

be paid out of the current expense fund if so ordered by a unanimous vote of the city council.

Passed the House February 16, 1903.

Passed the Senate February 24, 1903.

Approved by the Governor March 4, 1903.

CHAPTER 28.

[H. B. No. 132.]

PROVIDING FOR THE SEARCH FOR AND SEIZURE OF LIQUORS.

AN ACT providing for the search for and seizure of liquors received, kept, or used, contrary to law and the appliances used in connection therewith and to define and punish as misdemeanors all violators thereof, and vesting all magistrates with authority to receive complaints and issue warrants against all persons violating the provisions of this act.

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

SECTION 1. That every person who shall, directly or indirectly, keep or maintain, by himself or by associating or combining with others, or who shall in any manner aid, assist or abet in keeping or maintaining any room or rooms, place or places in which intoxicating liquors are received or kept for unlawful use, barter or sale or for unlawful distribution; and every person who shall receive, barter, sell, assist or abet another in receiving, bartering or selling any intoxicating liquors so received or kept, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as hereinafter provided.

SEC. 2. The keeping or maintaining of any place in which intoxicating liquors are sold or given away, contrary to law, or in which such liquors are kept or harbored for the evident purpose of selling or giving away said liquors contrary to law, or where persons are permitted to resort for the purpose of drinking intoxicating liquors or where intoxicating liquors are kept for the purpose of inducing people to resort, to buy or receive intoxicating liquors in violation of law is hereby declared to be a common

Complaints and search. nuisance. Upon complaint being made of the violation of this section a magistrate shall issue a search warrant in which the premises in question shall be particularly described, commanding the sheriff or constable to thoroughly search the premises in question and to seize and hold all intoxicating liquors, vessels, bar fixtures, screens, bottles, glasses, jugs and other appurtenances found therein adapted to be used in retailing, giving away or distributing liquors in violation of law, to make a complete inventory thereof and deposit the same with the magistrate.

Seizure and custody. SEC. 3. The property seized under the warrant shall remain in the custody of the officer until the case has been decided by the court; if the defendant is found guilty the property seized shall be destroyed by the officer under the direction of the magistrate.

United States Revenue. SEC. 4. The payment of the United States revenue tax shall be held to be *prima facie* evidence that the person is a common seller of intoxicating liquors and his place a common nuisance when conducted in violation of law.

Violations and penalty. SEC. 5. Any person violating any of the provisions of this act shall, upon the conviction of the same, be punished by a fine of not less than fifty (50) nor more than five hundred (500) dollars, or in lieu thereof be imprisoned not less than thirty (30) days nor more than ninety (90) days in the county jail. For each subsequent offense the punishment shall be by imprisonment in the county jail for not less than six (6) months nor more than one (1) year.

Passed the House February 16, 1903.

Passed the Senate February 24, 1903.

Approved by the Governor March 4, 1903.