

CHAPTER 213.

[S. B. 211.]

LEGAL PUBLICATIONS.

AN ACT relating to and regulating the publication of legal and other official notices and fixing the fees therefor; amending sections 1, 2, 3 and 5 of chapter 99 of the Laws of 1921 (sections 253-1, 253-2, 253-3 and 253-5, Remington's Revised Statutes).

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

Legal newspaper to be approved by Superior Court.

SECTION 1. Sixty days from and after the date this act becomes effective, a legal newspaper for the publication of any advertisement, notice, summons, report, proceeding, or other official document now or hereafter required by law to be published, shall be a newspaper which has been approved as a legal newspaper by order of the Superior Court of the county in which such newspaper is published. Such order may be entered without notice upon presentation of a petition by or on behalf of the publisher, setting forth the qualifications of the newspaper as required by this act, and upon evidence satisfactory to the court that such newspaper is so qualified.

Order without hearing upon petition.

May be terminated by order of court.

SEC. 2. An order of approval of a newspaper shall remain effective from the time of the entry thereof until the approval be terminated by a subsequent order of the court, which may be done whenever it shall be brought to the attention of the court that the newspaper is no longer qualified as a legal newspaper, and after notice of hearing issued by the clerk and served upon the publisher, at least ten days prior to the date of hearing, by delivering a copy of such notice to the person in charge of the business office of the publisher, or if the publisher has no business office at the time of service, by mailing a copy of such notice addressed to the publisher at the place of publication alleged in the petition for approval.

Notice to cancel.

SEC. 3. Section 1 of chapter 99 of the Laws of 1921 (section 253-1, Remington's Revised Statutes) is amended to read as follows: Amendments.

Section 1. The qualifications of a legal newspaper are that such newspaper shall have been published regularly, at least once a week, in the English language, as a newspaper of general circulation, in the city or town where the same is published at the time of application for approval, for at least six months prior to the date of such application, and shall be printed either in whole or in part in an office maintained at the place of publication: *Provided*, That in case of the consolidation of two or more newspapers, such consolidated newspaper shall be considered as qualified if either or any of the papers so consolidated would be a qualified newspaper at the date of such legal publication, had not such consolidation taken place. Qualifications of legal newspaper.
Consolidation.

SEC. 4. Section 2 of chapter 99 of the Laws of 1921 (section 253-2, Remington's Revised Statutes) is amended to read as follows: Amendments.

Section 2. All legal and other official notices shall be published in a legal newspaper as defined in this act, and the affidavit of publication shall state that such newspaper has been approved as a legal newspaper by order of the Superior Court of the county in which it is published, and shall be prima facie evidence of that fact. Affidavit of publication; contents.

SEC. 5. Section 3 of chapter 99 of the Laws of 1921 (section 253-3 of Remington's Revised Statutes) is amended to read as follows: Amendments.

Section 3. The provisions of this act shall not apply in counties where no newspaper has been published for a period of one year prior to the publication of such legal or other official notices. Exception.

SEC. 6. Section 5 of chapter 99 of the Laws of 1921 (section 253-5, Remington's Revised Statutes) is amended to read as follows: Amendments.

Publication
in any legal
newspaper.

Section 5. Any summons, citation, notice of sheriff's sale, or legal advertisement of any description, the publication of which is now or may be hereafter required by law, may be published in any daily or weekly legal newspaper published in the county where the action, suit or other proceeding is pending, or is to be commenced or had, or in which such notice, summons, citation, or other legal advertisement is required to be given: *Provided, however,* That if there be more than one legal newspaper in which any such legal notice, summons, citation or legal advertisement might lawfully be published, then the plaintiff or moving party in the action, suit or proceeding shall have the exclusive right to designate in which of such qualified newspapers such legal notice, summons, citation, notice of sheriff's sale or other legal advertisement shall be published.

Moving party
may choose.

Act not to
affect
pending
publications.

SEC. 7. Publications commenced in a legal newspaper, when this act takes effect, may be completed in that newspaper notwithstanding any failure to obtain an order of approval under this act, and notwithstanding an order of termination of approval prior to completion of publication. The clerk of the Superior Court of each county shall post and keep posted in a prominent place in his office a list of the newspapers published in that county which are approved as legal newspapers.

Clerk of
Superior
Court to keep
list posted.

Passed the Senate February 25, 1941.

Passed the House March 11, 1941.

Approved by the Governor March 24, 1941.