

## CHAPTER 43.

[S. B. No. 46.]

## RELATING TO JURY TRIALS IN THE SUPERIOR COURT.

AN ACT relating to jury trials in the Superior Court, providing for the payment by litigants of certain jury fees and repealing section 5028 of Ballinger's Annotated Codes and Statutes of the State of Washington.

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

SECTION 1. In all civil actions triable by a jury in the Superior Court any party to the action may, at or prior to the time the case is called to be set for trial, serve upon the opposite party or his attorney, and file with the clerk of the court a statement of himself, or attorney, that he elects to have such case tried by jury. At the time of filing such statement such party shall also deposit with the clerk of the court \$12.00. Unless such statement is filed and such deposit made, the parties will be deemed to have waived trial by jury, and consented to a trial by the court.

\$12 jury fee  
to be de-  
posited.

SEC. 2. The amount deposited by the party demanding a trial by jury shall be a part of the taxable costs in such action. The amounts received by the clerk on account of jury fees shall be accounted for as such other fees received.

Fee deposited  
to be part of  
costs.

SEC. 3. Section 5028 Ballinger's code, and all other acts in conflict with this act, are hereby repealed.

Repeal Sec.  
5028 Ballin-  
ger's Code.

Passed the Senate January 28, 1903.

Passed the House March 5th, 1903.

Approved by the Governor March 6, 1903.