

where no submission shall be necessary, the common council or other corporate authorities of such city or town shall have power to proceed forthwith to purchase, construct and acquire the public utility contemplated or to make additions, betterments and extensions thereto and to make payment therefor as hereinafter provided in section 3 and 4 hereof.

Procedure when no election.

Passed the House February 27, 1941.

Passed the Senate March 11, 1941.

Approved by the Governor March 21, 1941.

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CHAPTER 148.

[H. B. 152.]

DISQUALIFICATION OF JUDGES OF SUPERIOR COURTS.  
 AN ACT relating to the disqualification of Judges of the Superior Courts, amending section 2 of chapter 145 of the Laws of 1927 (section 209-2 Remington's Revised Statutes).

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

SECTION 1. That section 2 of chapter 145 of the Laws of 1927, page 129 (section 209-2 of Remington's Revised Statutes), be amended to read as follows:

Amendments.

Section 2. Any party to or any attorney appearing in any action or proceeding in a Superior Court, may establish such prejudice by motion, supported by affidavit that the Judge before whom the action is pending is prejudiced against such party or attorney, so that such party or attorney cannot, or believes that he cannot, have a fair and impartial trial before such Judge: *Provided*, That such motion and affidavit is filed and called to the attention of the Judge before he shall have made any ruling whatsoever in the case, either on the motion of the party making the affidavit, or on the motion of any other party to the action, of the hearing of which the party

Affidavit of prejudice.

Proviso.

Exceptions.

making the affidavit has been given notice, and before the Judge presiding has made any order or ruling involving discretion, but the arrangement of the calendar, the setting of an action, motion or proceeding down for hearing or trial, the arraignment of the accused in a criminal action or the fixing of bail, shall not be construed as a ruling or order involving discretion within the meaning of this proviso; and in any event, in counties where there is but one resident Judge, such motion and affidavit shall be filed not later than the day on which the case is called to be set for trial: *And provided further*, That notwithstanding the filing of such motion and affidavit, if the parties shall, by stipulation in writing agree, such Judge may hear argument and rule upon any preliminary motions, demurrers, or other matter thereafter presented: *And provided, further*, That no party or attorney shall be permitted to make more than one such application in any action or proceeding under this act.

Limited to one motion.

Passed the House March 12, 1941.

Passed the Senate March 12, 1941.

Approved by the Governor March 21, 1941.

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## CHAPTER 149.

[H. B. 205.]

### CODE COMMITTEE.

AN ACT to make uniform and perpetual the citations of laws of this state for all compilations and codifications thereof and declaring an emergency.

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

Code Committee created.

SECTION 1. The State Law Librarian, the Law Librarian of the University of Washington, and the Executive Secretary of the Judicial Council are