

certain legal newspapers in this state, so that information can be readily secured concerning any legal publication, and to economize in the matter of state printing; and to keep a complete system of files where legal publications of every kind in this state can be readily found. This Act shall receive a liberal construction in order to effectuate the purposes and intent thereof.

Sec. 6. All Acts and parts of Acts in conflict with this Act are hereby repealed.

Approved March 15, 1919.

## PROBATE

### CHAPTER 189.

(S. B. No. 2—Jacobsen.)

#### HEARING PETITIONS FOR LETTERS OF ADMINISTRATION AND PROBATING OF WILLS.

An Act Providing for Hearing Petitions for Letters of Administration, and Probating of Wills.

*Be it Enacted by the Legislative Assembly of the State of North Dakota:*

Sec. 1. When a petition has been presented to the County Court for the probating of a Will, or for letters of administration of the estate of an intestate, if all of the persons who must be cited to appear in each case join in the petition or signify in writing their assent thereto the hearing upon such petition may be had at any time.

Approved February 26, 1919.

## PROSTITUTION

### CHAPTER 190.

(S. B. No. 61—Ward.)

#### IMMORALITY.

An Act Defining Prostitution, Lewdness and Assignment; Prohibiting the Same; and Providing Rules of Evidence, Penalty and for Repeal of Laws in Conflict Therewith.

*Be it Enacted by the Legislative Assembly of the State of North Dakota:*

Sec. 1. That from and after the passage of this Act it shall be unlawful:

(a) To keep, set up, maintain or operate any place, structure, building or conveyance for the purpose of prostitution, lewdness or assignment;

(b) To occupy any place, structure, building or conveyance for the purpose of prostitution, lewdness or assignment or

for any person to permit any place, structure, building or conveyance owned by him or under his control to be used for the purpose of prostitution, lewdness or assignation, with knowledge or reasonable cause to know that the same is, or is to be, used for such purpose;

(c) To receive or to offer or agree to receive any person into any place, structure, building or conveyance for the purpose of prostitution, lewdness or assignation or to permit any person to remain there for such purpose;

(d) To direct, take or transport, or to offer or agree to take or transport any person to any place, structure or building or to any other person with knowledge or reasonable cause to know that the purpose of such directing, taking or transporting is prostitution, lewdness or assignation;

(e) To procure or to solicit or to offer to procure or solicit for the purpose of prostitution, lewdness or assignation;

(f) To reside in, enter or remain in any place, structure or building, or to enter or remain in any conveyance, for the purpose of prostitution, lewdness or assignation;

(g) To engage in prostitution, lewdness or assignation or to aid or abet prostitution, lewdness or assignation by any means whatsoever.

Sec. 2. That the term "prostitution" shall be construed to include the offer or receiving of the body for sexual intercourse for hire, and, shall also be construed to include the offer or receiving of the body for indiscriminate sexual intercourse without hire. That the term "lewdness" shall be construed to include any indecent or obscene act. That the term "assignation" shall be construed to include the making of any appointment or engagement for prostitution or lewdness or any act in furtherance of such appointment or engagement.

Sec. 3. That in the trial of any person charged with a violation of any of the provisions of Section 1 of this Act, testimony of a prior conviction or testimony concerning the reputation of any place, structure or building and of the person or persons who reside in or frequent the same and of the defendant shall be admissible in evidence in support of the charge.

Sec. 4. That any person who shall be found to have committed two or more violations of any of the provisions of Section 1 of this Act within a period of one year next preceding the date named in an indictment, information or charge of violating any of the provisions of Section 1 of this Act shall be deemed guilty in the first degree. That any person who shall be found to have committed a single violation of any of the provisions of this Act shall be deemed guilty in the second degree.

Sec. 5. (a) That any person who shall be deemed guilty in the first degree, as set forth in Section 4, shall be subject to imprisonment in, or commitment to, any penal or reformatory institution in this state for not less than One nor more than Three Years; provided, that in case of a commitment to a reformatory institution the commitment shall be made for an indeterminate period of time of not less than One nor more than Three Years in duration, and the Board of Control shall have authority to discharge or to place on parole any person so committed after the service of the minimum term, or any part thereof, and to require the return to the said institution for the balance of the maximum term of any person who shall violate the terms or conditions of the parole.

(b) That any person who shall be deemed guilty in the second degree, as set forth in Section 4, shall be subject to imprisonment for not more than One Year; provided, that the sentence imposed, or any part thereof, may be suspended, and provided further that the defendant may be placed on probation in the care of a probation officer designated by law or theretofore appointed by the Court upon the recommendation of five responsible citizens.

(c) That probation or parole shall be granted or ordered in the case of a person infected with a venereal disease on such terms and conditions only as shall insure medical treatment therefor and prevent the spread thereof, and the court may order any convicted defendant to be examined for venereal disease.

(d) That no girl or woman who shall be convicted under this Act shall be placed on probation or on parole in the care or charge of any person except a woman probation officer.

Sec. 6. That the declaration by the courts of any of the provisions of this Act as being in violation of the Constitution of the State shall not invalidate the remaining provisions.

Sec. 7. That all laws or parts of laws in conflict with the provisions of this Act, be and the same are hereby repealed.

Sec. 8. EMERGENCY.) Whereas, it is necessary for the immediate preservation of the public peace, health and safety that this Act shall become effective without delay, there being at present no law covering such Acts and the lack of the same resulting in widespread vice and venereal disease; therefore, this Act shall be in full force and effect from and after its passage and approval.

Approved March 7, 1919.