

CHAPTER 655
DEPOSIT AND DELIVERY

Section

- 655-1 Deposit in court or delivery to party
- 655-2 Enforcement of order
- 655-3 Money in court, deposit as ordered by the court
- 655-4, 5 Repealed

Note

As to procedural statutes superseded by the rules of court, see note preceding Title 32.

" **§655-1 Deposit in court or delivery to party.** When it is admitted, by the pleading or examination of a party, that the party has in the party's possession, or under the party's control, any money, or other thing, capable of delivery, which, being the subject of the litigation, is held by the party as trustee for another person, or which belongs, or is due, to another person, the court may order the same, upon motion, to be deposited in court, or delivered to the party, upon such conditions as may be just, subject to the further direction of the court. [CC 1859, §1153; RL 1925, §2383; RL 1935, §4117; RL 1945, §10231; RL 1955, §243-1; HRS §655-1; am L 1972, c 89, §6(a); gen ch 1985]

Rules of Court

See HRCF rule 67; DCRCP rule 67.

Case Notes

Cited: 48 H. 349, 364, 402 P.2d 683 (1965).

" **§655-2 Enforcement of order.** Whenever in the exercise of its authority a court has ordered the deposit or delivery of money or other thing, and the order is disobeyed, the court, besides punishing the disobedience, may make an order requiring the sheriff, or any of the sheriff's deputies, or any police officer to take the money or thing and deposit or deliver it in conformity with the direction of the court. [CC 1859, §1154; am imp L 1905, c 39, §67; am imp L 1907, c 118, §122; RL 1925, §2384; RL 1935, §4118; am L 1939, c 104, §7; am L 1943, c 62, §21 and c 64, §22; RL 1945, §10232; RL 1955, §243-2; am L 1963, c 85, §3; HRS §655-2; gen ch 1985; am L 1989, c 211, §10; am L 1990, c 281, §11]

Rules of Court

See HRCF rules 64, 70.

" **§655-3 Money in court, deposit as ordered by the court.** Whenever any money is paid into, or deposited in any court to abide the ascertainment of the right to the money, or the termination of the action, the court shall have power, upon the

application of any party interested, or without such application, to order the money to be deposited in the treasury of the State or as otherwise ordered, subject to the further order of the court. [L 1862, p 32; RL 1925, §2385; RL 1935, §4119; RL 1945, §10233; RL 1955, §243-3; HRS §655-3; am L 1972, c 89, §6(b)]

Cross References

Interest income; court deposits, see §601-18.

" **§§655-4 and 655-5 REPEALED.** L 1972, c 89, §6(c).