

ORDINANCE NO. 39.

An ordinance to prohibit gambling, the use of the slot machine, to provide for the punishment thereof, and for other purposes.

Be it ordained by the Mayor and Council of the city of Payette:

Section I. Every person who deals, plays or carries on, opens or causes to be opened, or who conducts, either as owner, employee or lessee whether for hire or not any game of faro, monte, roulette, lasquet, rouge et noir, ronde^{or} any slot machine, or any game played with cards, dice or any other device, for money, checks, credit, or any other representative of values, within the limits of the city of Payette is guilty of a misdemeanor and is punishable by a fine of not less than Ten Dollars nor more than One Hundred Dollars, or by imprisonment in the city jail for not to exceed Thirty days, or by both such fine and imprisonment.

Section II. Every person who knowingly permits any of the games, prohibited by the preceding section, to be played, conducted or dealt in any house owned, rented or conducted by such person, on whole or in part, is punishable as provided in the preceding section.

Section III. Whenever any police judge or justice of the peace within the city of Payette shall have knowledge or shall receive satisfactory information that there is any gambling table or gambling device or slot machine adopted, or devised and designed for the purpose of playing any of the games of chance prohibited in section one, within the city of Payette, it shall be his duty to forthwith issue his warrant, directed to any constable or police officer, to seize and bring before him such gambling table or other device, and cause the same to be publicly destroyed, by burning or otherwise.

Section IV. The officer who shall be charged with the execution of any warrant specified in the preceding section shall have like power of execution thereof, as is provided in cases of search warrants under the penal code of Idaho.

Section V. Every person duly summoned as a witness for the prosecution on any proceedings had under this subdivision, who neglects or refuses to attend, as required, is guilty of a misdemeanor.

Section VI. The mayor and all councilmen of Payette, the city attorney and all police officers of Payette must inform against and diligently prosecute persons whom they have reasonable cause to believe offenders against the provisions of section one of this ordinance, and every such officer refusing or neglecting so to do is guilty of a misdemeanor.

Passed and approved this First day of October, 1905.

Attest:

E. W. Tracy

Clerk.

P. M. Sattory

Mayor.