

CHAPTER 129.

[S. B. 76.]

RELATING TO DAMAGES FOR DEATH BY WRONGFUL ACT.

AN ACT amending section 4828 of Ballinger's Annotated Codes and Statutes of Washington, in relation to recovery of damages for the death of a person caused by the wrongful act or neglect of another.

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

SECTION 1. That section 4828 of Ballinger's Annotated Codes and Statutes of Washington, be, and the same is, hereby amended to read as follows: Section 4828. The widow, or widow and her children, or child or children if no widow, of a man killed in a duel, shall have a right of action against the person killing him, and against the seconds and all aiders and abettors. When the death of a person is caused by the wrongful act or neglect of another, his heirs, or personal representatives may maintain an action for damages against the person causing the death. If the deceased leave no widow or issue, then his parents, sisters or minor brothers who may be dependent upon him for support and who are resident within the United States at the time of his death, may maintain said action, when the death of a person is caused by an injury received in falling through any opening or defective place in any sidewalk, street, alley, square or wharf, his heirs or personal representatives, or, if deceased leaves no widow or issue, then his parents, sisters or minor brothers who may be dependent upon him for support, and who are resident within the United States at the time of his death, may maintain an action for damages against the person whose duty it was, at the time of the injury, to have kept in repair such sidewalk or other place. In every such action the jury may give such damages, as under all circumstances of the case may to them seem just.

[Am'd. § 4828
Bal., § 256
Pierce.]

Who may
sue.

Those
dependent.

Defective
walk or way.

Passed by the Senate February 4, 1909.

Passed by the House March 11, 1909.

Approved March 13, 1909.