

## CHAPTER CVIII.

[H. B. No. 99.]

## RELATING TO SERVICE OF SUMMONS, ETC., ISSUED BY JUSTICES OF THE PEACE.

AN ACT to amend sections 1456 and 1457 of the Code of Procedure of the State of Washington, relating to the issuance, service and return of process and the complaint and notice issued by justices of the peace, and to provide for the service and return of summons and of complaint and notice issued by justices of the peace by persons other than sheriffs and constables.

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

SECTION 1. Section 1716 of the Code of Washington of 1881, the same being section 1456 of the Code of Procedure of the State of Washington, is amended to read as follows: All process issued by justices of the peace shall run in the name of the State of Washington, be dated the day issued, signed by the justice granting the same, and except as otherwise provided for, be directed to the sheriff or any constable of the proper county, and the same, as also the complaint and notice, shall be served by one of said officers, unless otherwise directed by the justice; except that summons, whether to a defendant or to a garnishee, and complaint and notice, may be served by a citizen of the State of Washington over twenty-one years of age who is competent to be a witness in the action, other than the plaintiff, which person shall certify all copies by him delivered in making such services in the same manner as such copies are required to be certified by a sheriff or constable in making such service.

SEC. 2. Section 1717 of the Code of Washington of 1881, the same being section 1457 of the Code of Procedure of the State of Washington, is amended to read as follows: Every constable, sheriff or other person serving any process or complaint and notice, shall return thereon in writing the time and manner of service, and indorse thereon the legal fees therefor, and if he is a constable or sheriff shall sign his name to such return, and if he is not such officer, shall verify such return by affidavit.

Approved March 10, 1893.