

CHAPTER 43.

[H. B. 187.]

COSTS IN JUSTICE COURTS.

AN ACT relating to costs in Justice Courts and amending section 1862 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 1862 of Rem. & Bal. Code be amended to read as follows:

Amends
Rem.-Bal.
§ 1862, by
adding
proviso.

Section 1862. When the prevailing party is entitled to recover costs in a civil action before a justice of the peace, the justice shall add the amount thereof to the judgment; in case of failure of the plaintiff to recover or of dismissal of the action, the justice shall enter up a judgment in favor of the defendant for the amount of his costs; and in case any party so entitled to costs is represented in the action by an attorney, the justice shall include an attorney's fee of five dollars as part of the costs: *Provided, however,* That the plaintiff shall not be entitled to such attorney fee unless he obtain, exclusive of costs, a judgment in the sum of five dollars or more.

Judgment
for costs.

Attorneys'
fees.

Passed the House March 1, 1915.

Passed the Senate March 4, 1915.

Approved by the Governor March 8, 1915.