

upon such sale as hereinbefore provided, the consignor of such produce shall be entitled to recover from the person making such sale double the amount thereof in a civil action, and such person, firm or corporation shall also be subject to the penalties hereinafter imposed.

SEC. 10. Any person who shall violate any provision of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding the sum of two hundred and fifty dollars, or by imprisonment in the county jail for a period not exceeding six months, or by both such fine and imprisonment at the discretion of the court.

SEC. 11. The secretary of state shall revoke any license issued under the provisions of this act whenever the person, firm or corporation holding the same shall be convicted of any violation of this law, or whenever in his judgment such person, firm or corporation is conducting said business in a manner detrimental to the interest of the public.

Passed the senate February 20, 1895.

Passed the house March 13, 1895.

Approved March 21, 1895.

CHAPTER CXLIX.

[S. B. No. 209.]

DEFINING CRIMES AGAINST PUBLIC DECENCY.

AN ACT defining crimes against public decency and good morals, providing punishment therefor, and repealing sections 192 and 193 of the Penal Code of Washington.

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

SECTION 1. Incest is the sexual commerce of persons related within the degrees wherein marriage is prohibited.

SEC. 2. Persons being within the degrees of consanguinity or affinity, within which marriages are prohibited by law, who intermarry with each other, or who commit forni-

cation or adultery with each other, or who carnally know each other, shall be deemed guilty of the crime of incest, and upon conviction thereof shall be punished by imprisonment in the state prison for any term not exceeding twenty years.

Adultery defined.

SEC. 3. Adultery is the sexual intercourse between a married person and one who is not such married person's husband or wife.

Punishment for.

SEC. 4. Every person who lives in a state of adultery, upon conviction thereof, shall be punished by imprisonment in the state prison not exceeding five years.

Marriage, evidence of.

SEC. 5. A recorded certificate of marriage, or a certified copy thereof, there being no decree of divorce, proves the marriage of a person for the purposes of this act.

Bigamy defined.

SEC. 6. Every person having a husband or wife living, who marries any other person, except in the cases specified in the next section, is guilty of bigamy.

Exceptions.

SEC. 7. The last section does not extend—

1. To any person by reason of any former marriage whose husband or wife by such marriage has been absent for five successive years, without being known to such person within that time to be living; nor,

2. To any person by reason of any former marriage which has been pronounced void, annulled or dissolved by the judgment of a competent court.

SEC. 8. Sections 192 and 193 of the Penal Code of Washington are hereby repealed.

Passed the senate March 11, 1895.

Passed the house March 14, 1895.

Approved March 21, 1895.