

Repeals  
§§ 4200-4203  
inc., Rem.  
Comp. Stat.

SEC. 8. That sections 4200, 4201, 4202, and 4203 of Remington's Compiled Statutes and all acts and parts of acts in conflict herewith are hereby repealed.

Passed the Senate February 16, 1933.

Passed the House March 8, 1933.

Approved by the Governor March 17, 1933.

---

## CHAPTER 137.

[H. B. 70.]

### COAL MINING.

AN ACT relating to coal mining and amending section 8789 of Remington's Compiled Statutes of Washington.

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

Amends  
§ 8789, Rem.  
Comp. Stat.

SECTION 1. That section 8789 of Remington's Compiled Statutes of Washington be amended to read as follows:

Underground  
motors:  
safety  
devices.

Section 8789. Every stationary motor underground, together with its starting resistance, shall be protected by a fuse or circuit breaking device on at least one pole for direct current, and all poles for alternating current motors, and by switches arranged to entirely cut off the power from the motor. The above devices shall be installed in a convenient position near the motor.

Motors in  
gaseous  
portions.

In any gaseous portions of a mine all motors, unless placed in such rooms as are separately ventilated with intake air, shall have all their current carrying parts, also their starters, terminals and connections, completely closed in explosion-proof inclosures made of non-inflammable materials. These inclosures shall not be opened except by an authorized person, and then only when the motor is

switched off. The power shall not be switched on while the inclosures are open.

No electric coal cutting machine or electric drilling machine shall be operated in a gaseous portion of a coal mine.

Electric drill prohibited.

The person in charge of a coal cutter or drilling machine shall not leave the machine while it is working, and shall, before leaving see that the current or air is cut off from the machine.

Person in charge.

Passed the House February 18, 1933.

Passed the Senate March 7, 1933.

Approved by the Governor March 17, 1933.

## CHAPTER 138.

[H. B. 288.]

### CIVIL ACTIONS.

AN ACT relating to new trials in civil actions and to appeals in such actions, and amending section 399 of Remington's Compiled Statutes of Washington, and adding two new sections thereto.

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

SECTION 1. That Remington's Compiled Statutes of Washington, section 399, be amended to read as follows:

Amends  
§ 399, Rem.  
Comp. Stat.

Section 399. The former verdict or other decision may be vacated and a new trial granted, on the motion of the party aggrieved, for any of the following causes materially affecting the substantial rights of such party:

1. Irregularity in the proceedings of the court, jury or adverse party, or any order of the court, or abuse of discretion, by which such party was prevented from having a fair trial;

Irregularity.

2. Misconduct of prevailing party or jury; and whenever any one or more of the jurors shall have

Misconduct.