

CHAPTER 95.

[ Senate Bill No. 95. ]

JUSTICES OF THE PEACE—JURISDICTION—  
GARNISHMENT.

AN ACT relating to justices of the peace; and amending section 113, chapter 299, Laws of 1961 and RCW 3.66.020; and adding a new section to chapter 12.32 RCW.

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

RCW 3.66.020 amended.

SECTION 1. Section 113, chapter 299, Laws of 1961 and RCW 3.66.020 are each amended to read as follows:

Justices of the peace. Civil jurisdiction.

The justice court shall have jurisdiction and cognizance of the following civil actions and proceedings:

- (1) Of an action arising on contract for the recovery of money only in which the sum claimed does not exceed one thousand dollars;
- (2) Of an action for damages for injuries to the person, or for taking or detaining personal property, or for injuring personal property, or for an injury to real property when no issue raised by the answer involves the plaintiff's title to or possession of the same, when the amount of damages claimed does not exceed one thousand dollars; also of actions to recover the possession of personal property when the value of such property as alleged in the complaint, does not exceed one thousand dollars;
- (3) Of an action for a penalty not exceeding one thousand dollars;
- (4) Of an action upon a bond conditioned for the payment of money, when the amount claimed does not exceed one thousand dollars, though the penalty of the bond exceeds that sum, the judgment to be given for the sum actually due, not exceeding the amount claimed in the complaint;
- (5) Of an action on an undertaking or surety

bond taken by him or his predecessor in office, when the amount claimed does not exceed one thousand dollars;

(6) Of an action for damages for fraud in the sale, purchase, or exchange of personal property, when the damages claimed do not exceed one thousand dollars;

(7) To take and enter judgment on confession of a defendant, when the amount of the judgment confessed does not exceed one thousand dollars;

(8) To issue writs of attachment, garnishment and replevin upon goods, chattels, moneys, and effects, when the amount does not exceed one thousand dollars; and

(9) Of all other actions and proceedings of which jurisdiction is specially conferred by statute, when the amount involved does not exceed one thousand dollars and the title to, or right of possession of, or a lien upon real property is not involved.

The amounts of money referred to in subparagraphs (1) through (9) shall be exclusive of interest, costs and attorney's fees.

SEC. 2. There is added to chapter 12.32 RCW a New section. new section to read as follows:

Where the plaintiff sues for a debt which is just, due and unpaid in an amount exceeding three hundred dollars, and seeks to have a writ of garnishment issued prior to judgment, the plaintiff shall execute a bond with two or more good and sufficient sureties, to be approved by the justice issuing the writ, payable to the defendant in the suit, in double the amount of the debt claimed therein, conditioned that he will prosecute his suit and pay all damages and costs that may be adjudged against him for wrongfully suing out such garnishment.

Garnishment—  
Bond require-  
ment before  
issuance of  
writ prior to  
judgment.

Passed the Senate March 4, 1965.

Passed the House March 10, 1965.

Approved by the Governor March 20, 1965.