

of North Dakota 1913 be amended and re-enacted to read as follows:

§ 9807. RIOT DEFINED.] Any use of force or violence, or any threat to use force or violence, if accompanied by immediate power of execution, by six or more persons acting together and without authority of law, is riot.

Approved March 13, 1935.

DANCES

CHAPTER 130

S. B. No. 12—(Whelan)

PROHIBITING MARATHON DANCES, WALKATHONS, SKATATHONS, ETC.

An Act to prohibit Marathon dances, Walkathons, Skatathons, or any endurance contest and providing penalties for any person, firm, or corporation participating in, attending or promoting such contest, and declaring an emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. It shall be unlawful for any person or persons, firm, or corporation, to advertise, operate, maintain, attend, participate in, promote or aid in the advertising, operating, maintaining or promoting any mental or physical endurance contest, exhibition, performance, or show, in the nature of a "marathon," "walkathon," "skatathon," or any other such endurance contest, exhibition, performance or show of a like or similar nature, whether or not an admission is charged and/or a price is or is not to be awarded to one or more participants for participation therein, continuing or intended to continue for a period of more than four (4) consecutive hours in any twenty-four (24) hours.

§ 2. Any person or persons, firm or corporation, participating in, attending, promoting, advertising, operating, maintaining, or aiding any such contest, exhibition, performance or show, and violating any of the provisions of this act, shall be guilty of a misdemeanor and punished by imprisonment in the county jail, for not less than six (6) months or more than twelve (12) months, or by a fine of not more than one thousand dollars (\$1,000.00) or by both.

§ 3. EMERGENCY.] An emergency is hereby declared to exist and this bill shall be in full force and effect from and after its passage and approval.

Approved February 6, 1935.

CHAPTER 131

H. B. No. 231—(Schauss and Kapaun)

DANCE PERMITS HOW OBTAINED.

An Act to amend and re-enact Section 4 of Chapter 128 of the Session Laws of the State of North Dakota for the year 1925, being Section 3163A(a)4 of the Supplement to the 1913 Compiled Laws of the State of North Dakota relating to dance permits.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 4 of Chapter 128 of the Session Laws of North Dakota for the year 1925, being Section 3163A(a)4 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota be amended and re-enacted to read as follows:

§ 3163A(a)4. MANNER OF OBTAINING PERMIT.] Any person, firm, association or corporation desiring to conduct a public dance or a public dancing place shall make application for a permit to do so to the governing body of the municipality or organized township in which such public dance or public dancing place is to be conducted, when the same is to be conducted within the limits of any city, village or organized township; and in all other cases, to the board of county commissioners of the county in which the same is to be conducted. The application shall set forth the name of the person, firm, association or corporation who is to give, hold or conduct the public dance or public dancing place, the time or period for which the permit is desired, and the place where such public dance is to be conducted or held. The governing body of the municipality, village or organized township to which such application is made shall make such inquiry and investigation as to the propriety of granting or refusing such permit as they may deem necessary. The application may be acted upon at any regular meeting of the board to whom the application is made, or a special meeting called for that purpose. The governing body of the municipality, organized township or county to whom such application is made shall have the power to grant or deny said application and to provide a schedule of fees, rules and regulations not inconsistent with the provisions of this act, under which permits for holding such public dances or public dancing places will be granted. No permit shall be issued to any person who is not of good moral character nor to any person, firm, association or corporation to conduct a public dance or public dancing place at any place where the same is likely to become a public nuisance or detrimental to public morals.

Approved March 4, 1935.