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## SNUFF

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### CHAPTER 277.

[S. B. No. 63—LaMoore]

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#### PROHIBITING THE USE OF IMPURE SNUFF.

AN ACT to Prohibit the Importation, Manufacture, Distribution, Transportation, Sale or Use of Impure Snuff, and Providing a Penalty Therefor.

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

§ 1. SALE PROHIBITED.] It shall be unlawful for any person or persons, or person acting as an agent for any other person or persons or corporate body, to import, manufacture, distribute, transport, sell, offer for sale, or to have in possession for sale, or to give away any snuff, containing any substance (except pure tobacco) under whatever name called, as defined in this act.

§ 2. SNUFF DEFINED.] For the purpose of this act, snuff is defined as pure tobacco, fermented, dried and to some extent pulverized, variously flavored and scented, to be taken or prepared to be taken by the mouth, or when sold is used by the mouth.

§ 3. CONSTRUCTION OF ACT.] Nothing in this act shall be construed to prohibit or restrict the sale of smoking, plug or chewing tobacco, other than of the type or kind specified within this act, or of cigars, providing that the afore named products are made exclusively from pure tobacco with the necessary odiferous and flavoring ingredients, excluding all alkaloidal and narcotic constituents which are foreign to tobacco and the label on the said package or container makes no misrepresentation with regard to the origin or quality of the product described.

§ 4. OFFENCES. HOW INVESTIGATED.] It shall be the duty of the states attorneys, sheriffs, police officers, health officers, and the food commissioner to enforce the provisions of this statute, and for the purposes thereof they shall have ingress and egress to all places of business where it is believed that snuff, as hereinbefore defined, is kept in violation of this act. Grand juries and state's attorneys shall have full inquisitorial powers over offenses committed under this act, and state's attorneys shall make investigations and prosecutions when proper evidence is furnished to them.

§ 5. PENALTY.] Any person or persons violating the provisions of this statute, or who aids another to violate the same shall be guilty of a misdemeanor and on conviction shall be

fined not less than \$500.00 nor more than \$1,000.00 for the first offense, and for each subsequent conviction shall be confined in jail for not less than six months.

§ 6. WHAT CONSTITUTES VIOLATION.] The doing of anything prohibited by this act shall be evidence of the violation of the provisions of this act relating to the things so prohibited, and the omission to do anything directed to be done shall be evidence of a violation of the provisions of this act relative to the things so directed to be done.

§ 7. REPEAL.] All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

§ 8. EMERGENCY.] This Act being a health measure for the better protection of the health and the physical and moral welfare of all our people, shall take effect from and after its passage and approval, but in order that the people may come to understand the requirements of this measure, no prosecutions shall be begun under the provisions of this statute until September, 1st, 1911.

Approved March 6, 1911.

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## SOLDIERS HOME

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### CHAPTER 278.

[H. B. No. 380—Hill]

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#### BOARD OF TRUSTEES OF SOLDIERS' HOME.

AN ACT to Amend Section 1213 of the Revised Codes of 1905, of the State of North Dakota, Relating to the Board of Trustees of the Soldiers' Home.

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

§ 1. AMENDMENT.] That section 1213 of the Revised Codes of 1905, of the state of North Dakota, be amended to read as follows:

§ 1213. BOARD OF TRUSTEES.] The general supervision and government of the home shall be vested in a board of five trustees, to be styled "The Board of Trustees of the Soldiers' Home," each member of which shall have served in the army or navy of the United States, or members of the National Guard of North Dakota, and four of whom shall be appointed by the governor, by and with the advice and consent of the senate, two of whom shall be from the county wherein the institution is located. The