

CHAPTER 5.

(S. B. No. 49)

INCREASING NUMBER OF JUDGES OF SUPREME COURT FROM FIVE TO SEVEN.

AN ACT to increase the number of judges of the Supreme Court of the State of Washington, relating to the powers of said Court, and declaring an emergency.

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

Number

SECTION 1. The Supreme Court, from and after the passage of this act, shall consist of seven judges.

Quorum.

SEC. 2. A majority of the judges shall be necessary to form a quorum and to pronounce a decision, but the Court may provide for any number not less than a quorum to sit from time to time for the hearing of causes: *Provided*, That when a cause has been presented to a less number than all of the judges and four of the judges so sitting cannot agree on a decision, the parties to the action shall be notified and they shall have the right to resubmit it to the full Court under such rules as the Court may provide.

Vacancies.

SEC. 3. The vacancies existing in the office of the two additional judges hereby provided for shall be for the term commencing from and after the second Monday in January of the year 1903, and ending on the second Monday in January in the year 1909, and upon the taking effect of this act shall be filled by appointment by the Governor, and the judges so appointed shall hold their office until the next general election and until their successors are elected and qualified, but the persons so elected shall hold their offices only for the remainder of the unexpired term herein provided for, so that at the election of judges for the term commencing from and after the second Monday in January, 1909, three judges shall be elected for the full term of six years and likewise every six years thereafter.

Emergency.

SEC. 4. An emergency exists and this act shall take effect immediately.

Passed the Senate January 18, 1905.

Passed the House January 18, 1905.

Approved by the Governor January 19, 1905.