

making of written applications therefor, on blanks to be provided by the directors and filed with the clerk, and it shall be a misdemeanor, punishable by a fine of one thousand dollars and a removal from office, for the officers of the state penitentiary who knowingly permit the disposal of jute fabrics to other than actual consumers. All payments for jute and other fabrics and brick shall be made to the warden of the state penitentiary, who is alone authorized to receipt therefor, and who shall keep a correct account of all sales, showing to whom sold, when sold, the quantity of each article sold and the amount paid; and the warden shall submit a transcript of said account of sales to the legislature, through the directors, at each session thereof, and shall report the amount of such sales monthly to the state auditor.

Passed the senate March 14, 1895.

Passed the house March 14, 1895.

Approved March 20, 1895.

CHAPTER CXXXIII.

[S. B. No. 248.]

RELATING TO UNLAWFUL USE OF TRADE MARKS.

AN ACT to amend section five of an act entitled "An act in relation to trade marks," approved February 21, 1891, and declaring an emergency.

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

SECTION 1. That section five of an act entitled "An act in relation to trade marks," approved February 21, 1891, be and the same is hereby amended to read as follows: Sec. 5. Any person using the trade mark so adopted by any other person, or any imitation of such trade mark, or any counterfeit thereof, or who shall in any manner mutilate, deface, destroy or remove such trade mark from any such goods, wares, merchandise, article or articles, or from any package or packages containing the same, or from any

empty or second hand package which has contained the same or been used therefor, with the intention of using such empty or second hand package, or of the same being used to contain goods, wares, merchandise, article or articles of the same general character as those for which they were first used, and any person who shall use any such empty or second hand package for the purpose aforesaid without the consent in writing of the person whose trade mark was first applied thereto or placed thereon, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$100 and not more than \$500, and the goods, wares, merchandise, article or articles contained on [in] any such second hand package or packages shall be forfeited to the original user of such package or packages whose trade mark was first applied thereto or placed thereon. The violation of any of the above provisions as to each particular article or package shall be held to be a separate offense.

SEC. 2. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force and effect immediately.

Passed the senate March 11, 1895.

Passed the house March 14, 1895.

Approved March 20, 1895.

CHAPTER CXXXIV.

[S. B. No. 114.]

PUBLIC LIBRARIES IN CITIES.

AN ACT authorizing the establishment of public libraries in cities.

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

SECTION 1. That whenever three or more resident tax-payers of any city in this state having a population of five thousand or more people, that is, any city of the first, the second or the third class, or any city of like population ex-

Public li-
brary, how
established.