

CHAPTER LXXVIII.

[H. B. No. 29.]

PROVIDING FOR DRAWING GRAND AND PETIT JURORS.

AN ACT to amend sections 58, 59 and 60 of title 2, chapter 2 of volume 2 of the General Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill, providing the manner of drawing and certifying lists of grand and petit jurors, and declaring an emergency.

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

SECTION 1. That section 58 of title 2, chapter 2, volume 2 of the General Statutes and Codes of the State of Washington, as arranged and annotated by Wm. Lair Hill, be amended to read as follows: Sec. 58. In all counties from the 1st to the 7th class, inclusive, the board of county commissioners of each county shall, on or before the first Monday in February of each year, select from the persons qualified to act as jurors the names of five hundred persons, who shall be householders, to serve as grand and petit jurors for the ensuing year, and the clerk of the board of county commissioners shall certify said list to the clerk of the superior court of said county.

First to seventh class.

SEC. 2. That section 59 of title 2, chapter 2, volume 2 of the General Statutes and Codes of the State of Washington, as arranged and annotated by Wm. Lair Hill, be amended to read as follows: Sec. 59. In all counties from the 8th to the 29th class, inclusive, the board of county commissioners of each county shall draw from the persons qualified to act as jurors the names of 300 persons, who shall be householders, to serve as grand and petit jurors for the ensuing year, and the clerk of the board of county commissioners shall certify the same to the clerk of the superior court of said county: *Provided*, That if from any cause the county commissioners shall be unable to select the full number of names in this section provided for, they shall select such less number as they shall agree upon, and in such case the commissioners shall certify to the clerk the reasons why such less number has been selected: *Provided, however*, That for no cause shall a less number than 100 names be selected.

Eighth to twenty-ninth class.

SEC. 3. That section 60 of title 2, chapter 2 of volume 2 of the General Statutes and Codes of the State of Washington, as arranged and annotated by Wm. Lair Hill, be amended to read as follows: Sec. 60. Until otherwise provided for, each judge of the superior court may order, at such times as he deems necessary, a panel of not less than twelve nor more than twenty-four grand or petit jurors, to be drawn from the last jury list certified by the clerk of the board of county commissioners, and the county clerk or his deputy, the sheriff and county auditor shall place ballots prepared from such list, including therein all the names upon said list which have not previously been drawn, as hereinafter provided, in a box, and having thoroughly mixed them, the clerk or his deputy, being blindfolded, shall, in the presence of the judge, if in the county, draw therefrom the number of names required by the order of said judge. The list thus drawn shall be certified to by the sheriff and auditor, and within three days the clerk shall issue to the sheriff of the county a venire containing the names of the persons thus drawn as jurors; and until otherwise provided previous service as jurors within one year shall disqualify such person for service as juror. Each ballot, as it is drawn from the box as above provided, shall be destroyed, and the name of the person so drawn shall be stricken from the list, and no person named in said list shall be drawn to serve as a juror twice in the same year: *Provided*, That if, from any cause, the jurors in said list shall have been drawn before the list for the next succeeding year shall have been prepared and certified to the clerk as aforesaid, an open venire may issue to the sheriff for the requisite number to constitute a panel of grand or petit jurors, returnable at a day and hour to be named by the judge: *Provided further*, That if, for any reason, the sheriff or his deputy, or the county auditor or his deputy, shall be unable to be present at said drawing the clerk or his deputy may call to his assistance any other officer of said county to assist at such drawing.

SEC. 4. The certificate to the list drawn, as provided in the foregoing section, shall be in substantially the following form:

Judges may
order panel,
when.

Disquali-
fication.

STATE OF WASHINGTON, COUNTY OF, SS.

This is to certify that the undersigned officers of county, State of Washington, viz., were present at the drawing of the foregoing list of jurors drawn to serve as jurors from the day of until the further order of the court, and that the same is a full, true and correct list of the names drawn; that said drawing was conducted in the manner and form prescribed by law.

In witness whereof, we have hereunto set our hands this day of, 189.....

.....,
County of county.

.....,
County of county.

SEC. 5. In any case when the grand or petit jurors shall have been selected for the year of 1895, prior to the passage and approval of this act, the county commissioners may vacate and set aside the selections already made, and select the full number of jurors, grand or petit, or both, authorized by this act.

SEC. 6. Whereas, in some of the counties of this state the number of jurors now authorized to be selected is insufficient to transact the business of the courts, an emergency is hereby declared to exist, and this act shall take effect and be in force from and after its passage and approval by the governor.

Passed the house February 5, 1895.

Passed the senate March 13, 1895.

Approved March 19, 1895.