

CHAPTER 109.

[H. B. 269.]

GARNISHMENTS IN JUSTICE COURTS.

AN ACT relating to garnishments in justice courts, providing for advance fees, and amending Section 2 of Chapter 160 of the Laws of 1909.

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

SECTION 1. That section 2 of chapter 160 of the Laws of 1909, as amended by section 2 of chapter 126 of the Laws of 1911 (section 1824 of Remington's Compiled Statutes) be amended to read as follows:

Amends
§ 2, ch. 160,
Laws 1909;
§ 2, ch. 126,
Laws 1911;
§ 1824, Rem.
Comp. Stat.

Section 2. Before the issuance of the writ of garnishment, the plaintiff, or someone in his behalf, shall make application therefor by affidavit, stating the facts authorizing the issuance of the writ, and that he has reason to believe and does believe that the garnishee is indebted to the defendant or that he has in his possession or under his control personal property or effects belonging to the defendant, or that the garnishee is a corporation and that the defendant is the owner of shares of the capital stock thereof, and that the garnishment applied for is not sued out to injure either the defendant or the garnishee, and shall deposit with the justice the sum of two dollars (\$2.00) for each garnishee defendant named in the writ. The justice shall pay to each garnishee defendant, out of the sum so deposited by the plaintiff, the sum of two dollars (\$2.00), upon the filing of his answer, which shall be credited upon any judgment thereafter awarded such garnishee defendant against either the plaintiff or the defendant for costs or attorney's fees. If no answer shall be filed by the garnishee defendant on or before the return day thereof the said sum shall be returned to the plaintiff. If the plaintiff shall thereafter

Affidavit.

\$2.00 deposit.

Disposition.

recover costs against the garnishee defendant, said sum shall be added thereto. If said sum is applied on a judgment of the garnishee defendant against the defendant it shall be taxed as costs against the defendant and in favor of the plaintiff.

Passed the House March 6, 1931.

Passed the Senate March 5, 1931.

Approved by the Governor March 20, 1931.

CHAPTER 110.

[H. B. 270.]

GARNISHMENTS IN SUPERIOR COURT.

AN ACT relating to garnishment proceedings in the superior court, providing for advance fees, and amending Section 3 of Chapter LVI (56) of the Laws of 1893.

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

Amends
§ 3, ch. 56,
Laws of 1893;
§ 682, Rem.
Comp. Stat.

SECTION 1. That section 3 of chapter LVI (56) of the Laws of 1893 (section 682 of Remington's Compiled Statutes) be amended to read as follows:

Affidavit.

Section 3. Before the issuance of the writ of garnishment the plaintiff or someone in his behalf shall make application therefor by affidavit, stating the facts authorizing the issuance of the writ, and that the plaintiff has reason to believe, and does believe, that the garnishee, stating his name and residence, is indebted to the defendant, or that he has in his possession, or under his control, personal property or effects belonging to the defendant, or that the garnishee is an incorporated or joint stock company, and that the defendant is the owner of shares in such company or has an interest therein, and shall deposit with the clerk of the court the sum of five dollars (\$5.00) for each garnishee defendant named in the writ. The clerk shall pay to each garnishee defendant, out of the sum deposited by

\$5.00
deposit.