

## JUSTICE OF THE PEACE

### CHAPTER 238.

(S. B. No. 90—Wenstrom.)

#### CHANGE OF VENUE.

An Act to Amend and Re-enact Section 9037 of the Compiled Laws of North Dakota for the year 1913, relating to places of trial.

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

Sec. 1. AMENDMENT.) That Section 9037 of the Compiled Laws of North Dakota for the year 1913 shall be amended and re-enacted to read as follows:

Sec. 9037. PLACE OF TRIAL. ONE CHANGE.) The place of trial cannot be changed on motion of the same party more than once. When the court orders the place of trial to be changed the action must be transferred for trial to a justice's court the parties may agree upon, and if they do not so agree, then to the next nearest justice's court in the same county, the location of which has not been changed during the thirty days immediately preceding.

Approved February 7th, 1923.

## LICENSING DEPARTMENT

### CHAPTER 239.

(H. B. No. 206—Halcrow and Burkhart.)

#### LICENSING DEPARTMENT.

An Act To Amend and Re-enact Chapter 6, Session Laws of 1919, as Amended by Special Session Laws of 1919, as Amended by Chapter 84 Session Laws of 1921, Relating to the Licensing, Regulating, and Supervising the Licensing and Inspection of Pool and Billard Rooms, Ball and Pin Alleys, Dance Halls, Theaters, Moving Picture Shows, Taxicab or Auto Liveries, Places where Soft Drinks are Retailled or Where Cigars and Tobacco are Sold, or Public Halls, Owned Privately and Used for Public Purposes; 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. AMENDMENT.) Section 4 of Chapter 84 Session Laws of 1921 is hereby amended an re-enacted so as to read as follows:

Sec. 4. APPOINTMENT OF INSPECTORS.) The Attorney General shall be authorized to appoint a state inspector, three deputy state inspectors and investigators and a chief clerk, who shall be a bookkeeper and stenographer to aid him in carrying out the purpose of this Act who shall hold office during the pleasure of the Attorney General, all of whom shall give bond to the State in the sum of \$5,000, 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. The State Inspector shall receive a salary of \$2400 a year, each deputy inspector and investigator shall receive a salary of \$2,000 a year and the chief clerk shall receive a salary of \$1,600 a year. The Chief Clerk under the direction of the Attorney General shall have charge of the office including the receiving and disbursement of all money. The State insepctor under the direction of the Attorney General shall have charge of inspection, investigations, and law enforcement and shall direct the work of the deputy inspectors and investigators and each such inspector and investigator shall possess all the powers of police officers anywhere in this state, shall have authority to visit and inspect any of the places herein mentioned and as police officers to make arrests for violation of any laws of this state, and shall be authorized to investigate and conduct investigation of any immoral or corrupt practices or violation of laws of this state and places being conducted contrary to law or constitution of this state.

Sec. 2. AMENDMENT.) Section 6 of Chapter 84 Session Laws of 1921 is hereby amended and re-enacted so as to read as follows:

Sec. 6. LICENSE FEE. HOW DISPOSED OF. HOW DISBURSED.) All license fees herein prescribed shall be paid to the Chief Clerk under the direction and supervision of the Attorney General and by said Chief Clerk 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. Provided, further, that there shall be paid out of such Attorney General Inspector License Fund to the Treasurer of each and all incorporated cities and villages a sum equal to 70% of the amount collected from such places licensed in such city or village and the Attorney General is hereby authorized to issue vouchers for such amounts directed to such treasurers on the first day of each month for such amounts as have been collect-

ed the preceding month. Such funds shall be used by such cities and villages to defray expenses incurred in local regulation and supervision and in carrying out the duties now or hereinafter enjoined upon them in such regard, including the keeping of the peace in the places which may be licensed under the provisions of this Act.

Sec. 3. AMENDMENT.) Section 8 of Chapter 84 Session Laws of 1921 is hereby amended and re-enacted so as to read as follows:

Sec. 8. OFFICERS.) All sheriffs, deputy sheriffs, constables, police and peace officers within their respective jurisdictions are hereby authorized to visit and inspect all places mentioned in this Act or licensed under this Chapter and it shall be their duty to enforce all the provisions of this Chapter and the Laws of this State in such places.

Provided, further, that it shall be the duty of the sheriff in any county in which any public bowery or public barn dance or other public dance, is held outside of a city or village, where the dance is so held for profit or a charge for dancing is made, to police such dance so that law and order is there maintained; and the person or persons conducting any such dance are hereby required before any such dance shall be held, to pay to such sheriff the expense of any deputy sheriff or special officer required to the proper policing of such dance. The holding of such dance without the giving of notice to the Sheriff of the County and the making of such provision for the policing thereof is hereby declared to be a misdemeanor.

Sec. 8-A. OFFICERS REQUIRED TO ENFORCE LAWS.) The Attorney General shall require the State Inspector and deputy inspectors and investigators to diligently and aggressively enforce all the provisions of this Chapter and the Laws of this State and shall not retain in such positions any person who shall fail so to do but shall summarily dismiss such person from the service.

Approved March 7th, 1923.

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## MASKS

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### CHAPTER 240.

(S. B. No. 14—McCoy and Sperry.)

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#### MASKS.

An Act to prohibit the wearing of masks or other disguises in public, and designating the penalty for same.

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

Sec. 1. Any person or persons over the age of fifteen years