

tended to effect a repeal of sections 6164 to 6284, both inclusive, of Remington's Revised Statutes, or of any of such sections, or of any part or provision of any such sections, and if any section or part of a section in this act shall be found to contain, cover or effect any matter, topic or thing which is also contained in, covered in or effected by said sections, or by any of them, or by any part thereof, the prohibitions, mandates, directions, and regulations hereof, and the penalties, powers, and duties herein prescribed shall be construed to be additional to those prescribed in such sections and not substitutions therefor.

Certain acts
not repealed.

SEC. 24. If any section, subdivision, sentence or clause of this act is for any reason held to be unconstitutional, such decision shall not effect the validity of the remaining portion of the act.

Partial
invalidity.

Passed the House February 28, 1949.

Passed the Senate March 6, 1949.

Approved by the Governor March 16, 1949.

CHAPTER 169.

[H. B. 393.]

CONDITIONAL SALE OR LEASE OF RAILROAD EQUIPMENT AND ROLLING STOCK.

AN ACT relating to certain contracts for the conditional sale or lease of railroad equipment and rolling stock, and providing for the recording thereof; amending the Laws of the Territory of Washington, 1883, pages 62 and 63 (secs. 10540 and 10541, Rem. Rev. Stat.) and adding thereto a new section to be known as section 4.

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

SECTION 1. Section 1, Laws of the Territory of Washington, 1883, page 62 (sec. 10540, Rem. Rev. Stat.), is amended to read as follows:

Amendment.

Conditional
sale of
railroad
equipment
and rolling
stock.

Lien.

Contract in-
valid against
bona fide
purchaser
without
notice.

Section 1. In any contract of, or for the sale of railroad equipment or rolling stock, it shall be lawful to agree that the title to the property sold, or contracted to be sold, although deliverable immediately, or at any time or times subsequently, shall not vest in the purchaser until the purchase price shall be fully paid, or that the seller shall have and retain a lien thereon for the unpaid purchase money; if any such contract of or for the sale of railroad equipment or rolling stock, provides that the vendor, in event of default by the purchaser may, in addition to and concurrently with the exercise of any and all other remedies provided in such contract, also have the right to sell such rolling stock or equipment at private or public sale and to recover from the purchaser any deficit remaining after application of the amount realized from such sale and from the exercise of such other remedies, the inclusion of such provision shall not operate to vest title in the purchaser or constitute such contract a chattel mortgage; and in any contract of, or for the leasing of such property, it shall be lawful to stipulate for a conditional sale thereof at the termination of such lease, and that the rentals received may, as paid, be applied and treated as purchase money, and that the title to the property shall not vest in the lessee or vendee until the purchase price shall be paid in full, notwithstanding delivery to and possession by such lessee or vendee; and the assignment of the vendor's or lessor's interest in any such contract shall give the assignee the right to all the vendor's or lessor's interest under such contract, and said assignee shall have such interest in the property covered thereby as the assignor had: *Provided*, That no such contract or assignment shall be valid as against any subsequent judgment creditor, or any subsequent *bona fide* purchaser, for value and without notice, unless,—

1. The same shall be evidenced by an instrument duly acknowledged before some person authorized by law to take acknowledgments of deeds;

Instruments shall be acknowledged.

2. Such instruments shall be filed for record in the office of the County Auditor of the county in which, at the time of the execution thereof, is situated the principal office of the vendee or lessee within this territory;

Instruments shall be filed for record.

3. Each locomotive engine or car so sold, or contracted to be sold, or leased, as aforesaid, shall have the name of the vendor or lessor plainly marked on each side thereof, followed by the word "owner" or "lessor," as the case may be.

Name of vendor or lessor shall be on engine or car.

SEC. 2. Section 2, Laws of the Territory of Washington, 1883, page 63, (sec. 10541, Rem. Rev. Stat.), is amended to read as follows:

Amendment.

Section 2. The contracts and assignments herein authorized and provided for shall be recorded by the said County Auditor, in the book of records of mortgages of real estate in said county; and on payment in full of purchase money, and the performance of the terms and conditions stipulated in any such contract, a declaration in writing to that effect shall be made by the vendor, or his assignee, which declaration may be made on the margin of the record of the contract, attested by the said Auditor, or it may be made by a separate instrument, to be acknowledged and recorded as aforesaid, and for such services the County Auditor shall be entitled to the fees provided by law for the recording of deeds and mortgages of real estate.

Recording of contracts and assignments.

SEC. 3. That said act contained in the Laws of the Territory of Washington for 1883, pages 62 and 63, shall be and the same is hereby further amended by adding thereto an additional section reading as follows:

Amendment.

Section 4. Compliance with the provisions of section 1, including the filing for record heretofore or

Recording
is notice to
all persons.

hereafter, shall constitute notice to all persons of the rights of any such vendor, lessor or assignee, and no other filing or recording shall be required in order to validate any such instrument or to constitute such notice.

Passed the House March 8, 1949.

Passed the Senate March 6, 1949.

Approved by the Governor March 16, 1949.

CHAPTER 170.

[H. B. 446.]

CORPORATIONS—FILING OF INFORMATION AND
PAYMENT OF FEES.

AN ACT relating to corporations and requiring the filing of information and the payment of fees, and amending chapter 185, Laws of 1933, as added thereto by section 13, chapter 143, Laws of 1939.

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

Amendment.

SECTION 1. Chapter 185, Laws of 1933, as added thereto by section 13, chapter 143, Laws of 1939, is amended to read as follows:

List of
officers and
directors
filed.

Section 13. Every corporation hereafter organized under this act shall, within thirty days after it shall have filed its articles of incorporation with the County Auditor of the county in which the corporation has its registered office, and every corporation heretofore or hereafter organized under the laws of the territory or State of Washington shall, within thirty days after its annual meeting and at such additional times as it may elect, file with the Secretary of State and with the County Auditor of the county in which said corporation has its registered office a statement, sworn to by its president and attested by its secretary and sealed with its corporate seal, containing a list of all its directors and officers and their respective titles of office, names and addresses, and