

a misdemeanor. It shall be the duty of the state highway commission, on satisfactory proof that any signboard, distance marker or other marking established by any such association under the provisions of this act is misleading or untrue, to order the removal of such signboard, distance marker or other marking, and any association which shall fail to comply with any such order within thirty days after notice thereof shall forfeit its right to the exclusive use of any design registered under the provisions of this act.

Sec. 6. **Cancellation of name, etc.**—When any such corporation or association shall cease to exist, or when the interest in any such designated highway or trail, name and markings has ceased, the state highway commission may, after proper investigation, cancel the records and registration herein referred to, and re-assign such name, color, combination, designs or other markings to any other corporation or association making application for their use.

Sec. 7. **Fees to be credited to road and bridge fund.**—All fees received by the state highway commission under this act shall be turned into the state treasury, and shall be credited to the state road and bridge fund.

Sec. 8. **Violation a misdemeanor.**—Any person violating any of the provisions of this act shall be guilty of a misdemeanor.

Sec. 9. This act shall take effect and be in force from and after its passage.

Approved April 17, 1917.

#### CHAPTER 319—H. F. No. 617.

*An act to amend Section 9267 of the General Statutes of Minnesota for 1913, so as to empower the trial court to fix the maximum term of imprisonment in imposing the sentence upon the persons convicted of crime, and to repeal Section 9268 of the General Statutes of Minnesota for 1913.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Maximum term of imprisonment authorized in certain cases.**—Section 9267 of the General Statutes of Minnesota for 1913 is hereby amended so as to read as follows:

Section 9267. Whenever any person is convicted of any felony or crime committed after the passage of this act, punishable by imprisonment in the state prison or state reformatory, except treason or murder in the first or second degree as defined by law, the court in imposing sentence shall not fix a definite term of imprisonment, but may fix in said sentence the maximum term of such imprisonment, and shall sentence every such person to the state reformatory or to the state prison, as the case

may require, and the person sentenced shall be subject to release on parole and to final discharge by the board of parole as hereinafter provided, but imprisonment under such sentence shall not exceed the maximum term fixed by law or by the court, if the court has fixed the maximum term, provided that if a person be sentenced for two or more such separate offenses sentence shall be pronounced for each offense, and imprisonment thereunder may equal, but shall not exceed the total of the maximum terms, fixed by law or by the court if the court has fixed the maximum term for such separate offenses, which total shall, for the purpose of this act, be construed as one continuous term of imprisonment. And provided further that where one is convicted of a felony or crime that is punishable by imprisonment in the state prison or state reformatory or by fine or imprisonment in the county jail, or both, the court may impose the lighter sentence if it shall so elect.

Sec. 2. **Section 9268, General Statutes 1913, repealed.**—Section 9268 of the General Statutes of Minnesota for 1913, is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 17, 1917.

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CHAPTER 320—H. F. No. 621.

*An act to amend Section 2640 of the General Statutes, 1913, relating to intoxication of drivers of motor vehicles.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Conviction for intoxication to result in forfeiture of license and disqualification for three months.**—That section 2640 of the General Statutes, 1913, be and the same is hereby amended to read as follows:

2640. Whoever operates a motor vehicle while in an intoxicated condition shall be guilty of a misdemeanor.

*Provided that any person convicted under this section shall forfeit any license which he may have to operate a motor vehicle under the laws of this state and shall also be disqualified to operate any motor vehicle for a period of three months after the date of such conviction, and provided further that any violation of this provision shall be a misdemeanor.*

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 17, 1917.