

# ADULTERY.

## CHAPTER 2.

[S. B. 77.]

### ADULTERY DEFINED.

AN ACT to Amend Section 371 of an Act Passed by the Fourth Legislative Assembly of the State of North Dakota, entitled "An Act to Establish a Penal Code for the State of North Dakota," and Approved March 2, 1895; and to Amend Section 7169 of the Revised Codes of North Dakota, Relating to Adultery.

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

§ 1. AMENDMENT.] That section 371 of an act passed by the Fourth Legislative Assembly of the State of North Dakota, entitled "An Act to Establish a Penal Code for the State of North Dakota," and approved March 2, 1895, be and the same is hereby amended to conform with section 7169 of the Revised Codes, and read as follows:

§ 371—(7169). Adultery is the voluntary sexual intercourse of a married person with a person other than the offender's husband or wife; and when the intercourse is between a married woman and a man that is unmarried the man is also guilty of adultery. No prosecution for adultery shall be commenced except on the complaint of the husband or wife, and no such prosecution shall be commenced after one year from the time of the committing of the offense.

§ 2. EMERGENCY.] *Whereas*, an emergency exists in that there is a discrepancy between the original statute and the corresponding section in the Revised Codes, *Therefore*, this act shall take effect and be in force from and after its passage and approval.

Approved Feb. 20th. 1897.