

CHAPTER XXXII.

[S. B. No. 47.]

RELIEF OF LINDLEY E. MOORE.

AN ACT for the relief of Lindley E. Moore.

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

SECTION 1. That the sum of one hundred and sixty-seven $\frac{50}{100}$ dollars (\$167.50) be and the same is hereby appropriated out of any money in the state treasury not otherwise appropriated, to pay Lindley E. Moore for services as nightwatchman at the capitol building during the recess of the legislature, and for services in assisting to make inventory and record of state library.

SEC. 2. The state auditor is hereby directed to draw a warrant upon the state treasurer in favor of Lindley E. Moore for the sum of one hundred and sixty-seven $\frac{50}{100}$ dollars (\$167.50), payable out of any funds in the state treasury not otherwise appropriated.

Approved February 25, 1891.

CHAPTER XXXIII.

[S. B. No. 106.]

PLACE OF TRIAL OF ACTIONS.

AN ACT relating to the place of trial of actions and proceedings, and amending sections 50 and 53 of the Code of Washington of 1881.

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

SECTION 1. Section fifty of the code of Washington of 1881 is amended to read as follows: In all other cases the action must be tried in the county in which the defendants, or some of them, reside at the time of the commencement of the action, or may be served with process, subject, however, to the power of the court to change the place of trial, Power of court. as provided in sections one hundred and sixty-two and one hundred and sixty-three of this code. If the county in

which the action is commenced is not the proper county for the trial thereof, the action may, notwithstanding, be tried therein, unless the defendant, at the time he appears and demurs or answers, files an affidavit of merits and demands that the trial be had in the proper county.

Rights of parties.

SEC. 2. Section 53 of said code of 1881 is amended to read as follows: Any party in a civil action pending in the superior court in a county out of whose limits a new county, in whole or in part, has been created, may file with the clerk of such superior court an affidavit setting forth that he is a resident of such newly created county, and that the venue of such action is transitory, or that the venue of such action is local, and that it ought properly to be tried in such newly created county; and thereupon the clerk shall make out a transcript of the proceedings already had in such action in such superior court, and certify it under the seal of the court, and transmit such transcript, together with the papers on file in his office connected with such action, to the clerk of the superior court of such newly created county, wherein it shall be proceeded with as in other cases.

Duty of clerk.

SEC. 3. The foregoing sections of this act shall be embodied in the code of procedure of this state, appropriately numbered, and shall be a part thereof.

Approved February 25, 1891.

CHAPTER XXXIV.

[S. B. No. 102.]

PROCEEDINGS TO OBTAIN POSSESSION OF PERSONAL PROPERTY.

AN ACT relating to proceedings to obtain possession of personal property during the pending of an action for the recovery thereof, and amending section 152 of the Code of Washington of 1881.

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

SECTION 1. Section one hundred and fifty-two of the code of Washington of 1881 is amended to read as fol-