

Sale of livestock for charges.

Notice.

Section 1981. If said property consists of live stock, the maintenance of which at the place where kept is wasteful and expensive in proportion to the value of the animals, or consists of perishable property liable, if kept, to destruction, waste or great depreciation, the person, firm or corporation having such lien may sell the same upon giving ten days' notice.

Passed the Senate January 19, 1927.

Passed the House February 2, 1927.

Approved by the Governor February 16, 1927.

CHAPTER 145.

[S. B. 64.]

CHANGE OF VENUE OR OF JUDGES.

AN ACT relating to the disqualification of judges of the superior courts, and providing for change of venue or change of judges on account thereof, and amending Chapter 121 of the Laws of 1911.

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

§ 1, Ch. 121, L. 1911; § 209-1 Rem. Stats.; § 8546, Pierce's 1919 Code.

SECTION 1. That section 1 of chapter 121 of the Laws of 1911, page 617 (section 209-1 of Remington's Compiled Statutes; section 8546 of Pierce's 1919 Code), be amended to read as follows:

Judge prejudiced.

Section 1. No judge of a superior court of the State of Washington shall sit to hear or try any action or proceeding when it shall be established, as hereinafter provided, that such judge is prejudiced against any party or attorney, or the interest of any party or attorney appearing in such cause. In such case the presiding judge shall forthwith transfer the action to another department of the same court, or call in a judge from some other court, or apply to the governor to send a judge, to try the

Transfer to another judge.

case; or, if the convenience of witnesses or the ends of justice will not be interfered with by such course, and the action is of such a character that a change of venue thereof may be ordered, he may send the case for trial to the most convenient court: *Provided*, That in criminal prosecutions the case shall not be sent for trial to any court outside the county unless the accused shall waive his right to a trial by a jury of the county in which the offense is alleged to have been committed.

When
change of
venue.

Condition
for change
in criminal
prosecutions.

SEC. 2. That section 2 of chapter 121 of the Laws of 1911, page 617 (section 209-2 of Remington's Compiled Statutes; section 8547 of Pierce's 1919 Code), be amended to read as follows:

§ 2, Ch. 121,
L. 1911 ;
§209-2, Rem.
Stats. ;
§ 8547,
Pierce's
1919 Code.

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 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 provided, further*, That no party or attorney shall be permitted to make more than one

Affidavit of
prejudice.

Time motion
and affidavit
must be
filed.

Only one
application.

such application in any action or proceeding under this act.

Passed the Senate January 21, 1927.

Passed the House February 2, 1927.

Approved by the Governor February 16, 1927.

CHAPTER 146.

[S. B. 65.]

CORPORATION FEES.

AN ACT relating to fees to be paid to the Secretary of State by corporations, and repealing Chapter LXX of the Laws of 1897.

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

SECTION 1. That chapter LXX (70) of the Laws of 1897, pages 134-135, is hereby repealed.

Passed the Senate January 19, 1927.

Passed the House February 2, 1927.

Approved by the Governor February 16, 1927.

Statute
repealed.

CHAPTER 147.

[S. B. 66.]

VACANCIES IN THE OFFICE OF JUSTICES OF THE PEACE.

AN ACT relating to vacancies in the office of justices of the peace, and repealing certain acts in relation thereto.

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

SECTION 1. That sections 1696 to 1701, both inclusive, of the Code of Washington Territory of 1881, are hereby repealed.

Passed the Senate January 19, 1927.

Passed the House February 2, 1927.

Approved by the Governor February 16, 1927.

Statutes
repealed.