

## CHAPTER 237.

[S. B. 92.]

## INDEMNITY BONDS OF SHERIFFS.

AN ACT relating to sheriffs' indemnity bonds; and amending section 1 of chapter 33 of the Laws of 1935 (section 4172, Remington's Revised Statutes).

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

Amend-  
ments.

SECTION 1. That section 1 of chapter 33 of the Laws of 1935 (section 4172 of Remington's Revised Statutes) be amended to read as follows:

Sheriff not  
liable unless  
fees tendered.

Section 1. No Sheriff, Deputy Sheriff or Coroner shall be liable for any damages for neglecting or refusing to serve any civil process unless his legal fees are first tendered him; and if any property levied upon by virtue of any writ of attachment or execution or other order issued to the Sheriff out of any court in this state is claimed by any other person than the defendant, and such person or his agent or attorney makes affidavit of his title thereto or his right to possession thereof, stating the value thereof and the ground of such right of title, the Sheriff may release such levy, unless the plaintiff on demand indemnifies the Sheriff against such claim by an undertaking executed by a sufficient surety, and no claim to such property by any other person than the defendant shall be valid against the Sheriff, unless so made; and notwithstanding such claim when so made, he shall retain such property under levy a reasonable time to demand such indemnity. Any Sheriff, or other levying officer may require an indemnifying bond of the plaintiff in all cases where he has to take possession of personal property.

May deliver  
to third party  
on claim  
unless bond  
filed.

May demand  
indemnity  
bond.

Passed the Senate February 10, 1941.

Passed the House March 11, 1941.

Approved by the Governor March 25, 1941.