

CHAPTER 179.

ROULETTE WHEELS, POKER TABLES AND OTHER GAMBLING DEVICES.

H. F. 37.

AN ACT to prohibit the possession of roulette wheels, klondyke tables, poker tables, faro, and keno layouts, and to provide for the seizure and destruction thereof. [Additional to chapter nine (9) of title twenty-four (XXIV) of the code, relating to offenses against chastity, morality and decency.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Possession of roulette wheels, etc., prohibited. No one shall, in any manner or for any purpose whatever, except under proceeding to destroy the same, have, keep or hold in possession or control any roulette wheel, klondyke table, poker table, faro or keno layouts.

SEC. 2. Seizure—hearing—destruction ordered. If any person make oath before a magistrate that he has probable cause to suspect and does suspect, that articles or things mentioned in section one hereof are stored or kept or had in possession at any place within the county in any house, building or other place of any description whatever, describing the house or place as near as may be and naming the occupant thereof, if known, such magistrate shall issue his warrant for the purpose of searching such house or place for and seizing such articles or things. Such warrant may be served at any time of the day or night. The officer may break open any part of building, or anything therein in order to execute the warrant, if after notice of his authority and purpose he is refused admittance. Said articles or things shall be carried before such magistrate to be dealt with as herein provided. The officer shall make return at once after the warrant is served. Within three days after the return is made, notice shall be served upon the party from whose possession said articles or things were taken, if known, and if not known, said notice shall be posted on the premises from which the articles were taken, notifying the possessor of such seizure and that the matter of the destruction of said articles or things will come on for hearing at a certain time and place before the court or magistrate issuing the warrant, or in his absence or inability to serve, before the next nearest and accessible magistrate in the county, which time shall be within ten days after said notice is served or posted. Any person may appear at said hearing and show that the articles or things seized are not of the character specified in section one hereof and if such claim is established, shall be returned to the place from which taken. If the court finds that the articles or things seized are of the character mentioned in section one hereof, it shall enter judgment commanding the immediate destruction of the same. Execution shall issue thereon accordingly. The officer shall forthwith carry out the orders of said execution and make immediate return thereon of his acts, which return shall be entered on the docket of said court.

Approved April 8, A. D. 1911.