

thereof so vacated shall be so platted may be disposed of as provided by law in the case of similar lands: *Provided*, That the owner or owners and other persons who have a vested interest in the lands abutting on any of said lots, blocks or other parcels shall have a preference right for the period of sixty days from the final date of the filing of such plats and of the appraising of such lots, blocks or other parcels to purchase such lot, block or other parcel from the State of Washington at the appraised value thereof.

Preference
rights.

Passed the House March 6, 1903.

Passed the Senate March 12 1903.

Approved by the Governor March 16, 1903.

CHAPTER 128.

[H. B. No. 279.]

DEFINING MURDER IN SECOND DEGREE, PROVIDING PUNISHMENT THEREFOR, AND AMENDING FORMER ACT RELATIVE THERETO.

AN ACT amending section 7038 of Ballinger's Code of the State of Washington, and being Section 1557 of Pierce's Code of Washington, defining murder in the second degree and fixing the penalty therefor.

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

SECTION 1. That section 7038 of Ballinger's Code of the State of Washington, and being section 1557 of Pierce's Code of Washington, defining murder in the second degree, and fixing the penalty therefor, be amended to read as follows: Section 7038. Every person who shall purposely and maliciously, but without deliberation and premeditation, kill another, shall be deemed guilty of murder in the second degree, and upon conviction thereof shall be imprisoned in the penitentiary for a term of not less than ten years, *or during life, in the discretion of the trial court, and kept at hard labor.*

Sec. 7038 Bal-
linger's Code
amended.

Penalty.

Passed the House March 3, 1903.

Passed the Senate March 10, 1903.

Approved by the Governor March 16, 1903.