

CHAPTER 36.

[H. B. 2.]

ARMISTICE DAY LEGAL HOLIDAY.

AN ACT establishing the eleventh day of November as a legal holiday, to be known as "Armistice Day."

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

SECTION 1. The eleventh day of November, in each year, shall be a legal holiday and shall be known as "Armistice Day." Date of holiday.

Passed the House November 19, 1925.

Passed the Senate December 3, 1925.

Approved by the Governor December 14, 1925.

CHAPTER 37.

[H. B. 22.]

THE MANNER OF TAKING DEPOSITIONS.

AN ACT relating to depositions and amending Sections 7 and 10 of Chapter XIX (19), Laws of 1891:

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

SECTION 1. That section 7 of chapter 19 of the Laws of 1891, p. 34 (Sec. 1233 Rem. Com. Stat.) be amended to read as follows: Amends
Pierce's
Code § 7732.

Section 7. Either party may have the deposition of a witness taken in this state before any judge of the superior court, justice of the peace, clerk of the supreme or superior courts, mayor of a city or notary public, by serving on the adverse party or his attorney previous notice of the time and place of examination. The notice shall be served such time before the time when the deposition is to be taken as to allow the adverse party, or his attorney, sufficient time by the usual route of travel to attend, and three days for preparation, exclusive of the day Before
whom taken.

Time when
notice must
be served.

Contents
of notice.

of service, and the examination may, if so stated in the notice, be adjourned from day to day. The notice shall specify the action or proceeding, the name of the court or the tribunal in which the deposition is to be used, the time and place of taking the deposition, and the name of the witness to be examined and shall be served upon the adverse party, or his attorney of record.

Amends
Pierce's
Code § 7735.

SEC. 2. That section 10 of chapter 19 of the Laws of 1891 (Sec. 1240 Rem. Com. Stat.) p. 35, be amended to read as follows:

Commission
to take may
be granted.

Section 10. Any superior court in this state, or any judge thereof, is authorized to grant a commission to take depositions within or without this state.

Manner of
issuing
commission.

The commission must be issued to a person or persons therein named, by the clerk, under the seal of the court granting the same, and depositions under it may be taken upon written interrogatories or upon oral questions or partly upon oral and partly upon written interrogatories, in the discretion of the court or judge granting the commission. Before any such commission shall be granted, the person intending to apply therefor shall serve upon the adverse party, or his attorney of record a notice of his intention to make such application, stating the time when and the place where such application will be made, the action or proceeding and the name of the court or tribunal in which the deposition is to be used, and the name of the witness to be examined, which notice shall be served such time before the time when the application is to be made as to allow the adverse party, or his attorney, sufficient time by the usual route of travel to attend, and three days for preparation, exclusive of the day of service, unless the court or judge, for sufficient cause shown by affidavit, prescribe a shorter time. At the time the application is presented, the

Notice to
adverse
party of
application
for
commission.

Time when
notice must
be served.

court or judge shall determine whether the deposition shall be taken upon written interrogatories, or upon oral questions, or partly upon oral and partly upon written interrogatories, in his discretion, and shall settle the interrogatories, if any have been served and the parties have not settled the same. The clerk, upon issuing the commission, shall attach the interrogatories thereto, if any have been agreed upon or settled by the court, and immediately forward the same to the commissioner. At least 5 days' notice must be given to the party or witness to be examined out of the state, in case such examination shall be had upon oral interrogatories, and the person before whom the deposition of the witness shall be taken shall have the same power to compel the attendance of such parties or witnesses as any person authorized to take such deposition within this state.

Court to determine manner of taking depositions.

Interrogatories to be attached to commission.

Notice to witness outside state.

Passed the House November 18, 1925.

Passed the Senate December 3, 1925.

Approved by the Governor December 14, 1925.

CHAPTER 38.

[H. B. 23.]

SERVICE OF INJUNCTION ORDER OR ORDER REQUIRING ATTENDANCE.

AN ACT relating to the service of orders in proceedings supplemental to execution and amending Section 13 of Chapter CXXXIII (133) of the Laws of 1893.

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

SECTION 1. That section 13 of chapter CXXXIII (133) of the Laws of 1893, page 439 (Sec. 625 Rem. Com. Stat.) be amended to read as follows:

Amends
Pierce's
Code § 7939.

Section 13. An injunction order or an order requiring a person to attend and be examined made as prescribed in this chapter must be served,—