

## CHAPTER 167.

[H. B. 200.]

## ABOLISHING THE DEATH PENALTY.

AN ACT relating to the crime of murder and the punishment therefor, and amending section 2392 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 2392 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

[Amends  
Rem.-Bal.,  
§ 2392;  
Pierce's  
Code, 1912,  
135 § 279.]

Section 2392. The killing of a human being, unless it is excusable or justifiable, is murder in the first degree when committed either—

1. With a premeditated design to effect the death of the person killed, or of another; or,

Murder  
defined.

2. By an act imminently dangerous to others and evincing a depraved mind, regardless of human life, without a premeditated design to effect the death of any individual; or,

3. Without design to effect death, by a person engaged in the commission of, or in an attempt to commit, or in withdrawing from the scene of, a robbery, rape, burglary, larceny or arson in the first degree; or,

4. By maliciously interfering or tampering with or obstructing any switch, frog, rail, roadbed, sleeper, viaduct, bridge, trestle, culvert, embankment, structure or appliance pertaining to or connected with any railway, or any engine, motor or car of such railway.

Murder in the first degree shall be punishable by imprisonment in the state penitentiary for life.

Punishment.

Passed the House February 20, 1913.

Passed the Senate March 11, 1913.

Approved by the Governor March 22, 1913.