 1881 and RCW 5.08.050 and 5.08.070;

(11) Section 316, page 191, Laws of 1854, section 407, page 109, Laws of 1869; section 419, page 91, Laws of 1877, section 417, Code 1881, section 13, chapter 19, Laws of 1891 and RCW 5.08.060;

(12) Section 318, page 192, Laws of 1854, section 421, page 92, Laws of 1877, section 419, Code 1881, section 14, chapter 19, Laws of 1891 and RCW 5.08-.080;

(13) Section 319, page 192, Laws of 1854, section 422, page 92, Laws of 1877, section 420, Code 1881 and RCW 5.08.090;

(14) Section 320, page 192, Laws of 1854, section 423, page 92, Laws of 1877, section 421, Code 1881, section 15, chapter 19, Laws of 1891 and RCW 5.08-.100;

(15) Section 314, page 190, Laws of 1854, section 405, page 108, Laws of 1869, section 413, page 90, Laws of 1877, section 411, Code 1881, section 1, page 29, Laws of 1888, section 7, chapter 19, Laws of 1891, section 1, chapter 37, Laws of 1925 extraordinary session and RCW 5.12.010;

Repeal.

(16) Section 8, chapter 19, Laws of 1891 and RCW 5.12.020;

(17) Section 321, page 192, Laws of 1854, section 412, page 110, Laws of 1869, section 424, page 92, Laws of 1877, section 422, Code 1881, section 9, chapter 19, Laws of 1891 and RCW 5.12.030;

(18) Section 1, chapter 26, Laws of 1901 and RCW 5.12.040;

(19) Section 2, chapter 26, Laws of 1901 and RCW 5.12.050;

(20) Section 3, chapter 26, Laws of 1901 and RCW 5.12.060;

(21) Section 322, page 193, Laws of 1854, section 413, page 111, Laws of 1869, section 414, page 90, Laws of 1877, section 412, Code 1881 and RCW 5.16-.010;

(22) Section 327, page 193, Laws of 1854, section 419, page 113, Laws of 1869, section 425, page 93, Laws of 1877, section 423, Code 1881, section 17, chapter 19, Laws of 1891 and RCW 5.20.010;

(23) Section 328, page 194, Laws of 1854, section 420, page 113, Laws of 1869, section 426, page 93, Laws of 1877, section 424, Code 1881 and RCW 5.20-.020;

(24) Section 329, page 194, Laws of 1854, section 421, page 113, Laws of 1869, section 427, page 93, Laws of 1877, section 425, Code 1881, section 18, chapter 19, Laws of 1891 and RCW 5.20.030;

(25) Section 330, page 194, Laws of 1854, section 422, page 114, Laws of 1869, section 428, page 93, Laws of 1877, section 426, Code 1881 and RCW 5.20-.040;

(26) Section 331, page 194, Laws of 1854, section 423, page 114, Laws of 1869, section 429, page 93, Laws of 1877, section 427, Code 1881 and RCW 5.20-.050;

(27) Section 1, chapter 26, Laws of 1905 and RCW 5.20.060;

(28) Section 1, chapter 63, Laws of 1915 and Repeal.
RCW 5.32.010;

(29) Section 332, page 195, Laws of 1854, section 424, page 114, Laws of 1869, section 430, page 94, Laws of 1877, section 428, Code 1881 and RCW 5.36-.010.

SEC. 2. This act is necessary for the immediate Emergency.
preservation of the public peace, health and safety,
the support of the state government and its existing
public institutions, and shall take effect immediately.

Passed the Senate January 24, 1957.

Passed the House February 28, 1957.

Approved by the Governor March 8, 1957.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.) Explanatory note.

The above set forth statutes are herein repealed since they have been superseded and abrogated by RULES OF COURT, Pleading—Rule 44 (effective September 1, 1954) which rule reads as follows:

“Rules 26 to 37, inclusive, hereof shall supersede sections 1226, 1227, 1228, 1229, 1230, 1230-1, 1232-1253, inclusive, 1262 of Rem. Rev. Stat. (RCW 5.04.020-5.04.060; RCW 5.08; RCW 5.12; RCW 5.16; RCW 5.20; RCW 5.32.010 and 5.36.010), and any and all other court rules and statutes relating to the subject matter of Rules 26-37. All such superseded statutes and rules shall be of no further force or effect.”