

CHAPTER XC.

[H. B. No. 212.]

TO PREVENT ATTEMPTS TO COMMIT BURGLARIES.

AN ACT to prevent attempts to commit burglaries and declaring the possession of burglar's tools, with intent to use the same for unlawful purposes, to be a misdemeanor, and declaring a rule of evidence in such cases.

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

SECTION 1. If any person shall be found at night around [armed] with any dangerous instrument or offensive weapon whatsoever, with intent to break or enter into any dwelling house, building, room in a building, cabin, stateroom, railway car or other covered enclosure where personal property shall be, and to commit any larceny, felony or misdemeanor therein, or with the intent to commit any larceny, felony or misdemeanor, or if any person shall at any time be found having in his possession any picklock, crow, key, bit, jack, jimmy, nippers, outsiders, pick, drill punch, betty or other implement or implements of burglary, with the intent aforesaid, and under such circumstances as shall not amount to an attempt to commit felony, every such offender shall be deemed guilty of a misdemeanor.

SEC. 2. The possession of any of the above mentioned burglar's implements, tools, weapons or instruments by any person other than a mechanic, artificer or person in trade at and in his known or established shop or place of business, which is open to the public as such, shall be *prima facie* proof of the intent of such person to use the same for the felonious or unlawful purposes mentioned in section one of this act, and shall impose upon such person the burden of proving a contrary intent.

Possession of
burglars' tools
prima facie
proof of intent.

Approved March 9, 1893.