

Penalty. SEC. 3. For each and every violation of any of the provisions of this act the penalty shall be a fine or [of] not more than one hundred dollars and imprisonment for not more than thirty days.

Passed by vote of the People at the General Election Nov. 3, 1914.

Proclamation signed by the Governor Dec. 3, 1914.

CHAPTER 2.

RELATING TO INTOXICATING LIQUORS.

INITIATIVE MEASURE NO. 3.

AN ACT relating to intoxicating liquors, prohibiting the manufacture, keeping, sale and disposition thereof, except in certain cases, the soliciting and taking of orders therefor, the advertisement thereof and the making of false statements for the purpose of obtaining the same, declaring certain places to be nuisances and providing for their abatement, regulating the keeping, sale and disposition of intoxicating liquors by druggists and pharmacists, the prescription thereof by physicians, the transportation thereof, and providing for the search for and seizure and destruction thereof, prescribing the powers and duties of certain officers, and the forms of procedure and the rules of evidence in cases and proceedings hereunder, and fixing penalties for violations hereof, and the time when this act shall take effect.

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

Construction of act. SECTION 1. This entire act shall be deemed an exercise of the police power of the state, for the protection of the economic welfare, health, peace and morals of the people of the state, and all of its provisions shall be liberally construed for the accomplishment of that purpose.

"Intoxicating liquor" defined. SEC. 2. The phrase "intoxicating liquor," wherever used in this act, shall be held and construed to include whiskey, brandy, gin, rum, wine, ale, beer and any spirituous, vinous, fermented or malt liquor, and every other liquor or liquid containing intoxicating properties, which is capable of being used as a beverage, whether medicated or not, and all liquids, whether proprietary, patented or not,

which contain any alcohol, which are capable of being used as a beverage.

SEC. 3. The word "person," wherever used in this act, shall be held and construed to mean and include natural persons, firms, co-partnerships and corporations, and all associations of natural persons, whether acting by themselves or by a servant, agent or employe.

"Person" defined.

SEC. 4. It shall be unlawful for any person to manufacture, sell, barter, exchange, give away, furnish or otherwise dispose of any intoxicating liquor, or to keep any intoxicating liquor, with intent to sell, barter, exchange, give away, furnish or otherwise dispose of the same, except as in this act provided: *Provided, however,* That it shall not be unlawful for a person to give away intoxicating liquor, to be drunk on the premises, to a guest in his private dwelling or apartment, which is not a place of public resort.

Manufacture, sale or gift prohibited.

Exception as to guests.

SEC. 5. It shall be unlawful for any person owning, leasing, renting or occupying any premises, building, vehicle or boat to knowingly permit intoxicating liquor to be manufactured, sold, bartered, exchanged, given away, furnished or otherwise disposed of in violation of the provisions of this act, or to be kept with intent to sell, barter, exchange, give away, furnish or otherwise dispose of the same in violation of the provisions of this act thereon or therein; and all premises, buildings, vehicles and boats whereon and wherein intoxicating liquor is manufactured, sold, bartered, exchanged, given away, furnished or otherwise disposed of or kept with intent to sell, barter, exchange, give away, furnish or otherwise dispose of the same in violation of the provisions of this act are common nuisances, and may be abated as such, and upon conviction of the owner, lessee, tenant or occupant of any premises, buildings, vehicle or boat of a violation of the provisions of this section, the court shall order that such nuisance be abated, and that such premises, building, vehicle or boat be closed until the owner, lessee, tenant or occupant thereof shall

Buildings, etc., used in liquor traffic abated as nuisances.

Bond to
secure com-
pliance with
law.

give bond, with a sufficient surety to be approved by the court making the order, in the penal sum of one thousand dollars, payable to the State of Washington, and conditioned that intoxicating liquor will not thereafter be manufactured, sold, bartered, exchanged, given away, furnished or otherwise disposed of thereon and therein, or kept thereon or therein, with intent to sell, barter, exchange, give away or otherwise dispose of the same contrary to law, and that he will pay all fines, costs and damages that may be assessed against him for any violation of this act; and in case of the violation of any condition of such bond, the whole amount may be recovered as a penalty, for the use of the county wherein the premises are situated; and in all cases where any person has been convicted before a justice of the peace of a violation of the provisions of this section, and no appeal has been taken from such conviction, an information or complaint may be filed in the superior court of the county in which such conviction was had to abate the nuisance, and in any such action, a certified copy of the records of such justice of the peace, showing such conviction, shall be competent evidence of the existence of such nuisance.

Recovery
on bond.

Conviction as
evidence of
nuisance.

Soliciting
orders or
advertising.

SEC. 6. It shall be unlawful for any person to take or solicit orders for the purchase or sale of any intoxicating liquor, either in person or by sign, circular, letter, poster, hand bill, card, price-list, advertisement or otherwise, or to distribute, publish or display any advertisement, sign or notice, naming, representing, describing, or referring to the quality or qualities of any intoxicating liquor, or giving the name or address of any person manufacturing or dealing in intoxicating liquor, or stating where any such liquor may be obtained.

Druggists and
pharmacists.

Sales for
medicinal,
sacramental
and
mechanical
purposes.

SEC. 7. Nothing in this act shall be construed to prohibit a registered druggist or pharmacist from selling intoxicating liquor for medicinal purposes, upon the prescription of a licensed physician, as herein provided, or for sacramental purposes, upon the order of a clergyman, as herein provided, or from selling alcohol for mechanical or

chemical purposes only; but it shall be unlawful for such druggist or pharmacist to permit any such liquor to be drunk upon the premises where sold. Every druggist or pharmacist selling intoxicating liquor or alcohol for the purposes above provided shall keep a true and exact record in a book provided by him for that purpose, in which shall be entered at the time of every sale of intoxicating liquor or alcohol made by him or in or about his place of business the date of the sale, the name of the purchaser, his place of residence, stating the street and house number (if there be such), the kind, quantity and price of such liquor or alcohol and the purpose for which it is sold, and, when the sale is for medicinal or sacramental purposes, the name of the physician issuing the prescription or of the clergyman giving the order therefor, and, when the sale is of alcohol for mechanical or chemical purposes, the purchaser shall be required to sign the record of the sale in the book. Whenever any druggist or pharmacist fills a prescription for intoxicating liquor, he shall cancel the same by writing across the face thereof, in ink, the words: "cancelled," with the date on which it was presented and filled, and shall keep the same on file, separate from other prescriptions, and no such prescription shall be filled again. Such book and all prescriptions for intoxicating liquor filled shall be open to inspection by any prosecuting attorney or city attorney, judge or justice of the peace, sheriff, constable, marshal or other police officer, or member of the city or town council. It shall be unlawful for any druggist or pharmacist to fail or neglect to keep such record, or to destroy or in any way alter any such record or entry therein or any prescription filled, or to permit or procure the same to be destroyed or altered, or to refuse inspection thereof to any person entitled to such inspection, or to fail or neglect to cancel any such prescription, or to refill any prescription or to sell intoxicating liquor for medicinal purposes except on a written prescription of a licensed physician, or for sacramental purposes without an order signed by a clergyman, or to sell any alcohol for mechanical or chemical purposes with-

Record of sales.

Prescriptions to be canceled.

Records open to inspection.

Emergency sales.

Conviction forfeits right of sale.

Second conviction forfeits license as druggist or pharmacist.

Physician's prescriptions.

Second conviction forfeits right to prescribe liquors.

out obtaining the signature of the purchaser: *Provided*, That nothing herein contained shall be construed to prohibit the sale by a druggist or pharmacist of such intoxicating liquor as may be needed by or for a sick person in case of extreme illness where delay may be dangerous to the patient. A druggist or pharmacist who has been convicted of selling intoxicating liquor or of any other act in violation of this section, shall not, within two years thereafter, either personally or by agent, sell intoxicating liquor for any purpose whatsoever; and upon a second conviction of a violation of the provisions of this section, such druggist or pharmacist shall forfeit his right to practice pharmacy, and the justice of the peace or superior judge before whom such druggist or pharmacist is convicted of a second violation of this section shall so adjudge, and shall send a copy of such judgment to the board of pharmacy, who, upon receipt thereof shall forthwith cancel the license of such druggist or pharmacist, and no other license shall be issued by the board of pharmacy to such druggist or pharmacist within two years from the date of such cancellation.

SEC. 8. It shall be unlawful for any licensed physician to issue a prescription for intoxicating liquor except in writing or in any case, unless he has good reason to believe that the person for whom it is issued is actually sick, and that the liquor is required as medicine. Every prescription for intoxicating liquor shall contain the name and address of the physician, the name and quantity of liquor prescribed, the name of the person for whom prescribed, the date on which the prescription is written, and directions for the use of the liquor so prescribed. Upon the conviction a second time of any licensed physician of a violation of the provisions of this section, it shall be unlawful for such physician thereafter to write any prescription for the furnishing, delivery or sale of intoxicating liquor, and it shall be unlawful for any druggist or pharmacist to knowingly fill any such prescription written or signed by any physician who has been convicted the second time of a violation of the provisions of this section.

SEC. 9. The issuance of an internal revenue special tax stamp or receipt by the United States to any person as a retail dealer in intoxicating liquor, shall be *prima facie* evidence of the sale of intoxicating liquor by such person at the place of business of such person where such stamp or receipt is posted if, at the time, the stamp or receipt is in force and effect: *Provided*, That this section shall not apply to druggists. A copy of such stamp or of the records of the United States Internal Revenue office certified to by any United States Internal Revenue officer, deputy or assistant having charge of such records or stamps, which shows that the United States special liquor tax has been paid by any person charged with selling, bartering, exchanging, giving away, furnishing or otherwise disposing of intoxicating liquor in violation of this act, shall be competent and *prima facie* evidence that the person whose name appears on said records or stamp, as shown by said certified copy has paid the special liquor tax for the time stated therein.

Internal revenue stamp tax, receipts, and records as evidence.

SEC. 10. It shall be unlawful for any person to directly or indirectly keep or maintain by himself or by associating with others, or to in any manner aid, assist or abet in keeping or maintaining any club house or other place in which intoxicating liquor is received or kept for the purpose of use, gift, barter or sale or for the purpose of distribution or division among the members of any club or association.

Club houses for distribution among members.

SEC. 11. If, upon the sworn complaint of any person, it shall be made to appear to any judge of the superior court or justice of the peace that there is probable cause to believe that intoxicating liquor is being manufactured, sold, bartered, exchanged, given away, furnished or otherwise disposed of or kept in violation of the provisions of this act, such justice of the peace or judge shall, with or without the approval of the prosecuting attorney, issue a warrant directed to any peace officer in the county, commanding him to search the premises designated and described in such complaint and warrant, and to seize all

Searches and seizure.

intoxicating liquor there found, together with the vessels in which it is contained, and all implements, furniture and fixtures used or kept for the illegal manufacture, sale, barter, exchange, giving away, furnishing or otherwise disposing of such liquor, and to safely keep the same, and to make a return of said warrant within three days, showing all acts and things done thereunder, with a particular statement of all articles seized and the name of the person or persons in whose possession the same were found, if any, and if no person be found in the possession of said articles, the return shall so state. A copy of said warrant shall be served upon the person or persons found in possession of any such intoxicating liquor, furniture or fixtures so seized, and if no person be found in the possession thereof, a copy of said warrant shall be posted on the door of the building or room wherein the same are found, or, if there be no door, then in any conspicuous place upon the premises.

Return of
warrant.

Service and
posting copy
of warrant.

Hearings.

Burden of
proof on
claimant.

SEC. 12. Upon the return of the warrant as provided in the next preceding section, the judge or justice of the peace shall fix a time not less than ten days, and not more than thirty days thereafter, for the hearing of said return when he shall proceed to hear and determine whether or not the articles so seized, or any part thereof, were used or in any manner kept or possessed by any person with the intention of violating any of the provisions of this act. At such hearing, any person claiming any interest in any of the articles seized may appear and be heard upon filing a written claim setting forth particularly the character and extent of his interest, but upon such hearing the sworn complaint or affidavit upon which the search warrant was issued and the possession of such intoxicating liquor shall constitute *prima facie* evidence of the contraband character of the liquor and articles seized, and the burden shall rest upon the claimant to show, by competent evidence, his property right or interest in the articles claimed and that the same were not used in the violation of any of the provisions of this act, and were not in any manner kept or

possessed with the intention of violating any of the provisions of this act. If, upon such hearing, the evidence warrants, or if no person shall appear as claimant, the judge or justice of the peace shall thereupon enter a judgment of forfeiture, and order such articles destroyed forthwith: *Provided, however,* That if in the opinion of the justice of the peace or judge, any of such forfeited articles other than intoxicating liquor are of value and adapted to any lawful use, such judge or justice of the peace shall as a part of the order and judgment direct that said articles other than intoxicating liquor shall be sold as upon execution by the officer having them in custody and the proceeds of such sale after payment of all costs in this proceeding shall be paid into the common school fund of the school district in which the same were seized. Action under this section and the forfeiture, destruction or sale of any articles thereunder shall not be a bar to any prosecution under any other provision or provisions of this act.

Judgment
of forfeiture
and de-
struction.

Sale of ar-
ticles other
than liquor.

Proceeds to
common
school fund.

SEC. 13. In any action or proceeding under this act or under any other law relating to the unlawful disposition or possession of intoxicating liquor, no person shall be excused from testifying in any court or before any grand jury, on the ground that his testimony may incriminate him, but no person shall be prosecuted or punished on account of any transaction or matter or thing concerning which he shall be compelled to testify, nor shall such testimony be used against him in any prosecution for any crime or misdemeanor, under the laws of this state.

Exoneraton
of witnesses
criminating
selves.

SEC. 14. Any citizen or organization within this state may employ an attorney to assist the prosecuting attorney in any action or proceeding under this act, and such attorney shall be recognized by the prosecuting attorney and the court as associate counsel in the case, and no prosecution shall be dismissed over the objection of such associate counsel until the reasons of such prosecuting attorney for such dismissal, together with the objections of such as-

Associate
counsel for
prosecuting
attorney.

sociate counsel, shall have been filed in writing, argued by counsel and fully considered by the court.

Permits for shipment of liquors.

SEC. 15. The county auditor of each county within this state shall procure and keep, as a part of the records of his office, a well bound book of blank applications for permits to ship or transport intoxicating liquor. Any person desiring to ship or transport any intoxicating liquor shall personally appear before the county auditor and shall furnish him the necessary information to fill in a blank application, which application shall contain the name of the applicant, the statement that he is over twenty-one years of age, the person, firm or corporation from whom said shipment is to be made, the place from which said shipment is to be made, and to what point the same is to be made, a statement that the applicant is not the holder of any internal revenue special tax stamp or receipt from the United States Government, authorizing him to sell or to deal in intoxicating liquor, and a statement that he has not theretofore been convicted of any violation of the laws of the state, relating to intoxicating liquor. Such facts shall be incorporated by the county auditor in one of said blank applications, and said application shall be signed by the applicant and sworn to by him before the county auditor or his deputy. Upon the applicant signing said application and taking the necessary oath thereto, the auditor shall issue a permit for the shipment or transportation of intoxicating liquor. Such permit shall be printed upon some shade of red paper, and shall be substantially in the following form:

Applications.

Form of permits.

State of Washington }
County of..... } ss.
....., residing at,
is hereby permitted to ship or transport from.....,
in the state of....., to,
in the county of....., State of Washington,
intoxicating liquor, to-wit:.....(insert kind
and quantity, not exceeding in quantity one-half gallon
of intoxicating liquor other than beer, or twelve quarts of

beer or twenty-four pints of beer.) This permit can only be used for one shipment and will be void after thirty days from the date of issue.

Dated this day of 19

.....

County Auditor.

This permit shall be attached to and plainly affixed in a conspicuous place to any package or parcel containing intoxicating liquor, transported or shipped within the State of Washington, and when so affixed, shall authorize any railroad company, express company, transportation company, common carrier, or any person, firm or corporation operating any boat, launch or vehicle for the transportation of goods, wares and merchandise within the State of Washington, to transport, ship or carry not to exceed one-half gallon of intoxicating liquor other than beer, or twelve quarts or twenty-four pints of beer. Any person so transporting such intoxicating liquor shall, before the delivery of such package or parcel of intoxicating liquor, cancel said permit and so deface the same that it cannot be used again. It shall be unlawful for any person to ship, carry or transport any intoxicating liquor within the state without having attached thereto or to the package or parcel containing the same, such permit, or to transport or ship under said permit an amount in excess of the amount or quantity hereinbefore limited. Any applicant desiring to have a permit issued to him under the terms hereof shall pay to the county auditor issuing the same the sum of twenty-five cents, which sum shall be accounted for by such auditor, as other fees of his office. This section shall not apply to registered druggists or pharmacists actually engaged in business within the state.

Permits to be affixed to packages.

Cancellation of permits.

Fees.

SEC. 16. It shall be unlawful for any person to take out or have issued to him more than one permit as provided for in the preceding section, in any twenty-day period. This section shall not apply to registered druggists or pharmacists actually in business within the state.

One permit in twenty days.

Application
for shipment
by druggists
and
pharmacists.

Affidavit.

Filing and
numbering.

SEC. 17. Any registered druggist or pharmacist actually engaged in business within the state, desiring to transport or ship any intoxicating liquor within this state, shall make and file with the county auditor a statement in writing, under oath, which statement shall contain the name of the said druggist or pharmacist, the name under which he transacts business, or if made by the agent of a corporation or a co-partnership, shall state the name of such corporation or co-partnership, and the official position or connection of the person making said statement with said firm or corporation, the location of the place of business of said persons, firm or corporation; that he, they or it is regularly engaged in business as a druggist or pharmacist, at such point; and that it is necessary from time to time to make shipments of intoxicating liquor, and that such liquor is not to be sold in violation of the laws of the state, but is obtained for use for purposes permitted by this law only; that the applicant for such permit or any of the members of the said partnership, as a partnership, or of the officers, agents or servants in the employ of said corporation and in charge of its business at such location, have not been theretofore convicted of any violation of the laws relating to intoxicating liquor of the State of Washington. It shall be the duty of the county auditor to file said application, when properly sworn to, and give the same a serial number, and thereafter said applicant shall, from time to time, as he, they or it, desire to make shipments of intoxicating liquor for lawful purposes, file with said county auditor a written request for permits, giving the serial number of said application on file. Such requests need not be sworn to, but shall be signed and shall state the place from which such shipment is to be made, and to whom, and the name and quantity of intoxicating liquor to be shipped. Upon receipt of such written request from any druggist or pharmacist, in good standing as hereinafter specified, said county auditor shall issue and deliver to said druggist or pharmacist a permit, in substantially the following form:

PERMIT TO DRUGGIST OR PHARMACIST TO TRANSPORT
INTOXICATING LIQUOR.

State of Washington }
County of..... } ss.

....., residing at, Form of
a druggist or pharmacist in good standing, is hereby per- permit.
mitted to ship or transport from....., in the
State of Washington, to....., in the County
of....., State of Washington, intoxicat-
ing liquor not exceeding in quantity..... (here insert
kind and quantity to be shipped.) This permit can only
be used for one shipment and shall be void after thirty days
from the date of issue.

Dated this.....day of....., 19..

.....
County Auditor.

Such permit shall be printed upon ordinary white paper,
and the county auditor shall keep the applications and re-
quests therefor on file in his office as a part of the records of
his office, and as each permit is issued, shall endorse on such
application "permit issued" with the date of issue.

SEC. 18. It shall be unlawful for any express company,
railroad company or transportation company, or any per-
son, engaged in the business of transporting goods, wares
and merchandise, to knowingly transport or convey any in-
toxicating liquor within this state, without having a permit
issued by the county auditor for the transportation of such
intoxicating liquor affixed in a conspicuous place to the
parcel or package containing the liquor, or to deliver such
liquor without defacing or cancelling such permit so that
the same cannot be used again. It shall be unlawful for any
person to knowingly receive from any railroad company,
express company, transportation company or any person
engaged in the business of transporting goods, wares and
merchandise any intoxicating liquor without said intoxicat-
ing liquor having a permit issued by the county auditor
for such shipment attached thereto and properly cancelled.

Transporta-
tion and
delivery by
common
carriers.

Packages
must display
canceled
permits.

To whom
permits pro-
hibited.

SEC. 19. No county auditor shall issue a permit to any person or druggist or pharmacist who has been convicted of the violation of any of the liquor laws of the state, or to any person other than a druggist or a pharmacist, who is the holder of an internal revenue special tax stamp or receipt, issued by the United States Government, permitting or relating to the sale of intoxicating liquor, or to any person not a registered druggist or pharmacist who has, within twenty days immediately preceding, obtained a permit for the shipment of intoxicating liquor.

Packages to
be labeled.

SEC. 20. It shall be unlawful for any person, to ship, transport or consign any intoxicating liquor, or for any express company, railroad company, transportation company, or any person, engaged in the business of transporting goods, wares and merchandise, to knowingly transport or convey any intoxicating liquor within this state, or for any person to knowingly receive from any express company, railroad company, transportation company or any person engaged in the business of transporting goods, wares and merchandise any intoxicating liquor, unless the package or parcel containing such liquor be clearly and plainly marked in large letters:

“THIS PACKAGE CONTAINS INTOXICATING
LIQUOR.”

False
statements.

SEC. 21. It shall be unlawful for any person to make a false statement to a physician, druggist or pharmacist for the purpose of obtaining intoxicating liquor or alcohol, or to the county auditor for the purpose of obtaining a permit for the shipment of intoxicating liquor, or to any railroad, express or transportation company, or any person, engaged in the business of transporting goods, wares and merchandise for the purpose of obtaining the shipment, transportation or delivery of any intoxicating liquor.

Quantity of
liquor
allowed.

SEC. 22. It shall be unlawful for any person to have in his possession more than one-half gallon or two quarts of intoxicating liquor other than beer, or more than twelve quarts or twenty-four pints of beer: *Provided, however,*

That this section shall not apply to registered pharmacists or to persons keeping alcohol, to be used for mechanical or chemical purposes only.

SEC. 23. In any prosecution for the violation of any provisions of this act, it shall be competent to prove that any person had in his possession more than two quarts of intoxicating liquor other than beer, or more than twelve quarts of beer, and such possession and the proof thereof, shall be *prima facie* evidence that said liquor was so held and kept for the purposes of unlawful sale or disposition.

Excess quantity *prima facie* unlawful.

SEC. 24. The provisions of this act relating to the shipment or having in possession of intoxicating liquor shall not apply to shipments transported by any common carrier of unbroken packages of intoxicating liquor in continuous transit through this state from a point outside of the state to another point outside of the state.

Unbroken packages in interstate commerce.

SEC. 25. The provisions of this act shall not be construed to prohibit the manufacture of vinegar, sweet cider or unfermented fruit juice for domestic consumption or for sale, nor to prohibit the manufacture and sale of denatured alcohol.

Vinegar, cider, fruit juice and denatured alcohol.

SEC. 26. If any provision or section of this act shall be held void or unconstitutional, all other provisions and all other sections of the act, which are not expressly held to be void or unconstitutional, shall continue in full force and effect.

Partial invalidity of act.

SEC. 27. Every justice of the peace or superior judge shall recognize and act upon any sworn complaint of a violation of this act filed by any citizen of the state in the same manner and to the same extent as though the same were filed by a prosecuting officer.

Citizens may prosecute.

SEC. 28. Within ten days after the date when this act has become operative, every person except registered druggists and pharmacists shall remove or cause to be removed all intoxicating liquor in his possession from the state, and failure so to do shall be *prima facie* evidence that such liquor is kept therein for the purpose of being sold, bart-

Time allowed for removal of liquor from state.

ered, exchanged, given away, furnished or otherwise disposed of in violation of the provisions of this act: *Provided, however,* That this section shall not apply to alcohol kept for chemical or manufacturing purposes, or to one-half gallon of intoxicating liquor, other than beer, or twelve quarts or twenty-four pints of beer held by an individual: *And, provided, further,* That for said ten-day period of time, it shall not be necessary to obtain any permit or permits for the shipment of any such intoxicating liquor, lawfully held within the state at the date this act goes into effect, to points outside of the state.

Importation
in excess of
legal
quantity.

SEC. 29. It shall be unlawful for any person other than a common carrier to transport, carry or bring into this state any intoxicating liquor in excess of one-half gallon of liquor other than beer, or twelve quarts or twenty-four pints of beer, within any twenty-day period.

Duty of
attorney
general.

SEC. 30. It is hereby made the duty of the attorney general to enforce the provisions of this act, and prosecute violations thereof in any county where the prosecuting attorney of such county fails, neglects or refuses to enforce the provisions hereof and said attorney general may assist the prosecuting attorney of any county in any prosecution for the violation of this act.

Penalties in
cases not
specified.

SEC. 31. All persons convicted of any violation of this act where the punishment therefor is not herein specifically provided shall be punished by a fine of not less than fifty dollars nor more than two hundred fifty dollars, or by imprisonment in the county jail for not less than ten days nor more than three months, or by both such fine and imprisonment.

Penalty for
second
conviction.

SEC. 32. Any person convicted the second time of the violation of this act shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, and by imprisonment in the county jail for not less than thirty days nor more than six months; and any person convicted the third time of a violation of the provisions of this act shall for such third and each subsequent violation be fined not less than two hundred

Subsequent
convictions.

fifty dollars, nor more than five hundred dollars, and be confined in the county jail for not less than three months, nor more than one year. Prosecuting attorneys and justices of the peace having knowledge of any previous conviction of any person accused of violating this act shall in preparing complaints, informations or indictments for subsequent offenses, allege such previous conviction therein and a certified transcript from the docket of any justice of the peace or a certified copy of the record under seal of the clerk of any court of record shall be sufficient evidence of any previous conviction or convictions of violations of this act.

Evidence of
previous
conviction.

SEC. 33. This act shall take effect and be in full force and effect from and after the first day of January, 1916.

Time of
taking effect.

Passed by vote of the People at the General Election Nov. 3, 1914.

Proclamation signed by the Governor Dec. 5, 1914.

CHAPTER 3.

[S. B. 1.]

LEGISLATIVE EXPENSES.

AN ACT appropriating the sum of ninety thousand dollars, or so much thereof as may be necessary, for the expenses of the Fourteenth Legislature.

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

SECTION 1. That there be and there is hereby appropriated out of the general fund the sum of ninety thousand dollars (\$90,000.00) or so much thereof as may be necessary to be used for the purpose of paying the expenses of the Fourteenth Legislature of the State of Washington.

Appropriation,
\$90,000.

SEC. 2. This act is necessary for the support of the state government and shall take effect immediately.

Emergency.

Passed the Senate January 11, 1915.

Passed the House January 11, 1915.

Approved by the Governor January 12, 1915.