

ished by imprisonment for not more than ten years, in addition to the punishment provided for the crime. Such imprisonment, if not exceeding one year, to be in the County jail, and if exceeding one year to be in the State Penitentiary.

§ 3. EMERGENCY.] This Act is declared to be an Emergency measure and shall take effect and be in force from and after its passage and approval.

Approved February 24, 1925.

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## PROHIBITION

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### CHAPTER 175

(H. B. No. 180—Carr and Starke.)

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#### DEFINING INTOXICATING LIQUORS

An Act To Amend and Re-enact Section 1 of Chapter 97 of the Session Laws of 1921, As Amended and Re-enacted by Section 1, of Chapter 268 of the Session Laws of 1923, Defining Intoxicating Liquors.

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

§ 1. That Section 1 of Chapter 268 of the 1923 Session Laws, is hereby amended and re-enacted to read as follows:

§ 1. DEFINING INTOXICATING LIQUORS.] The following liquors are hereby declared to be intoxicating and their intoxicating quality shall, by the Courts, be presumed, viz: alcohol, brandy, whisky, rum, gin, beer, ale, porter and wine and in addition thereto any spirituous, vinous, malt or fermented liquor, liquids and compounds, whether medicated, proprietary, patented or not, and by whatever name called, containing one-half of 1 per centum or more of alcohol by volume which are fit or intended for use for beverage purposes; Provided, that the foregoing definition shall not extend to sweet fruit juices or dealcoholized wine nor to any beverage or liquid produced by the process by which beer, ale, porter or wine is produced if it contains less than one-half of 1 per centum of alcohol by volume and is otherwise denominated than as beer, ale, or porter.

Approved March 10, 1925.

## CHAPTER 176

(H. B. No. 173—Carr and Starke.)

## INTOXICATION IN A PUBLIC PLACE

An Act To Amend and Re-enact Section 10141 of the Compiled Laws of North Dakota for the Year 1913, Relating to Being Intoxicated in a Public Place.

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

§ 1. That Section 10141 of the Compiled Laws of North Dakota for the year 1913 be amended and re-enacted to read as follows:

§ 10141. BEING INTOXICATED IN PUBLIC PLACE.] Every person being or found intoxicated in any public place is punishable upon conviction before a Justice of the Peace by a fine of not more than Fifty Dollars (\$50.00) nor less than Five Dollars (\$5.00), or by imprisonment in the county jail for not more than thirty (30) days, or by both such fine and imprisonment in the discretion of the court.

Approved March 7, 1925.

## PUBLIC LANDS

## CHAPTER 177

(S. B. No. 176—Hjelmstad.)

By Request.

## LEASING AND SALE OF SCHOOL AND OTHER PUBLIC LANDS

An Act To Amend and Re-enact Section 336, Compiled Laws of 1913, Relating to the Leasing and Sale of School and Other Public Lands of the State.

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

§ 1. AMENDMENT.] That Section 336, Compiled Laws of 1913, is hereby amended and re-enacted so as to read as follows:

§ 336. LANDS SUBJECT TO LEASE.] All the common school lands and all other public lands of the State that are not of such