

Sec. 10. **Inconsistent acts repealed.**—All acts and parts of acts inconsistent with the provisions of this act shall be and the same are hereby repealed.

Approved April 23, 1931.

CHAPTER 305—S. F. No. 499

An act to amend Section 3200 of the General Statutes of Minnesota for 1923, relating to the definition of intoxicating liquor.

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

Section 1. **Definition of intoxicating liquors.**—That Section 3200, General Statutes of Minnesota 1923, be amended so that the same shall read as follows:

“Wherever used in this act the terms “intoxicating liquor” and “liquor” shall include and mean ethyl alcohol and any distilled, fermented, spirituous, vinous or malt liquor or liquid of any kind potable as a beverage whenever any of said liquors or liquids contain one-half of one per cent or more of alcohol by volume; and shall also include and mean any liquor or liquid of any kind potable as a beverage which is in fact intoxicating. *If the Congress of the United States shall hereafter by a valid act define the words “intoxicating liquors” as used in Article XVIII of the constitution of the United States of America, then such definition, from the time such act of the Congress becomes operative shall be the definition thereof under this section.* In any action or proceeding under this act, civil or criminal, the fact that any such liquor or liquid which is potable as a beverage will, when drunk, produce an intoxicating effect, shall when established, be proof that such liquor or liquid contains one-half of one per cent or more of alcohol by volume and is intoxicating within the meaning of this act; the terms “sell” and “sale” shall include all barter, gifts and all means of furnishing liquor in violation or evasion of law; and the word “physician” shall include and mean any physician, surgeon, dentist or veterinarian, duly licensed to practice and practicing as such within this state, and no other person; the word “pharmacist”

shall include and mean only any duly licensed and registered pharmacist or druggist actually carrying on business as such in good faith within this state; the word "person" shall include and mean natural persons and corporations whether acting by themselves or by servant, agent or employe; words of singular number shall include their plurals, and words of masculine gender shall include the feminine or neuter as the case may be.

Wherever an address or location is required to be given in this act, it shall be held and construed to require the giving of the state, county, town, village or city, street and street number of the residence, place or place of business as the case may be.

"Nuisance" shall include the premises and every place where liquor in any quantity is manufactured or sold or kept or had for sale, or where any order therefor is taken, received or solicited contrary to the constitution or law of the state or of the United States, or where there is any still, apparatus, implement, machine, device, contrivance, utensil or thing or any tablet, compound, substance or matter or material of any kind or nature whether liquid or solid, or any formula, receipt or direction, any of which is apparently designed or intended for use or used therein for or in or in connection with the manufacture or sale of intoxicating liquor or any violation of the constitution or law of this state or of the United States relating to intoxicating liquor, or where any of the things herein specified are kept, had or possessed or any act whatever done, in violation of any provision or part of the constitution or law of this state or of the United States relating to intoxicating liquor, and all liquor in every such place and every bar, bar fixture, vessel, jug, container or receptacle of any kind, and every still or other thing of any kind herein before mentioned any of which is apparently designed or intended for use or used therein for or in or in connection with the manufacture or sale of intoxicating liquor, or any violation of any provision or part of the constitution or law of this state or of the United States relating to intoxicating liquor. Any person who in any way assists in creating, keeping or maintaining a nuisance, or who sells any liquor, liquid or any tablet, compound, substance or matter or material of any kind or any formula, recipe or direction, or any still, apparatus, implement, machine, device, contrivance, utensil, or thing of any kind with knowledge or reason to believe that the same is to be used or intended for use for or in or in connection with a nuisance or the creation, keeping or main-

tenance thereof, or who knowingly permits any premises or place owned, managed or controlled by him to become or remain a nuisance, shall be held to be aiding in such nuisance.

The term "wholesale druggist" as used in this act is hereby declared to mean one who in good faith deals in drugs, chemicals and medicines in large quantities and who sells such drugs, chemicals and medicines chiefly to retailers thereof, who in turn retail the same in small quantities to the consumers."

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

Approved April 23, 1931.

CHAPTER 306—S. F. No. 958

An act to appropriate money for expenses of the state government and for other purposes and prescribing present and future regulations and limitations relative to, and the expenditure of certain portions thereof, including appropriations from the trunk highway fund to defray expenses for issuing licenses and collecting the monies therefor for the highway department by the secretary of state.

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

Section 1. **Appropriations for state government.**—The sums hereinafter set forth in the columns designated "Appropriations" or so much thereof as may be necessary, are hereby appropriated out of any money in the state treasury not otherwise appropriated for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1931", "1932", and "1933" wherever used in this act shall mean that the appropriation, or appropriations listed thereunder shall be available for the year ending June 30, 1931, 1932, and 1933, respectively.