

CHAPTER 17.

[H. B. 5.]

BILLS OF EXCEPTIONS AND STATEMENTS OF FACTS.

AN ACT relating to settling and certifying bills of exceptions and statements of facts, and amending Section 12 of Chapter LX of the Laws of 1893.

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

SECTION 1. That section 12 of chapter LX (60) of the Laws of 1893, page 116, (section 392 of Remington's Compiled Statutes; section 7820 of Pierce's Code) be amended to read as follows:

Amends § 392
Rem. Comp.
Stat.; § 7820
Pierce's
Code.

Section 12. If the judge before whom the cause was pending or tried shall from any cause have ceased to be such judge or shall die, or shall be absent from the state or shall, by reason of disability, be unable to perform the duties of his office, which death, absence or disability may be shown by affidavit of any attorney in the cause served upon the attorney for the adverse party and filed in the cause, within the time within which a bill of exceptions or statement of facts, in a cause that was pending or tried before him, might be settled and certified under the provisions of this act, and before having certified such bill or statement, such bill or statement may be settled by stipulation of the parties with the same effect as if duly settled and certified by such judge while still in office. But if the parties cannot agree, the successor in office of the judge before whom the cause was pending or tried, or in case there be no successor, any judge of, or assigned to, the county where the cause was pending or tried, if such death, absence or disability shall appear to his satisfaction, shall settle and certify such bill or statement in the manner in this act provided, and in so doing he shall be guided, so far as practicable,

Absence,
death or dis-
ability of
trial judge.

Settlement
by stipula-
tion of
parties or
successor of
judge.

by the minutes taken by the judge before whom the cause was pending or tried, or by the stenographer, if one was in attendance on the court or judge, and may, in order to determine any disputed matter not sufficiently appearing upon such minutes, examine under oath the attorneys in the cause who were present at the trial or hearing, or any of them.

Passed the House January 28, 1929.

Passed the Senate February 4, 1929.

Approved by the Governor February 8, 1929.

CHAPTER 18.

[H. B. 16.]

DEFICIENCIES IN PUBLIC INSTITUTIONS.

AN ACT relating to deficiencies in public institutions, offices and departments of the state, providing penalties, and fixing liabilities for violations thereof, and repealing certain acts relating thereto.

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

SECTION 1. That chapter XXXV (35) of the Laws of 1895, pages 58 to 59, (sections 5497 to 5500 of Remington's Compiled Statutes; sections 6571 to 6574 of Pierce's Code) shall be and is hereby repealed: *Provided*, That such repeal shall not be construed to affect any rights accrued, or any liability, either civil or criminal, incurred under the provisions of said act repealed: *And provided further*, That such repeal shall not operate to revive any act repealed thereby.

Passed the House January 24, 1929.

Passed the Senate February 4, 1929.

Approved by the Governor February 8, 1929.

Statutes
repealed.