
AMUSEMENTS

CHAPTER 6.

(S. B. No. 74—Miklethun.)

LICENSING AND INSPECTION OF POOL HALLS, THEATRES, ETC.

An Act to License, Regulate and Supervise the Licensing and Inspection of Pool and Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theatres, Moving Picture Shows, Taxicab Stands, and Places where Soft Drinks are Sold; Providing Fees therefor, Inspectors, Office Help and Supplies thereof; Defining Powers and Duties and Repealing All Acts and Parts of Acts Inconsistent Therewith.

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

Sec. 1. LICENSE.) No pool hall, billiard room, ball alley or pin alley, dance hall, theatre, moving picture show, taxicab stand, or any place where soft drinks are sold, or public hall, owned privately and used for public purposes, shall be opened, maintained, operated or conducted within this state unless the owner, proprietor or managing agent thereof shall first secure a license so to do in the manner herein prescribed.

Sec. 2. LICENSE, HOW SECURED.) On or before July first of each year every such owner, proprietor or managing agent desiring to operate, conduct and maintain such place as mentioned in Section 1 of this Act, shall make application for an annual license therefore to the Attorney General of this State Licensing Department. Such application shall state the name of the owner, manager and proprietor of the place desired to be licensed, the nature and kind of business to be carried on; a general description of the buildings, its size, character, location and capacity; and shall particularly contain the description of the provisions made to safeguard life and limb of persons who may be therein and the sanitary equipment thereof. It shall state that such place will be operated, if licensed by the state, in accordance with the law of this state, that if a violation of the laws of this state occurs in the operation of such place, the Attorney General shall be authorized to cancel the license issued. There shall also be contained a statement in the license that no immoral or improper practices, gambling, nor the sale or permission to drink upon said premises any intoxicating liquors will be allowed. This application shall be made upon a blank authorized and issued by the Attorney General and such application shall be accompanied by the license fee hereinafter specifically prescribed.

Sec. 3. DUTIES OF THE ATTORNEY (GENERAL.) The Attorney General shall prepare the form of such application, shall furnish

the same upon request to any applicant and shall require every applicant to whom a license is granted to pay the fee prescribed. He shall examine into or cause to be examined into the qualifications of every applicant seeking to be licensed and the fitness and suitability of the place desired to be licensed and shall upon application properly filed and the payment of the license fee prescribed, a license herein mentioned for a period of one year to be conducted as a public place of business for operating a pool hall, billiard room, ball alley or pin alley, theatre, moving picture show, any place where soft drinks are sold, taxi-cab stands, or public hall, and shall cause such place to be inspected and the laws enforced thereon by inspectors appointed by him and shall furnish necessary office equipment and supplies and pay for the same out of the Attorney General Inspector Fund.

Sec. 4. APPOINTMENT OF INSPECTORS.) The Attorney General shall be authorized to appoint a state inspector, two deputy state inspectors and one stenographer, the latter also to be bookkeeper to aid him in carrying out the purposes of this Act, who shall hold office during the pleasure of the Attorney General and such inspectors shall have charge of the Licensing Department herein described in the office of the Attorney General and under the direction and control of the Attorney General and such license inspectors shall each receive a salary in the sum of \$2,500 a year and necessary expenses and shall give bond to the state in the sum of \$5,000.00, such bond to be issued in the State Bonding Fund, conditioned for the faithful performance of their duties and the fees thereof to be paid by the Licensing Department into such Bonding Fund and the stenographer shall receive \$1,200 a year. The said state inspectors shall possess all of the powers of a police officer anywhere in this state, shall have authority to visit and inspect any of the places herein mentioned and as police officer make arrests for violation of any laws of this state and shall be authorized to investigate and conduct investigations of any immoral or corrupt practices or violations of laws in this state and of places being conducted contrary to law or constitutions of this state.

Sec. 5. REFUSAL OR REVOCATION OF LICENSE.) Said inspectors shall be authorized with the consent of the Attorney General, after a hearing before said inspector, to refuse to issue a license to any person for any place where it appears that the applicant is an improper person to be so licensed or that the place is improperly provided with sanitary equipment or is an unsuitable building to protect the life and limbs of the public who may visit the same or that there exists unsuitable appliances to protect the public in case of fire and the state inspectors shall be authorized upon the violation of any of the laws of this state to revoke any license granted pursuant to the provisions of this Act, with the consent of the Attorney General, after a hearing had before the inspector.

Sec. 6. LICENSE FEE. HOW DISPOSED OF. HOW DISBURSED.) All license fees herein prescribed shall be paid to the state inspector under the direction and supervision of the Attorney General and by him paid promptly to the State Treasurer who shall keep all such moneys in a special fund to be known as the Attorney General Inspector License Fund. Out of this fund shall be paid all salaries and expenses of the Attorney General incurred in carrying out, maintaining and enforcing the provisions of this Act, all of which shall be paid monthly upon warrant and voucher drawn and audited by the auditing board as now provided by law; provided, however, that such salary and expenses shall be payable only out of such fund and shall not be in excess thereof and provided further that any money of such fund unexpended on July 1, 1921, and every two years thereafter, shall be turned into the General Fund of the state.

Sec. 7. LICENSE FEES.) The annual license fees for such places herein described, are as follows: Any owner, manager or proprietor of a taxicab stand, \$50 per year; for pool and billiard rooms \$5 per table per year; for ball alleys and pin alleys, \$5 per alley per year; for dance halls, \$25 per year; for public hall privately owned, \$25 per year; for theatres and moving picture shows, \$50 per year; for any place where soft drinks are sold, \$5 per year; provided, that where a taxicab stand, pool or billiard room, ball or pin alley, dance hall, public hall privately owned, theatre or moving picture show is not located in any incorporated city, but is operated in a village or rural district, the license fee shall be for a taxicab stand, \$15 per year; for pool and billiard room \$5 per table per year; for ball and pin alleys, \$5 per alley per year; for dance halls, \$10 per year; for public hall privately owned, \$10 per year; for theatres or moving picture shows, \$10 per year; for any place where soft drinks are sold, \$5 per year; provided, that where a dance hall, theatre, or moving picture show are operated in one building under the same management, one license shall be sufficient.

Sec. 8. OFFICERS.) This Act shall not be construed to relieve any state, county, city, village or township officer from any duty now or hereinafter enjoined upon him by law; nor from the keeping of the peace in all public places named in this Act.

Sec. 9. REPEAL.) All Acts and parts of Acts vesting power to license, regulate, control and supervise the licensing and inspecting of all such public places named in this Act and in conflict therewith are hereby repealed.

Sec. 10. PENALTY.) Any person who shall violate this Act or any part thereof shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed \$100 or be confined in the County Jail not to exceed ninety days, or by both such fine and imprisonment.

Sec. 11. EMERGENCY.) Whereas, an emergency exists in this that it is necessary for the immediate preservation of the public

peace, health and safety that this law shall become effective without delay for the reason that at the present time there exists no law providing for adequate regulation and inspection of public places named herein resulting in wide-spread lawlessness and danger to life and limb; therefore, this Act shall be in full force and effect from and after its passage and approval.

Approved March 3, 1919.

APPEALS

CHAPTER 7.

(H. B. No. 108—Patterson.)

ABSTRACTS AND BRIEFS UPON REPEAL.

An Act to Amend and Re-enact Section 7847 of the Compiled Laws of North Dakota for the Year 1913, Relating to Abstracts and Briefs Upon Appeal to the Supreme Court, and Repealing Acts or Parts of Acts in Conflict Therewith.

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

Sec. 1. AMENDMENT.) That Section 7847 of the Compiled Laws of North Dakota for the year 1913, be and the same is hereby amended and re-enacted so as to read as follows:

Sec. 7847. PRINTING OF ABSTRACTS NOT REQUIRED. PREPARATION OF BRIEF, FILING THEREOF.) Upon any appeal to the Supreme Court it shall not be necessary to file or use any printed abstract or statement of the case, but in lieu thereof, the Appellant shall cause to be filed in the Lower Court and returned to the Supreme Court, with the other record, two copies in addition to the original, of the statement of the case as settled and certified. The Supreme Court shall prescribe by rule or regulation the manner in which, and the time within which, briefs shall be prepared and filed, and for the allowance of costs in respect to the same.

Sec. 2. REPEAL.) All Acts and parts of Acts in conflict therewith are hereby repealed.

Approved February 18, 1919.