

## CHAPTER XLIX.

[S. B. No. 44.]

## RELATING TO APPEALS IN SUPREME COURT.

AN ACT to amend section 19 of an act entitled "An act relating to appeals to the supreme court, approved March 8, 1893."

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

SECTION 1. Section 19 of an act entitled "An act relating to appeals to the supreme court, approved March 8, 1893," is hereby amended to read as follows: "Sec. 19. If the supreme court on the hearing of any such motion or motions shall find the grounds or any thereof alleged, for the same, to be well taken and true in effect, the court may grant the same in whole or in part, but when any such motion does not go to the substance of the appeal, or to the right of appeal, and the court shall be of the opinion that the moving party can be compensated in costs, or by the imposition of other terms for any delay of the appellant which is made the ground of any such motion (except a failure to take the appeal within the time limited by law) the court, in its discretion, may deny the motion on such terms as may be just. The court shall upon like terms allow all amendments in matters of form, curative of defects in proceedings to the end that substantial justice be secured to the parties, and no appeal shall be dismissed for any informality or defect in the notice of appeal, the appeal bond, or the service of either thereof, or for any defect of parties to the appeal if the appellant shall forthwith, upon order of the supreme court, perfect the appeal.

Passed the Senate February 17, 1899.

Passed the House March 1, 1899.

Approved March 8, 1899.