

CHAPTER 89.

[H. B. 202]

ACTIONS IN JUSTICE COURTS.

AN ACT relating to the authority, jurisdiction, and venue of actions before Justices of the Peace and pleadings in Justices' Court, and amending sections 1709 and 1702 of the Code of 1881, and section 1 of chapter XL (40) of the Laws of 1899 as amended by section 1 of chapter LXV (65) of the Laws of 1901 and chapter 53 of the Laws of 1925, Extraordinary Session and section 1 of chapter 75 of the Laws of 1929 and chapter 36 of the Laws of 1935, and section 2 of chapter LXV (65) of the Laws of 1901 as amended by section 4 of chapter 75 of the Laws of 1929 (sections 43, 47, 1756 and 1757 of Remington's Revised Statutes).

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

Amendments.

SECTION 1. Section 1709 of the Code of 1881 (section 43 of Remington's Revised Statutes) is amended to read as follows:

Justice courts vested with powers of courts of record.

Section 1709. Every Justice of the Peace elected in any city or town in this state is hereby authorized to hold a court for the trial of all actions in the next section enumerated, to hear, try, and determine the same according to law; and for that purpose, where no special provision is otherwise made by law, such court shall be vested with all the necessary powers which are possessed by Courts of record in this state; and all laws of a general nature shall apply to such Justice's Court, as far as the same may be applicable, and not inconsistent with the provisions of this chapter.

Amendments.

SEC. 2. Section 1702 of the Code of 1881 (section 47 of Remington's Revised Statutes) is amended to read as follows:

Jurisdiction.

Section 1702. The jurisdiction of Justices of the Peace elected in pursuance of the provisions of this act shall be co-extensive with the limits of the county in which they are elected or appointed.

SEC. 3. Section 1 of chapter XL (40) of the Laws of 1899 as amended by section 1 of chapter LXV (65) of the Laws of 1901 and chapter 53 of the Laws of 1925, Extraordinary Session and section 1 of chapter 75 of the Laws of 1929 and chapter 36 of the Laws of 1935 (section 1756 of Remington's Revised Statutes) is amended to read as follows:

Amend-
ments.

Section 1. All civil actions commenced in a Justice Court against a defendant, or defendants, residing in a city or town of more than one thousand inhabitants shall be brought in a Justice Court in the city or town in which one or more of the defendants reside. In all other cases the action shall be commenced in either of the nearest two (2) incorporated cities or towns, or before a Justice of the Peace of the county seat of the county.

Venue of
civil actions.

SEC. 4. Section 2 of chapter LXV (65) of the Laws of 1901 as amended by section 4 of chapter 75 of the Laws of 1929 (section 1757 of Remington's Revised Statutes) is amended to read as follows:

Amend-
ments.

Section 2. The jurisdiction of Justices of the Peace in all civil actions, except as provided in the foregoing sections of this act, shall be co-extensive with the limits of the county in which they are elected or appointed, and no other or greater, but every Justice of the Peace shall continue to perform all the duties of his office in the city or town for which he was elected or appointed, during his continuance in office.

Jurisdiction.

Passed the House February 27, 1941.

Passed the Senate March 12, 1941.

Approved by the Governor March 19, 1941.