

such possession for interest on the purchase price at the rate of six per cent per annum during the period of possession and for any taxes with interest: *And, provided further*, That in case of any homestead selected in the manner provided by law and occupied for that purpose at the time of sale, the judgment debtor shall have the right to retain possession thereof during the period of redemption without accounting for issues or value of occupation.

In case of
homesteads.

Passed the Senate January 12, 1927.

Passed the House January 26, 1927.

Approved by the Governor February 8, 1927.

CHAPTER 94.

[S. B. 26.]

PLACES OF LEWDNESS: ABATEMENT.

AN ACT relating to houses or places of lewdness, assignation or prostitution and amending Sections 5, 6 and 7 and repealing Section 8 of Chapter 127 of the Laws of 1913.

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

SECTION 1. That section 5 of chapter 127 of the Laws of 1913, pages 392-393, (section 946-5 of Remington's Compiled Statutes; section 8239 of Pierce's 1919 Code) be amended to read as follows:

§ 5, Ch. 127,
L. 1913;
§ 946-5, Rem.
Stats.;
§ 8239,
Pierce's 1919
Code.

Section 5. If the existence of a nuisance be established in an action as provided in this act, or in a criminal proceeding, an order of abatement shall be entered as a part of the judgment in the case, which order shall direct the removal from the building or place where such nuisance is maintained, of all furniture, musical instruments and moveable property, used in conducting the nuisance, and may direct the sale thereof in the manner provided for the sale of chattels under execution, and there shall be entered as a part of the judgment in the case, an

Existence of
nuisance
established.

Order of
abatement.

Sale of
property.

Injunction
against
maintaining
nuisance.

Penalty.

Punishment
for contempt.

Fees of
officer for
sale of
property
and closing
premises.

§ 6, Ch. 127,
L. 1913 ;
§ 946-6, Rem.
Stats. ;
§ 8240,
Pierce's 1919
Code.

Proceeds of
sale—How
applied.

order effectually closing the building or place against its use for any purpose, and so keeping it closed for a period of not exceeding six months, and such judgment shall contain a decree perpetually enjoining the person or persons found to have maintained such nuisance, from maintaining such nuisance, and such judgment shall impose a penalty of three hundred dollars for the maintenance of such nuisance, which penalty shall be imposed against the person or persons found to have maintained the nuisance, and, in case the owner, or agent, of the building is found to have had actual or constructive notice of the maintenance of such nuisance, against such owner, or agent, and against the building kept or used for the purposes prohibited by this act, which penalty shall be collected by execution as in civil actions, and when collected, shall be paid into the current expense fund of the county in which the judgment is had. If any person shall break and enter or use a building or place so directed to be closed, he shall be punished as for contempt as provided in the preceding section. For removing and selling all movable property, and collecting the penalty, the officer shall be entitled to charge and receive the same fees as he would for levying upon and selling like property, or collecting money, on execution. and for closing the premises and keeping them closed, a reasonable sum shall be allowed by the court.

SEC. 2. That section 6 of chapter 127 of the Laws of 1913, page 393, (section 946-6 of Remington's Compiled Statutes; section 8240 of Pierce's 1919 Code) be amended to read as follows:

Section 6. The proceeds of the sale of the personal property, as provided in the preceding section, shall be applied in payment of the costs of the action and abatement, and the penalty imposed upon the owners of such personal property, and the balance,

if any, shall be paid to the person owning such property prior to said sale.

SEC. 3. That section 7 of chapter 127 of the Laws of 1913, page 393, (section 946-7 of Remington's Compiled Statutes; section 8241 of Pierce's 1919 Code) be amended to read as follows:

§ 7, Ch. 127,
L. 1913;
§ 946-7, Rem.
Stats.;
§ 8241,
Pierce's 1919
Code.

Section 7. If the owner of the building in which a nuisance is found to be maintained, appears and pays all costs of the proceeding, and files a bond with sureties to be approved by the clerk in the full value of the property to be ascertained by the court, conditioned that he will immediately abate said nuisance and prevent the same from being established or kept therein within a period of one year thereafter, the court or judge may, if satisfied of his good faith, order the premises, closed under the order of abatement, to be delivered to said owner, and said order closing the building cancelled. The release of the property under the provisions of this section shall not release it from any judgment, lien, penalty or liability to which it may be subject by law.

Abatement
voluntary.

Release.

SEC. 4. That section 8 of chapter 127 of the Laws of 1913, pages 393-394, (section 946-8 of Remington's Compiled Statutes; section 8242 of Pierce's 1919 Code) is hereby repealed.

Statute
repealed.

Passed the Senate January 12, 1927.

Passed the House January 26, 1927.

Approved by the Governor February 8, 1927.