

such court, including the court *en banc* and in departments, as may be deemed most conducive to the due administration of justice.

SEC. 9. Until the organization of the court into separate departments shall have been consummated, and the transaction of business commenced in one or both of such departments, all causes and matters theretofore submitted to the court shall be disposed of by the court independent of the provisions of this act pertaining to such court *en banc* and in departments. Present cases.

SEC. 10. An emergency is declared to exist, and this act shall take effect immediately. Emergency.

Passed by the Senate February 10, 1909.

Passed by the House February 24, 1909.

Approved February 26, 1909.

CHAPTER 25.

[H. B. 102.]

RELATING TO STATE ROADS.

AN ACT to amend section two of an act of the Legislature of the State of Washington, entitled "An act providing for the establishment, construction and maintenance of state roads and making appropriations for state roads heretofore established," approved March 13th, 1907.

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

SECTION 1. That section two, of an act of the Legislature of the State of Washington, entitled "An act providing for the establishment, construction and maintenance of state roads, and making appropriations for state roads heretofore established," approved March 13th, 1907, be and the same is hereby amended to read as follows:

[Am'd. § 2,
ch. 151, p.
309, L. '07]

Sec. 2. No road shall hereafter be established as a state road until the same shall have been examined and if necessary surveyed, and shall have been found to be feasible and of public utility, and all facts concerning its feasibility and State road,
how
established.

utility have been reported to the State Legislature by the State Highway Commissioner.

Passed by the House February 1, 1909.

Passed by the Senate February 23, 1909.

Approved February 26, 1909.

CHAPTER 26.

[S. B. 29.]

LOCAL IMPROVEMENTS.

AN ACT relating to the collection of assessments for local improvements and amending section 1, of chapter 70, of the Session Laws of 1907, and declaring an emergency.

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

[Am'd. § 1.
ch. 70, p. 114,
L. '07]

SECTION 1. That section 1 of chapter 70 of the Session Laws of 1907 be and the same is hereby amended to read as follows: Section 1. That section 943 of Ballinger's Annotated Codes and Statutes of Washington, relating to assessments for local improvements, be amended to read as follows: Sec. 943. The city council is hereby authorized and empowered to order any work authorized by this chapter to be done upon the streets, alleys, avenues, highways and public places of such city. The expense or cost of improving and repairing, straightening or widening streets, sidewalks, alleys, squares or other public highways and places within the city, removing obstructions therefrom, grading, planking, paving, macadamizing, graveling and curbing the same and planting, setting out and cultivating of shade trees therein, and constructing gutters, culverts and sidewalks therein, shall be assessed as follows: The city council shall before grading, paving or other improvement of any street or alley, the cost of which is to be levied and assessed upon the property benefited, first pass a resolution or ordinance declaring its intention to make such improvement and stating in such resolution or ordinance the name of the street or alley to

Special
Assessments.

Resolution.