

(3) When such act is committed upon a child of fifteen (15) years of age and under eighteen (18) years of age, by imprisonment in the state penitentiary for not more than fifteen (15) years.

Passed the Senate February 4, 1943.

Passed the House March 6, 1943.

Approved by the Governor March 16, 1943.

CHAPTER 113.

[S. B. 114.]

DESCENT AND DISTRIBUTION.

AN ACT providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto.

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

SECTION 1. Where the title to property or the devolution thereof depends upon priority of death and there is no sufficient evidence that the persons have died otherwise than simultaneously, the property of each person shall be disposed of as if he had survived, except as provided otherwise in this act.

Distribute as though each survived.

Exception.

SEC. 2. Where two or more beneficiaries are designated to take successively or alternately by reason of survivorship under another person's disposition of property and there is no sufficient evidence that these beneficiaries have died otherwise than simultaneously the property thus disposed of shall be divided into as many equal portions as there are successive or alternate beneficiaries and the portion allocated to each beneficiary shall be distributed as if he had survived all the other beneficiaries.

Division according to number of beneficiaries.

SEC. 3. Where there is no sufficient evidence that two joint tenants have died otherwise than simul-

Joint tenants.

Distribute
as though
each
survived.

taneously, the property so held shall be distributed one-half as if one had survived, and one-half as if the other had survived. If there are more than two joint tenants and all of them have so died, the property thus distributed shall be in the proportion that one bears to the whole number of joint tenants.

Insurance
distribution.

SEC. 4. Where the insured and the beneficiary in a policy of life or accident insurance have died and there is no sufficient evidence that they have died otherwise than simultaneously the proceeds of the policy shall be distributed as if the insured had survived the beneficiary.

Act not
retroactive.

SEC. 5. This act shall not apply to the distribution of the property of a person who has died before it takes effect.

Exceptions.

SEC. 6. This act shall not apply in the case of wills, living trusts, deeds, or contracts of insurance wherein provision has been made for distribution of property different from the provisions of this Act.

Uniform
interpre-
tation.

SEC. 7. This Act shall be so construed and interpreted as to effectuate its general purpose to make uniform the law in those states which enact it.

Validity
section.

SEC. 8. If any of the provisions of this act or the application thereof to any persons or circumstances is held invalid such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are declared to be severable.

Passed the Senate February 20, 1943.

Passed the House March 8, 1943.

Approved by the Governor March 16, 1943.