

CHAPTER 68.

[H. B. 276.]

SALE AND USE OF ALCOHOL.

AN ACT relating to and regulating the importation, receipt, purchase, transportation, manufacture, possession, use, sale, and disposition of alcohol; prescribing the powers and duties of certain officers in relation thereto; providing penalties; and amending Sections 7312, 7320 and 7324 of Remington's Compiled Statutes.

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

Amends
§ 7312, Rem.
Comp. Stat.

SECTION 1. That section 7312 of Remington's Compiled Statutes be amended to read as follows:

Druggists
and pharma-
cists.

Section 7312. Nothing in this act shall be construed to prohibit a registered druggist or pharmacist, actually engaged in the wholesale drug business in this state, from selling alcohol to a retail druggist, a hospital, or any person or business issued a permit by the United States government for the purchase of alcohol for laboratory, scientific or professional use, or a manufacturer, licensed to purchase the same under the provisions of this act, or from selling alcohol for export and shipping the same to places outside the state, or to prohibit a registered druggist or pharmacist, actually engaged in the retail drug business in this state, from selling alcohol to any person holding a permit to purchase the same, issued under the provisions of this act, or to prohibit an ordained clergyman, priest or rabbi actually engaged in ministering to a religious congregation in this state, from administering intoxicating liquor for sacramental purposes only; but it shall be unlawful for a registered druggist or pharmacist engaged in the wholesale drug business only, to sell alcohol to any other person than a retail druggist, a hospital, or any person or business issued a permit by the United States government for the pur-

Scientific,
professional
use.

Retail drug
business.

chase of alcohol for laboratory, scientific or professional use, or a manufacturer, licensed to purchase the same under the provisions of this act, and it shall be unlawful for any person other than a registered druggist or pharmacist to sell alcohol for any purpose whatsoever, and it shall be unlawful for any druggist or pharmacist, or any other person, to dilute or adulterate alcohol, or compound it with any other substance in such proportions that it shall be capable of being used as a beverage, and sell, barter, exchange, give away, furnish, or otherwise dispose of the same, or to permit any alcohol to be diluted or adulterated, or compounded with any other substance, and drunk on the premises where sold. It shall be the duty of every druggist or pharmacist, engaged in the retail drug business, selling any alcohol for any of the purposes above provided, or to any person holding a permit to purchase the same, to keep, in a well bound book provided by him for that purpose, a true and correct record of each sale made, and to enter in such record, at the time of every sale of alcohol made by him, or in or about his place of business, the date of sale, the name of the purchaser, his place of residence (stating the street name and house number, if such there be, and the city or town, and county of such residence), the quantity and price of the alcohol, the purpose for which it was sold, the date and number of the permit upon which it was sold, and the name of the county in which said permit was issued, and the initials of the person making the sale, and to require the purchaser to sign the record in the book. Such record of sales shall be open to inspection by any prosecuting attorney, city attorney, justice of the peace, sheriff, constable, marshal, police officer, mayor or commissioner of any city or town, or member of a city or town council. It shall be unlawful for any druggist or pharmacist,

Sales
record.

Inspection.

or any other person, to destroy, mutilate or in any way alter any such record or an entry therein, or to permit or procure the same to be destroyed, mutilated or altered, or to refuse inspection thereof to any person entitled to such inspection, or to sell or to ship to any person holding a permit to purchase the same, any alcohol in excess of the quantity specified in such permit, or to sell any alcohol without obtaining the signature of the purchaser, in case delivery is made to the purchaser, or entering the name of the carrier to whom the alcohol was delivered for transportation, in the record of the sale, or to deliver any package containing alcohol so sold without securely affixing thereto in a conspicuous place on the outside thereof, an original permit for the purchase of the same, issued to the purchaser, by a county auditor of this state, within thirty days prior to the date of such sale, and in case of delivery to the purchaser, without defacing and canceling such original permit, so that it cannot be used again, and receiving from the purchaser the duplicate permit, of like number, date and tenor as the original, dated on the date of the sale, and signed by the purchaser in the same handwriting as the signature of the applicant upon the original permit, and witnessed by the person making the sale, but in case delivery is to be made by a common carrier, or person engaged in the business of transporting goods, wares and merchandise, it shall be lawful for the druggist or pharmacist, selling alcohol upon a permit to purchase the same, after securely affixing the original permit to the package containing the alcohol, in a conspicuous place on the outside thereof, to deliver such package to such common carrier for transportation to the person named in the permit, without defacing or canceling such permit, and in such case it shall be unlawful for such carrier to deliver such package to any other person than a

Signature of
purchaser.

Delivery to
common
carrier.

forwarding common carrier, or the person named in the original permit attached to such package; or for any such common carrier or forwarding carrier to deliver such package to the person named in the permit, without defacing and canceling such original permit so that it cannot be used again, and receiving, from the person named in the permit, the duplicate permit of like number, date, and tenor as the original, dated on the day of delivery, and signed by the person named in the permit in the same handwriting as the signature of the applicant, upon the original permit, and witnessed by the person making the delivery. It shall be unlawful for any druggist or pharmacist, who has been or shall be convicted of any violation of the provisions of this act, to within two years thereafter, sell alcohol for any purpose whatsoever, and upon a second conviction of any such violation such druggist or pharmacist shall, in addition to the penalty provided by this act for such violation, forfeit his right to sell drugs or practice pharmacy, as the case may be, and it shall be the duty of the justice of the peace or judge of the superior court, before whom such second conviction is had, to so adjudge and to transmit a certified copy of such judgment to the board of pharmacy, and such board shall forthwith upon the receipt of such copy, cancel the license of such druggist or pharmacist, and no other license shall be issued to such druggist or pharmacist within two years from the date of such cancellation. It shall be the duty of every druggist and pharmacist, and of every common carrier, to keep on file all duplicate permits for the purchase of alcohol, received upon the delivery thereof to the persons named in such permits and such duplicate permits shall be open to inspection by any constable, marshal, police officer, mayor or commissioner of any city or town council, and it shall be unlawful for any druggist or phar-

Cancellation
of permits.

Violation,
penalties.

Duplicate
permits.

macist, or common carrier, or any other person, to destroy, mutilate, or in any way alter any such duplicate permit, or to permit or procure the same to be destroyed, mutilated or altered or to refuse inspection thereof, to any person entitled to such inspection.

Amends
§ 7320, Rem.
Comp. Stat.

SEC. 2. That section 7320 of Remington's Compiled Statutes be amended to read as follows:

Section 7320. Every registered druggist or pharmacist actually engaged in the wholesale drug business in this state and desiring to import alcohol for sale under the provisions of this act, and every registered druggist or pharmacist actually engaged in the retail drug business in this state and desiring to import or purchase alcohol for sale or for use in compounding and manufacturing drugs and medicines, under the provisions of this act, and every person actually engaged in maintaining and conducting a hospital, containing not less than twenty beds for patients, and desiring to import or purchase alcohol for use in such hospital for medicinal, surgical, massage, antiseptic or other hospital purposes only, under the provisions of this act, and any person issued a permit by the United States government for the purchase of alcohol for laboratory, scientific or professional use, and every person actually engaged in the business of manufacturing products containing alcohol, other than intoxicating liquors, or products requiring the use of alcohol in their process of manufacture, and desiring to import or purchase alcohol for use in manufacturing such products, under the provisions of this act, shall file with the county auditor, of the county in which his place of business is situated, an application for a license so to do, and every person desiring to purchase alcohol from a retail druggist for mechanical, chemical, scientific, medicinal, or hygienic purposes, under the provisions of this act,

Application
for license.

shall make and file with the county auditor of the county in which he resides, an application in writing for a permit so to do. Every such application for a license to import or purchase alcohol shall be in writing in duplicate and be signed and verified under oath by the applicant, that the statements therein contained are true, and shall state: the name and place of residence of the applicant; the name under which he is engaged in business; the exact location of his place of business (giving the street name and number, if any there be, and the city or town and county); the nature of the business or profession in which the applicant is engaged, whether wholesale, retail, maintaining a hospital or manufacturing, and, in case of a hospital, the number of beds for patients therein, and in case of manufacturing, the products manufactured; that it is necessary from time to time to import or purchase alcohol; the quantities and frequency of such importations or purchases; that such alcohol is not to be used, sold or disposed of in violation of law, but is to be obtained for sale or used in compliance with the provisions of this act; that the applicant, or the officers, or agents or servants in charge of the business of a corporation applicant, or the members of a copartnership applicant, have not, within two years prior to the date of the application, been convicted of any violation of the provisions of this act; and, in case the application is made on behalf of a corporation or a copartnership, shall state the names and places of residence of the managing officers of the corporation, or of the members of the copartnership, as the case may be, and the official position or other connection therewith of the person signing and verifying the application. Applications for licenses to import or purchase alcohol for wholesale, retail, laboratory and scientific or manufacturing purposes or any of them may be combined, and licenses granted

Verified
under oath.

Contents.

Applications
for combined
use.

for one or more of such purposes: *Provided*, That a license to import or purchase alcohol for sale, shall not be granted to an applicant engaged in manufacturing only. Every such application for a permit to purchase alcohol from a retail druggist for mechanical, chemical, scientific, medicinal or hygienic purposes, shall be signed and verified under oath by the applicant, that the statements contained therein are true, and shall state the name and place of residence, of the applicant (giving the street name and house number, if any there be, and the city or town and county), the quantity of alcohol which he desires to purchase, the purpose for which he desires to purchase and use the same, and the facts showing his reasonably necessary use therefor.

Application to purchase from retail druggist.

Amends § 7324, Rem. Comp. Stat.

SEC. 3. That section 7324 of Remington's Compiled Statutes be amended to read as follows:

Section 7324. It shall be unlawful for any wholesale druggist licensed to import alcohol under the provisions of this act, to sell alcohol to any person other than a retail druggist, hospital, or person or business issued a permit by the United States government for the purchase of alcohol for laboratory, scientific or professional use, or manufacturer licensed to purchase the same under the provisions of this act, or to sell or ship any alcohol to any such licensed retail druggist, hospital, or person or business issued a permit by the United States government for the purchase of alcohol for laboratory, scientific or professional use, or manufacturer, without affixing in a conspicuous place on each package containing the alcohol so sold, an original permit, issued by a county auditor as in this act provided, authorizing the purchase, or to sell or ship any quantity of alcohol in excess of that specified in the permit affixed to the package so sold or shipped, or to deliver to the purchaser any package or alcohol sold without defacing and canceling the original

Wholesale druggist.

Original permit affixed.

permit affixed thereto so that the same cannot be used again, and receiving the duplicate permit, of like number, date and tenor as the original, signed by the purchaser: *Provided*, That nothing herein contained shall be construed to prohibit a wholesale druggist from selling alcohol for export and shipping the same to a place outside the state, and it shall be unlawful for any common carrier or person engaged in the business of transporting goods, wares and merchandise to knowingly transport for delivery in this state any intoxicating liquor other than alcohol or any alcohol, without having an original permit, issued by a county auditor, as in this act provided, authorizing the transportation thereof, affixed in a conspicuous place on the package containing such intoxicating liquor or alcohol, or to knowingly transport intoxicating liquor of any other kind, than, or any quantity of intoxicating liquor or alcohol in excess of, that specified in the permit affixed to the package so transported, or to deliver such package of intoxicating liquor or alcohol, to any other person than a forwarding common carrier or the consignee named in the permit affixed to such package, or to deliver such package to the consignee, without defacing and canceling the original permit affixed thereto so that the same cannot be used again and receiving the duplicate permit, of like number, date and tenor, as the original, signed by the consignee, and it shall be unlawful for any person, other than a forwarding common carrier, to knowingly receive from any common carrier or person engaged in the business of transporting goods, wares and merchandise, any intoxicating liquor other than alcohol or any alcohol, without the package containing the same has affixed thereto, in a conspicuous place, the original permit for the transportation thereof properly defaced and canceled, or without delivering the duplicate permit signed by

Exportation.

Transportation by common carrier.

Defacing original permit.

Duplicate
permits.

the consignee named therein, or for any other person than the consignee named therein to sign and deliver such duplicate permit. It shall be the duty of every wholesale druggist and of every common carrier to keep on file all duplicate permits for the importation or purchase, and transportation, of alcohol or intoxicating liquor, received upon the delivery thereof to the consignee, and such duplicate permit shall be open to inspection by any prosecuting attorney, city attorney, justice of the peace, sheriff, constable, marshal, police officer, mayor or commissioner of any city or town, or member of a city or town council. It shall be unlawful for any wholesale druggist or pharmacist, or common carrier, or any other person, to destroy, mutilate or in any way alter any such duplicate permit, or to permit or procure the same to be destroyed, mutilated or altered, or to refuse inspection thereof to any person entitled to such inspection.

Passed the House March 3, 1931.

Passed the Senate March 10, 1931.

Approved by the Governor March 18, 1931.

CHAPTER 69.

[H. B. 313.]

COUNTY FOREST LANDS CONVEYED TO UNITED STATES.

AN ACT authorizing boards of county commissioners to convey certain lands to the United States government.

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

County com-
missioners
authorized
to convey.

SECTION 1. The board of county commissioners of any county which has heretofore, or may hereafter, acquire any lands through foreclosure of tax liens or otherwise, which by reason of their location, topography or geological formation are chiefly valuable for the purpose of developing and growing tim-