

said right-of-way be appropriated, and directing the commissioners of said drainage district to draw their warrant on the county treasurer for the amount awarded by the jury to each person for damages sustained by reason of the establishment of said improvement, payable out of the funds of said drainage district.

SEC. 3. An emergency exists and this act shall take effect immediately.

Passed by the Senate February 26, 1909.

Passed by the House March 10, 1909.

Approved March 17, 1909.

CHAPTER 144.

[S. B. 75.]

RELATING TO SURVIVAL OF ACTIONS.

AN ACT amending section 4838 of Ballinger's Annotated Codes and Statutes of Washington, in relation to survival of actions for personal injury to any person, occasioning his death.

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

[Am'd.
§ 4838 Bal.;
§ 267 Pierce.]

Right of
action sur-
vives to
relatives.

SECTION 1. That section 4838 of Ballinger's Annotated Codes and Statutes of Washington be, and the same is, hereby amended to read as follows: Sec. 4838. No action for a personal injury to any person occasioning his death shall abate, nor shall such right of action determine, by reason of such death, if he have a wife or child living, or leaving no wife or issue, if he have dependent upon him for support and resident within the United States at the time of his death, parents, sisters or minor brothers; but such action may be prosecuted, or commenced and prosecuted, in favor of such wife or in favor of the wife and children, or if no wife, in favor of such child or children, or if no wife or child or children, then in favor of his parents, sisters or minor brothers who may be dependent upon him for support, and resident in the United States at the time of his death.

Passed by the Senate February 3, 1909.

Passed by the House March 11, 1909.

Approved March 16, 1909.