

five thousand (5,000) copies of the third biennial report of the state board of horticulture, two hundred (200) of which shall be bound in cloth, and the remaining four thousand eight hundred (4,800) to be inclosed in paper covers; the whole number to be at the disposal of the secretary of the state board of horticulture, and by him to be judiciously distributed to the fruit growers of the state, upon application, and to other like institutions and bodies in the other states.

Passed the House March 2, 1897.

Passed the Senate March 11, 1897.

Approved by the Governor March 16, 1897.

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## CHAPTER XCIII.

[H. B. No. 534.]

### RELATING TO ROADS, CYCLE PATHS AND WALKS.

AN ACT authorizing the acquiring, receiving, condemnation, laying out, grading and improvement of boulevards, or composite highways and walks, cycle paths and parks in connection therewith, by cities of the first class, and by counties where the said boulevard or highway and the walks, cycle paths and parks extend beyond the limits of such cities of the first class; and to provide for levying upon the property benefited thereby, and collecting special assessments to pay therefor, and for the issuance of bonds, payable in ten annual installments with interest, to provide means for carrying out said work.

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

Improvement  
of boulevards,  
cycle paths  
and highways.

SECTION 1. That there be and is hereby conferred upon cities of the first class within the State of Washington, full power and authority to acquire, receive, condemn, lay out, grade and improve boulevards or composite highways, and walks, cycle paths and parks in connection therewith and prescribe and limit the use thereof to specified kinds of traffic; and also full power and authority to levy and provide for the collection by the county treasurer of an assessment or assessments upon all lots or parcels of land benefited

thereby, and full power and authority to defray the full cost and expense thereof, including the cost of all necessary lands for right-of-way, whether obtained by purchase or condemnation, by issuing local improvement district bonds, as hereinafter provided, which said assessments and bonds shall become and remain a lien upon said lands until the said assessments and bonds shall have been paid, except as is herein otherwise provided; and the same full power and authority is hereby conferred upon counties where the said boulevards or composite highways, walks, cycle paths and parks extend from and beyond the limits of any such city of the first class into such county, and prescribe and limit the use thereof to specified kinds of traffic; the authority and power hereby conferred shall be exercised in the manner pointed out by this act, but any failure of power herein or informality may be supplied from the general power possessed by cities and counties to lay out, grade, improve, and protect and repair roads, bridges and highways; said boulevards or composite highways shall, with the walks, cycle paths and parks connected therewith, be in no case less than one hundred feet wide, nor more than two hundred feet in general width.

By local improvement bonds.

Beyond city limits.

Not less than 100 feet wide nor more than 200 feet wide.

SEC. 2. Whenever the owners of property to be benefited along the line of any proposed boulevard or composite highway, shall desire to improve the same under the provisions of this act, at the expense of such property benefited, and by the issuance of serial bonds to be payable in ten annual installments, with interest, they must present to the city council of such city of the first class a petition setting forth a general description of the route of the said improvement within said city, giving its terminal points, and a general description of the character of improvements desired, together with the general plan of the various roadways, walks, cycle paths and contemplated parks; if any portion of such proposed boulevard or composite highway shall extend beyond the limits of such city, a similar petition shall be filed with the board of county commissioners of the county into which it so extends covering the portion of same outside of the city; before any such petition shall be allowed and favorably acted upon, it must appear there-

Petition for improvement.

from that the owners of a majority in area of the lands to be benefited along said proposed boulevard or composite highway have signed the same and requested the work to be done under the provisions of this act; and any administrator, executor or guardian may, upon consent of the court appointing him, sign the same, and his signature shall bind the property of the estate or ward.

Survey and estimate to be made.

Petitioners to advance cost.

Notice by publication.

Opportunity for remonstrance.

Hearing of remonstrance.

SEC. 3. Whenever any such petition shall be filed, signed by a majority of the property owners as aforesaid, a council or board, as the case may be, shall cause a survey, plan and estimate of the entire cost within the said district to be made, which shall be filed with the city clerk or county auditor, as the case may be: *Provided*, That no such survey, estimate and plan shall be made without the said petitioners shall advance the cost thereof, which shall be afterwards included as a part of the expense of the improvement, and refunded if it be made; immediately after the said survey, plan and estimate is made and filed, the city clerk or county auditor, as the case may be, shall cause a notice of such filing to be published daily for ten days in the newspaper doing the city or county printing, which notice shall state that such petition has been filed, and shall give a brief and general description of the improvements proposed, the terminal points of the same and the proposed width of the same, together with the estimated cost and expense thereof, and also a description of the property included within the proposed district. Said notice shall fix a time and place at which all persons interested in the said property may appear before the said council or board and show cause, if any there be, why the said improvement ought not to be made as petitioned for. Said time shall not be less than eight days nor more than twenty days from the date of said notice. All owners who shall not make and file objections to the granting of such petition within the time mentioned shall be deemed to have assented thereto, in the same manner as if they had signed the said petition. If any remonstrance shall be made thereto, the council or board shall hear the same, and if it shall appear that the law has not been complied with in the securing [of] a sufficient number of signers to the said petition, or

that the requisite notice has not been given, or that the proposed improvement will not be a benefit to the property in the said district, or that for any other similar reason the work ought not to be done at the expense of the property owners, the said council or board shall so find, and decline and refuse to proceed further with the matter; but if it appears that the law has been in the aforesaid particulars complied with, and that the proposed improvement will be a benefit to the property in the said district, and will be a public convenience and benefit, the said council or board shall so find and shall authorize the improvements.

SEC. 4. Whenever any such petition shall have been presented to the city council, and upon notice as aforesaid shall have been examined and the proposed improvement found to be a proper one to be made by local assessment, the council shall by ordinance order such improvement to be made within any city district, and shall by such ordinance create a local improvement district, which shall embrace the lands and lots described in the said notices, and which will be benefited by such improvement; such ordinance shall provide in full for the levy and collection of such assessments, the issuance and sale of the bonds, and the general outline of the improvements and the proposed method of paying therefor; when a portion of said boulevard or composite highway shall lie outside of the city limits, the board of county commissioners shall upon like petition, notices and finding, make similar provisions for the improvement within its jurisdiction, by an order entered upon its records; the district lying within the city limits shall be known as District A, and that outside of the city, if any, as District B, and a different series of bonds shall issue in each, and the property in District A shall not be responsible for the payment of the bonds issued on District B, nor shall the property in District B be responsible for the payment of the bonds issued on District A.

By ordinance.

To create local improvement districts.

When proposed improvements lie beyond city limits.

SEC. 5. Each local improvement district shall include all property between the terminal points of said improvement; in case the line thereof extends beyond the city limits, the line of the city limits shall be one of the ends of

What constitutes a frontage.

termini of the inner and outer districts; the inner or local improvement District A shall include all property between its termini parallel to and within three hundred feet on each side of the average central line of the said boulevard or composite highway; and all property included within said limits shall be considered and held to have a frontage upon such improvement, and shall be the property benefited by said local improvement, and shall be the property to be assessed to pay the cost thereof, which cost shall be assessed by the said city council upon all the property so benefited in proportion to the benefits obtained thereby; the outer or local improvement District B shall include all property between its terminal points, one of which shall be the line of the city limits, and all property parallel thereto and within six hundred and sixty feet on each side of the average central line of the said composite highway; and all property included within said limits shall be considered and held to have a frontage upon such improvement, and shall be the property benefited by the said local improvement, and shall be the property to be assessed to pay the cost thereof, which cost shall be assessed by the said board of county commissioners upon all the property so benefited in proportion to the benefits obtained thereby; and no lot or parcel of land in any district shall be assessed or charged for but one proportionate part thereof, regardless of any angle or change of direction in the line of improvement.

Relating to  
street car  
tracks and  
right-of-way.

SEC. 6. In arranging and laying out any such boulevard or composite highway it shall be proper and lawful to arrange for the location and right-of-way of a street car track or tracks therein, but the lands upon which the same are built, or to be built, shall not be improved by such special assessment, but only at the expense of the parties owning the lands or the franchise thereon, and said land shall also be assessed in proportion to other property in the district to pay for the local improvement.

Assessment  
rolls and  
exhibits.

SEC. 7. The city council or board of county commissioners, as the case may be, shall make out and certify to an assessment roll, which shall show and exhibit in separate columns, 1st, the name of the owner of each separate

lot, piece, parcel or subdivision of land assessed and lying within the assessment district, which shall be set opposite the inscription [description] thereof, and if the name of the owner be unknown the word "unknown" shall be written in its place; 2d, a brief description by lot, block, or by metes and bounds, of each subdivision of land therein; 3d, the assessment number of each subdivision of land separately assessed; 4th, the amount assessed separately against each subdivision within said district, which shall be the sum, also, that the said lot, piece or parcel of land is benefited by the said improvement; 5th, a plat or map showing the line or lines of said proposed improvement, and the lots, blocks, pieces and parcels of land lying in said district to be assessed for such improvement, each of which subdivisions of land shall be marked with its assessment number on its face.

SEC. 8. Upon the completion of such assessment roll it shall be filed with the city clerk or county auditor, as the case may be, whereupon such clerk or auditor shall forthwith give notice by publication for five days in a daily paper doing the city or county printing, that said assessment roll is on file in his office, where it may be seen and examined by all parties interested, and the said notice shall state a time at which the council or the board, as the case may be, will hear any objections to the said assessment roll, which time shall not be less than one nor more than ten days after the last publication of the said notice.

To be filed with clerk or auditor.

Notice by publication.

SEC. 9. At the time appointed for hearing objections to the said assessment roll and the assessments therein, the council or board, as the case may be, shall hear and decide upon all objections which shall have been filed by any party interested, to the regularity of the proceedings in making said improvements or in levying said assessments, or to the correctness of the amount of said assessment, or of the amount levied upon any particular lot or parcel of land; and if the proceedings are found by them to have been regular, they shall correct any errors which may be found in the assessment, and shall pass an order approving and confirming said proceedings, and said assessment so corrected by them, and their decision and order shall be a

Board or council to hear objections.

Final confirmation of assessment rolls.

final determination of the regularity, validity and correctness of said assessment, and of the amount thereof levied upon each lot or parcel of land, and shall bar all persons appearing and objecting or failing to appear from any further recourse in law.

Assessments a lien upon the property.

SEC. 10. All such assessments shall be liens upon the property assessed, and all such liens shall relate back to and take effect as of the date when the council or board, as the case may be, found the work a proper one to be undertaken under the law and the petitions presented, and sustained the petitions against the objections made, or proceeded with the work without such objection, when none was made.

County treasurer to collect.

SEC. 11. The city or county clerk, as the case may be, shall, within five days after the confirmation of said assessment roll as aforesaid, certify and annex to the said roll a true copy of the order of confirmation, and issue and annex to the said roll a warrant directing the county treasurer to receive and collect the amount or amounts due thereon, in the manner and at the times hereinafter pointed out, and shall thereupon deliver said roll, order of confirmation and warrant to the said county treasurer, who shall thereupon be authorized to receive and collect the same, as by this law provided; the clerk shall, if the district lies within the city, also notify the city controller of the amount of the said roll, and if a district lies outside of the city the county auditor shall be so notified of the amount thereof, and the treasurer shall be charged therewith; the treasurer, within ten days after receiving the said roll, shall give notice by three weekly publications in the official newspaper of the city or county that such assessment roll is in his hands for collection, that the assessments are payable, and the date at which the same will become delinquent for the non-payment of the first installment of principal and interest; no demand shall be necessary for any such assessment, but it shall be the duty of every person whose property is assessed for improvements as herein provided, to pay all such assessments levied upon such property before the same become[s] delinquent.

Date of delinquency.

SEC. 12. The said assessments shall be due and payable

on the date of the order confirming the said assessment roll, and may be paid at any time thereafter as herein provided. Any person may at any time within thirty days after said order of confirmation redeem his said property by paying the full amount of such assessment without interest; if the said property is redeemed after said thirty days the owner shall pay the full amount of such assessment and the interest up to the succeeding first Monday in July or January, as the case may be. If the order confirming the said assessment roll shall be made more than thirty days next before the first Monday in July or January, or if not then, on the first Monday in July or January first thereafter, the first installment of one-tenth of the principal, and interest for one year on the whole sum due, shall be and become due and delinquent; and thereafter, annually, on the said first Monday in July or January, corresponding to the first date of delinquency, one-tenth of the principal sum, and one full year's interest on the whole sum due, shall be and become due and delinquent; upon the failure of any such owner to make payment of any installment and interest before delinquency, and upon such delinquency, the whole sum due on the said lot, piece or parcel delinquent shall also be and become due, payable and delinquent, and any sale of the said property for delinquency shall be for the full amount of the said assessment not then paid and interest to the next succeeding first Monday in July or January, as the case may be, and the costs of sale.

When assessments are due and payable.

Interest and installments.

SEC. 13. The said county treasurer shall be and he is hereby empowered and authorized, by virtue of the law and the warrant to collect, to sell at public auction to the highest bidder for cash, all the lots, pieces and parcels of land described in the said assessment roll, and upon which assessments are levied, whether in the name of the owner or in the name of an unknown, to satisfy all delinquent and unpaid assessments, with interest and costs; on the day of the delinquency a penalty of five per cent. on the principal sum due shall accrue to such assessment in addition to the interest thereon, and must then and thereafter

Property may be sold to satisfy assessments levied.

Penalty on delinquency.



be collected therewith; such treasurer's warrant shall, for the purpose of making sale of said real estate on which assessments are delinquent and unpaid, be deemed and taken as an execution against said real property for the amount of the said assessments with interest, penalty and costs, and the treasurer shall, within sixty days after said date of delinquency, commence the sale of the said real property, and continue such sale from day to day thereafter, until all the lots and parcels of land described in said assessment roll on which any such assessment or installment is delinquent and unpaid are sold; such sales shall take place at the front door of the court house, and such sales may take place from year to year if other delinquencies on said roll occur; the treasurer shall give notice of such sales by publishing a notice thereof once a week for three consecutive weeks, in the official city or county newspaper, as the case may require; such notice shall contain a list of all lots and parcels of land upon which such assessments are delinquent, with the amount of the assessment, interest, penalty and costs, to the date of sale, including the costs of advertising due upon each of such lots or parcels of land, together with the names of the owners thereof, or the words "unknown owner," as the same may appear on said assessment roll, and shall specify the time and place of sale, and that the several lots or parcels of land therein described will be sold to satisfy the assessment, interest, penalty and costs due upon each.

Notice by  
publication.

When sale  
shall take  
place.

SEC. 14. All such sales shall be made between the hours of 10 o'clock A. M. and 3 o'clock P. M.; each lot or parcel of land shall be sold separately and in the order in which the same appears on the assessment roll, commencing at the head thereof; all lots and parcels of land sold for delinquent assessments shall be sold to the highest bidder, and whenever any such lot is sold for more than the sum sufficient to satisfy the delinquent assessment, with interest, penalty and costs, the surplus shall be kept by the treasurer in a separate fund, and thereafter the owner or his legal representatives shall, on application, be entitled, upon proving their right thereto, to receive the same; if there be no bidder for any lot or parcel of land of a sum

sufficient to pay the delinquent assessment, interest, penalty and costs, the said treasurer shall declare the said property sold to the city, if the district is within the city, or to the county, if without the city, and the city or county in such case shall be a trustee of the title for the benefit of the bondholders; the said lands so stricken off to the said city or county may be disposed of as hereinafter provided, by a sale of the certificates of sale, or held, if not sold, to await the action of the bondholders, who shall be held to be the equitable owners thereof in proportion as their interests may appear.

Sale to city or county.

SEC. 15. Immediately after and upon the passage of the order confirming the assessment roll, the city council or the board of county commissioners, as the case may be, shall be and they are hereby authorized to cause the said improvement to be made at the expense of the said district: *Provided*, That the said contractor, laborers, material men or sub-contractors shall in all cases look only to the fund to be raised by such special assessment for their compensation: *And provided*, That neither the city nor county shall be responsible therefor in any degree except as trustee for the said district and bondholders.

Council to cause improvements to be made.

SEC. 16. The city controller shall be the custodian of all certificates of purchase for lots or parcels of land so sold to the city, and the county treasurer shall continue in the custody of all such certificates so sold to the county, and either shall, at any time prior to the issuance of a deed for such property and prior to the redemption of the lot or parcel of land therein described, sell and transfer any such certificate to any person who will pay to the county treasurer the amount for which the lot or parcel of land therein described was stricken off to the city or county with the interest subsequently accrued thereon; within ten days after the completion of the sale of all the lots and parcels of land described in such assessment roll and sold as aforesaid, the treasurer must make a return to the city council, or the board of county commissioners, of his doings thereon, showing all lots and parcels of land sold by him, to whom sold, and the sum paid therefor.

County treasurer or the controller custodian of such lands.

May sell, when.

SEC. 17. The purchaser at improvement assessment

Purchaser's lien.

sales acquires a lien on the lot or parcel of land sold for the amount paid by him at such sale, as well as for all delinquent taxes and improvement assessments, and all costs and charges thereon, whether levied previously or subsequently to such sale, subsequently paid by him on the lot or parcel of land, and shall be entitled to interest thereon at the rate of twelve per cent. per annum from the date of such payment.

Redemption.

SEC. 18. Every lot and parcel of land sold for any delinquent assessment as aforesaid, shall be subject to redemption by the former owner, or his grantee, mortgagee or heir, within one year within the date of the certificate of purchase, on payment to the county treasurer, for the purchaser, of the amount the same was sold for, with twelve per cent. interest per annum, together with all taxes and improvement assessments and costs and charges thereon paid by the purchaser on such lot or parcel of land since such sale, with like interest thereon, and on such redemption being made, the treasurer shall give to the redemptioner a certificate of redemption therefor and pay over the amount received from such redemptioner to the purchaser or his assigns; should no redemption be made within the period of one year, the treasurer shall, on demand by the purchaser, or his assigns, and the surrender of the certificate, execute to him a deed for the lot or parcel of land therein described: *Provided*, That no such deed shall be executed until the holder of said certificate shall have notified the owner of the said lot or parcel of land that he holds said certificate and that he will demand a deed thereof; and if, notwithstanding said notice, no redemption be made within ninety days from the service of said notice, said holder shall be entitled to said deed. Said notice may be given by personal service upon said person, or by publication in a weekly newspaper published in said city or county for three weeks; such notice and return thereto, with the affidavit of the person claiming said deed, stating that said service was made, shall be filed with the treasurer; such deed shall be executed only for the lot or parcel of land named in the certificate, and after the payment of all subsequent taxes and assessments thereon; the

Notice  
published.

deed shall be executed in the name of the city or county, as the case may be, and shall recite in substance the matters contained in the certificate, the notice to the owner, and that no redemption has been made of the property within the time allowed by law; such deed shall be signed and acknowledged before a notary public by the treasurer as such; the deed shall be *prima facie* evidence that the property was assessed as required by law, that the improvement assessment was not paid, that the property was sold as required by law, that it was not redeemed, that notice had been given, and that the person executing the deed was the proper officer, and the deed shall be conclusive evidence of the regularity of all other proceedings from the assessment inclusive up to the execution of the deed.

Deed, execution of.

SEC. 19. If any property within such assessment district shall be offered for sale, and no person shall bid a sum sufficient to pay the assessment, the interest, penalty and costs, the said property shall be stricken off to the city, if the district is within the city, or to the county, if the assessment district is within the county, and in either case the city or county, as the case may be, shall hold the said property as a trustee for the use and benefit of the holders of the bonds against the said district; but neither the said city nor county shall be required to pay any money out of its treasury upon the said bonds or interest thereon otherwise than as the same shall have been received from the said assessments: *Provided*, That if there shall not be a sufficient fund to pay the bonds and interest the said lots or lands so stricken off to the trustee may be utilized by the bondholders, as a common fund for further payments.

Sale to city or county.

SEC. 20. All work authorized by this act in laying out, grading and finishing the said composite highway or boulevard, or walks, cycle paths or parks in connection therewith, shall be done under the same supervision as other improvements in said city or county, and shall be done by days' work or by contract, at the discretion of the council or board: *Provided*, That if the petition for doing the work in the first place shall designate the manner of making the improvement, whether by days' work or contract,

Improvements, how made.

then the improvement must be done as requested in said petition: *And provided further*, That in no case shall the cost of any such improvement exceed the estimate made by the engineer; and before awarding any contract authorized by this act the same proceedings shall be had and the contract shall be let in like manner as other contracts in said city or county.

Contracts for improvements.

SEC. 21. All contracts shall be drawn under the supervision of the city or county attorney and shall have attached thereto detailed specifications of the work to be done, which shall be referred to and made a part of the contract, and the maps, estimates and all of the proceedings in the matter of creating the said assessment district shall be considered a part of the said contract; each contract shall be signed in duplicate, the contractor taking one and the proper city or county official keeping the other; at the same time with the execution of said contract the said contractor shall execute a bond to the city or county, as the case may be, and deliver the same to the clerk of the council or board; said bond shall be jointly and severally in the sum named in the notice for proposals, with two or more sufficient sureties, to be approved by the council or board; or the contractor may deposit with the county treasurer a certified check, upon some solvent bank, for said amount, for the faithful performance of said contract, which check shall be drawn payable to the said county treasurer; such sureties shall justify in a sum equal to the amount of the bond, and such bond shall be conditioned that such contractors shall pay all laborers, mechanics and material men and persons who shall supply such contractor with provisions or goods of any kind, all just debts due to such persons, or to any person to whom any part of such work is sub-contracted or given; which bond shall be filed with the clerk of the city or county, as the case may be. The contract for work shall specify the time within which the work shall be commenced and when to be completed, as was specified in the notice inviting proposals therefor; in case of failure on the part of the contractor to complete his contract within the time fixed, his contract may be by the council or board declared void, and the council or

Bonds given.

board may relet any unfinished portion of said work: *Provided*, That no contractor shall be paid any sum to exceed eighty per cent. until the whole of the said contract shall have been completed and accepted by the board or council; the work shall be done to the satisfaction of the city engineer, if within the city, or to the county surveyor, if without, and shall be done according to the plans and specifications.

SEC. 22. That whenever any improvement aforesaid shall be made under this act, provision for its payment shall be made by the issuance, by the council or board, of improvement district bonds, payable in ten annual equal installments, none of which bonds shall draw interest at a higher rate than ten (10) per cent. per annum; such bonds may be issued to the contractor at par, if he agrees to accept the same, or the council or board may sell the same at not less than par value, net, and pay the proceeds to the contractor. Such bonds shall not be issued in amount in excess of the contract price of the work or improvement together with the cost of all lands for right-of-way therefor, whether acquired by purchase or condemnation, and also all incidental expenses incurred by the city or county for said improvement: *Provided*, That when the annual tenth is paid the interest upon the whole sum shall also be paid; the bonds shall be of such denominations as the council or board shall determine, and shall be numbered from one to the highest number; the county treasurer, whenever he shall have received a sum sufficient from the redemption of any piece or pieces of property by the owners paying his assessment together with the interest to the next semi-annual date of interest payment, to pay one of the bonds in full, shall call the said bond, beginning at the first in number: *Provided*, That no such call shall be made and no such payments received after the eighth annual payment; the installments of principal and interest shall be paid on the third Monday in July and January; the principal annually and the interest semi-annually, and the bonds may provide for paying the same at the fiscal agency of the State of Washington in New York city.

Payment for  
improvements.

Bonds issued  
therefor.

Lien of  
assessment  
transferred to  
bondholders.

SEC. 23. Such bonds, when issued to the contractor constructing the improvement in payment therefor, or when sold as above provided, shall transfer to the contractor or other owner or holder all the right and interest of such city or county in and with respect to every such assessment, and the lien thereby created against the property of such owners assessed as shall not have availed themselves of the provisions of this act in regard to the redemption of their property as aforesaid, shall authorize said contractor and his assigns and the owners and holders of said bonds to receive, sue for and collect or have collected every such assessment embraced in any such bond by or through any of the methods provided by law for the collection of assessments for local improvements. And if the city or county shall fail, neglect or refuse to pay said bonds, or to promptly collect any of such assessments when due, the owner of any such bonds may proceed in his own name to collect such assessment and foreclose the lien thereof in any court of competent jurisdiction, and shall recover, in addition to the amount of such bonds and interest thereon, five per centum, together with the costs of such suit. Any number of holders of such bonds for any single improvement may join as plaintiffs, and any number of owners of the property on which the same are a lien may be joined as defendants in such suit. And such bonds shall be equal liens upon the property for the assessments represented by such bonds without priority of one over another to the extent of the several assessments against the several lots and parcels of land.

In case refusal  
to pay bonds.

In case  
invalid  
assessments.

SEC. 24. That in all cases of special assessment for local improvements of any kind against any property, persons or corporations whatsoever, wherein said assessments have failed to be valid in whole or in part for want of form or insufficiency, informality or irregularity, or non-conformance with the laws governing such assessments, the city council or other authorized board or body shall be and they are hereby authorized to re-assess such special taxes or assessments and to enforce their collection in accordance with the provisions of law existing at the time the re-assessment is made: *And it is further provided,* That whenever, for

any cause, mistake or inadvertence, the amount assessed shall not be sufficient to pay the cost of the improvement made and enjoyed by owners of property in the local assessment district where the same is made, that it shall be lawful, and the city council or other authorized board or body is hereby directed and authorized, to make re-assessments on all the property in said local assessment district sufficient to pay for such improvement, such re-assessment to be made and collected in accordance with the provisions of the law or ordinance existing at the time of its levy.

SEC. 25. That nothing herein shall be construed as re-pealing or modifying any existing manner and method for cities of the first class or counties to make improvements as herein provided for, but shall be construed as an additional and concurrent power and authority. The holder of any bond issued under the authority of this act shall have no claim therefor against the city or county by which the same is issued, in any event, except from the collections of the special assessment made for the improvement for which such bond was issued; but his remedy, in case of no payment, shall be confined to the enforcement of such assessments. A copy of this section shall be plainly written, printed or engraved on the face of each bond so issued.

Construction  
this act.

SEC. 26. An emergency is hereby declared to exist, and this law shall take effect and be in force immediately.

Passed the House March 9, 1897.

Passed the Senate March 11, 1897.

Approved by the Governor March 16, 1897.

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## CHAPTER XCIV.

[S. B. No. 210.]

### RELATING TO STREET CAR COMPANIES.

AN ACT requiring street cars to be provided with pilots, fenders or aprons.

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

SECTION 1. Every street car run or used on any street car line in the State of Washington shall be provided with

Cars to have  
fenders.