

PROPOSED AMENDMENT TO STATE CONSTITUTION

Increasing Monetary Jurisdiction of Justice Courts

TO BE VOTED ON NOVEMBER 4, 1952

BALLOT TITLE

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 13

"Shall Article IV, section 6 of the Constitution be amended to permit superior courts to have original jurisdiction in all cases where the controversy amounts to one thousand dollars or a lesser sum in excess of the jurisdiction granted inferior courts; and shall Article IV, section 10 of the Constitution be amended to permit justices of the peace to have original jurisdiction where the controversy amounts to less than three hundred dollars or such greater sum not to exceed one thousand dollars?"

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 13

Be It Resolved, By the Senate and House of Representatives of the State of Washington in Legislative Session assembled:

THAT, At the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1952, there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, amendments to Article IV, section 6, and Article IV, section 10, of the Constitution of the State of Washington, so that said sections shall read as follows:

Article IV, section 6. The superior court shall have original jurisdiction in all cases in equity and in all cases at law which involve the title or possession of real property, or the legality of any tax, impost, assessment, toll, or municipal fine, and in all other cases in which the demand or the value of the property in controversy amounts to one thousand dollars, or a lesser sum in excess of the jurisdiction granted to justices of the peace and other inferior courts, and in all criminal cases amounting to felony, and in all cases of misdemeanor not otherwise provided for by law; of actions of forcible entry and detainer; of proceedings in insolvency; of actions to prevent or abate a nuisance; of all matters of probate, of divorce,

and for annulment of marriage; and for such special cases and proceedings as are not otherwise provided for. The superior court shall also have original jurisdiction in all cases and of all proceedings in which jurisdiction shall not have been by law vested exclusively in some other court; and said court shall have the power of naturalization and to issue papers therefor. They shall have such appellate jurisdiction in cases arising in justices' and other inferior courts in their respective counties as may be prescribed by law. They shall always be open, except on nonjudicial days, and their process shall extend to all parts of the state. Said courts and their judges shall have power to issue writs of mandamus, quo warranto, review, certiorari, prohibition, and writs of habeas corpus, on petition by or on behalf of any person in actual custody in their respective counties. Injunctions and writs of prohibition and of habeas corpus may be issued and served on legal holidays and nonjudicial days.

Article IV, section 10. The legislature shall determine the number of justices of the peace to be elected and shall prescribe by law the powers, duties and jurisdiction of justices of the peace: *Provided*, That such jurisdiction granted by the legislature shall not trench upon the jurisdiction of superior or other courts of record, ex-

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cept that justices of the peace may be made police justices of incorporated cities and towns. Justices of the peace shall have original jurisdiction in cases where the demand or value of the property in controversy is less than three hundred dollars or such greater sum, not to exceed one thousand dollars, as shall be prescribed by the legislature. In incorporated cities or towns having more than five thousand inhabitants, the justices of the peace shall receive such salary as may be provided by law, and shall receive no fees for their own use.

And Be It Further Resolved, That the secretary of state shall cause the foregoing constitutional amendments to be published for at least three months next preceding the election in a weekly newspaper in every county in the state in which such a newspaper is published.

Passed the House February 27, 1951.

CHAS. W. HODDE,
Speaker of the House.

Passed the Senate March 6, 1951.

VICTOR A. MEYERS,
President of the Senate.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State March 12, 1951.

EARL COE,
Secretary of State.