

propriated, the sum of one hundred fifty thousand dollars (\$150,000.00), or so much thereof as may be necessary to carry out the provisions of this act, for the construction and maintenance of the Women's Industrial Home and Clinic.

SEC. 17. If any provision or section of this act is, for any reason, held to be invalid or unconstitutional, such holding shall not affect the validity of the act as a whole, or any other part thereof. Partial
invalidity.

SEC. 18. This act is necessary for the immediate preservation of the public health, peace and safety, and shall take effect immediately. Emergency.

Passed the Senate February 28, 1919.

Passed the House March 11, 1919.

Approved by the Governor March 20, 1919.

CHAPTER 187.

[S. B. 195.]

SMALL CLAIMS DEPARTMENT OF JUSTICES' COURTS.

AN ACT creating "small claims department of justice's courts", defining their jurisdiction and providing a system of practice and procedure therefor.

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

SECTION 1. That in every justice's district of this state there shall be created and organized by the justice of the peace thereof a department to be known as the "small claims department of the justice's court", which shall have jurisdiction, but not exclusive, in cases for the recovery of money only where the amount claimed does not exceed twenty dollars (\$20.00), and where the defendant resides within the district of such justice court. Organization
of depart-
ment.

Actions,
how com-
menced.

SEC. 2. Actions in such small claims departments shall be deemed commenced by the plaintiff appearing before the justice of the peace and subscribing to and verifying a claim as hereinafter provided.

Setting for
hearing.

SEC. 3. Upon filing said claim such justice of the peace shall appoint a time for the hearing of said matter and shall cause to be issued a notice of the claim, as hereinafter provided, which shall be served upon the defendant.

Filing fee.

Said justice of the peace shall collect in advance upon each claim the sum of one dollar (\$1.00), and this shall be the only fee for such justice of the peace to be charged or taxed against the plaintiff in such action during the pendency or disposition of said claim: *Provided, however,* that when any such "small claims department" shall be created and organized in any justice's district as herein provided, in which the justice is not paid a salary, he may be paid as compensation for conducting such department from the county treasury of his county such monthly salary as the county court and commissioners of said county shall deem just and proper.

Compensa-
tion of un-
salaried
justice.

Service on
defendant.

SEC. 4. Said notice of claim shall be served by the officers provided for in Section 1760 of Remington's 1915 Codes and Statutes of Washington, and the same shall be served in the manner provided for in Section 1761 of said Codes and Statutes, but no other paper is to be served with said notice. The officer serving such notice shall be entitled to receive from the plaintiff fifty cents (\$.50) for such service; which sum, together with the fee of the justice of the peace named in section 3, shall be added to any judgment given for plaintiff.

Fee.

Statement
of claim.

SEC. 5. The claim hereinbefore referred to shall contain the name of the plaintiff and the name of

the defendant, followed by a statement, in brief and concise form, of the nature and amount of said claim and the time of the accruing of such claim; and shall also state the name and residence of the defendant, if same be known to the plaintiff, for the purpose of serving the notice of claim on such defendant.

SEC. 6. Said notice of claim shall be directed to the defendant, naming him, and shall contain a statement in brief and concise form notifying such defendant of the name, address, amount and natures of the alleged claim of plaintiff, and directing and requiring defendant to appear personally in court before the justice of the peace of said justice's court at a time certain, which shall not be less than five nor more than ten days from the date of service of such notice; said notice shall further provide that in case of failure to so appear, judgment will be given against defendant for the amount of such claim. Notice.

SEC. 7. All claims must be verified by the real claimant, and no claim shall be filed or prosecuted in such department by the assignee of such claim. Verification.

SEC. 8. No attorney at law nor any person other than the plaintiff and defendant, shall concern himself or in any manner interfere with the prosecution or defense of such litigation in said department without the consent of the justice of said justice's court; nor shall it be necessary to summon witnesses, but the plaintiff and defendant in any claim shall have the privilege of offering evidence in their behalf by witnesses appearing at such hearing, and the justice may informally consult witnesses or otherwise investigate the controversy between the parties, and give judgment or make such orders as may by him be deemed to be right, just and equitable for the disposition of the controversy. Attorneys.
Witnesses.

Informal pleadings and trial.

SEC. 9. No formal pleading, other than the said claim and notice, shall be necessary to define the issue between the parties; and the hearing and disposition of all such actions shall be informal, with the sole object of dispensing speedy and quick justice between the litigants: *Provided*, that no attachment, garnishment or execution shall issue from the small claims department on any claim except as hereinafter provided.

Satisfaction of judgments.

SEC. 10. If the judgment or order be against the defendant, it shall be his duty to pay the same forthwith upon such terms and conditions as the justice of such court shall prescribe.

Certification of unpaid judgment.

SEC. 11. The judgment of said court shall be conclusive. If the defendant fails to pay the judgment according to the terms and conditions thereof, the justice before whom such hearing was had, may, on application of the plaintiff, certify such judgment in substantially the following form:

Washington.

In the Justice's Court of.....County, before.....Justice of the Peace for.....Precinct.

.....Plaintiff,

vs.

.....Defendant.

In the Small Claims Department.

This is to certify that in a certain action before me, the undersigned, had on this the.....day of.....19....., wherein.....was plaintiff and.....defendant, jurisdiction of said defendant having been had by personal service (or otherwise) as provided by law, I then and there entered judgment against said defendant in the sum of.....Dollars; which judgment has not been paid.

Witness my hand this.....day of....., 19.....

Justice of the Peace sitting in the Small Claims Department.

The justice of the peace of said justice's court shall forthwith enter such judgment transcript on the judgment docket of such justice's court; and thereafter garnishment, execution and other process on execution provided by law may issue thereon, as obtains in other cases of judgments of justice's courts, and transcripts of such judgments may be filed and entered in judgment lien dockets in superior courts with like effect as in other cases.

Entry on judgment docket.

SEC. 12. Each justice of the peace shall keep a separate docket for the small claims department of his court, in which he shall make a permanent record of all proceedings, orders and judgments had and made in such small claims department.

Records.

Passed the Senate March 3, 1919.

Passed the House March 11, 1919.

Approved by the Governor March 20, 1919.

CHAPTER 188.

[S. B. 184.]

LAND SETTLEMENT ACT.

AN ACT relating to the upbuilding of the agricultural resources of the state, establishing a state policy for land settlement, defining the powers and duties of the state reclamation board in reference thereto, and making appropriations therefor.

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

SECTION 1. This act shall be known and cited as the "Land Settlement Act".

Designation of act.

SEC. 2. The State of Washington in the exercise of its sovereign and police powers declares that

Purpose of act.